

Intellectual Property Rights in Universities and Public Reserach

Centres: A Point of View to a Traditional Dilemma

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Research and development processes in universities and public research centres had always been a controversial subject as the main actors had different points of view about confidentiality and secrecy. However, universities has as substantive purpose the spread of knowledge and often the academicians pretend to be the sole person to benefit of the advantages of patenting results. Mexican Universities and R&D Centres are by now facing a restricted budget, and projects for a specific firm, are needed for the supporting of other investigations. This precarious situation is one of the reasons for what intellectual property rights became if not an obstacle, at least not an advantage for scientist: on one hand, the results are not of his property, for it belongs to the sponsor company, and he can not publish these results. On the other hand, this type of projects supplies financial resources, and many times also a practical frame work for essays and tests. Even more, in Mexico regulations in most of the universities do not allow to the researchers to own the patent, which is always of the university or the research centre.

Based on the figures obtained mainly from the Faculty of Chemistry in Mexico, we present a general scope of the patenting situation, as well as the slow changes introduced in the few last months in these regulations. Also are studied the patenting behaviour in other R&D centres, where Copyrights are not a very interesting issue for innovations or new technologies, and scientist performance are evaluated upon publishing and not for patenting. This is why we propose a new version concerning intellectual property in Mexican universities that could increase the number of patents granted for institutions of research and development, and from there, to offer a better technological basis for national industries.