



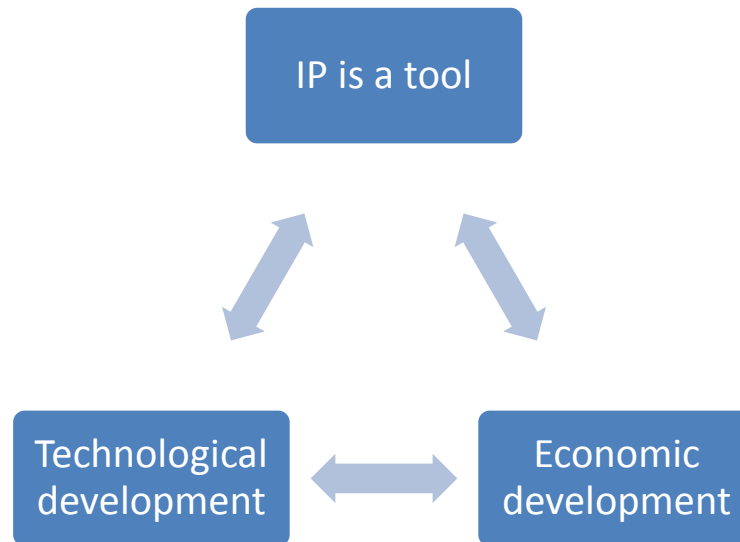
# Drafting National Intellectual Property (IP) Policy for Sri Lanka

*(Preliminary Draft Report)*

# Outline

- The importance of an IP policy
- Objectives
- Methodology
- Preliminary draft report

# The importance of an IP policy



- IP protects the creative efforts of the human mind
- Intellectual Property Rights Act, No. 36 of 2003
- Sri Lanka is signatory to all key international IP instruments

# The importance of an IP policy cont...

IPR Act and agreements alone are not sufficient

More important is the IP creation and national enforcement

Government should use timely changes

National policy on IPRs  
Incentivise and inculcate innovation culture  
Establishment of proper IPR management systems etc.

To achieve economic and social development

# Sri Lankan scenario

- “It is important to have an **effective** and **efficient** intellectual property management system to encourage transfer high-end foreign technology and innovations” - **Vision 2025: *The changing face of a Dynamic Modern Economy***

## ***Some policies and programmes***

- National Science & Technology Policy (2008)
- Science , Technology & Innovation Strategy – 2011 - 2015 (2010)
- Establishment of the Coordinating Secretariat for Science Technology and Innovation (COSTI)-2012
- Preparing Policy document on Integrating Intellectual Property into Innovation Policy Formulation in Sri Lanka (2015)

# Sri Lankan scenario cont...

Global Innovation  
Index (2017)  
**90/110**

Sri Lanka

Ease of Doing  
Business  
Report (2016)  
**110/190**

Resident patent  
applications per  
million populations  
(2015)


( Sri Lanka :10, Malaysia :42:  
Singapore : 265, China :706)

# Sri Lankan scenario cont...

Need for an IP policy



Effective enforcement to ensure that implemented programmes work effectively and promote innovation and economic growth



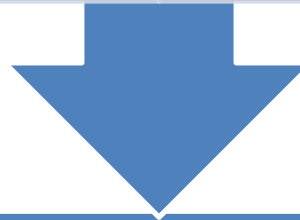
Improves the enforcement of existing IP rights

# Objectives

Prepare a comprehensive Intellectual Property Policy for Sri Lanka along with sound implementation strategies that are in line with

Economic aspirations

Innovation aspirations



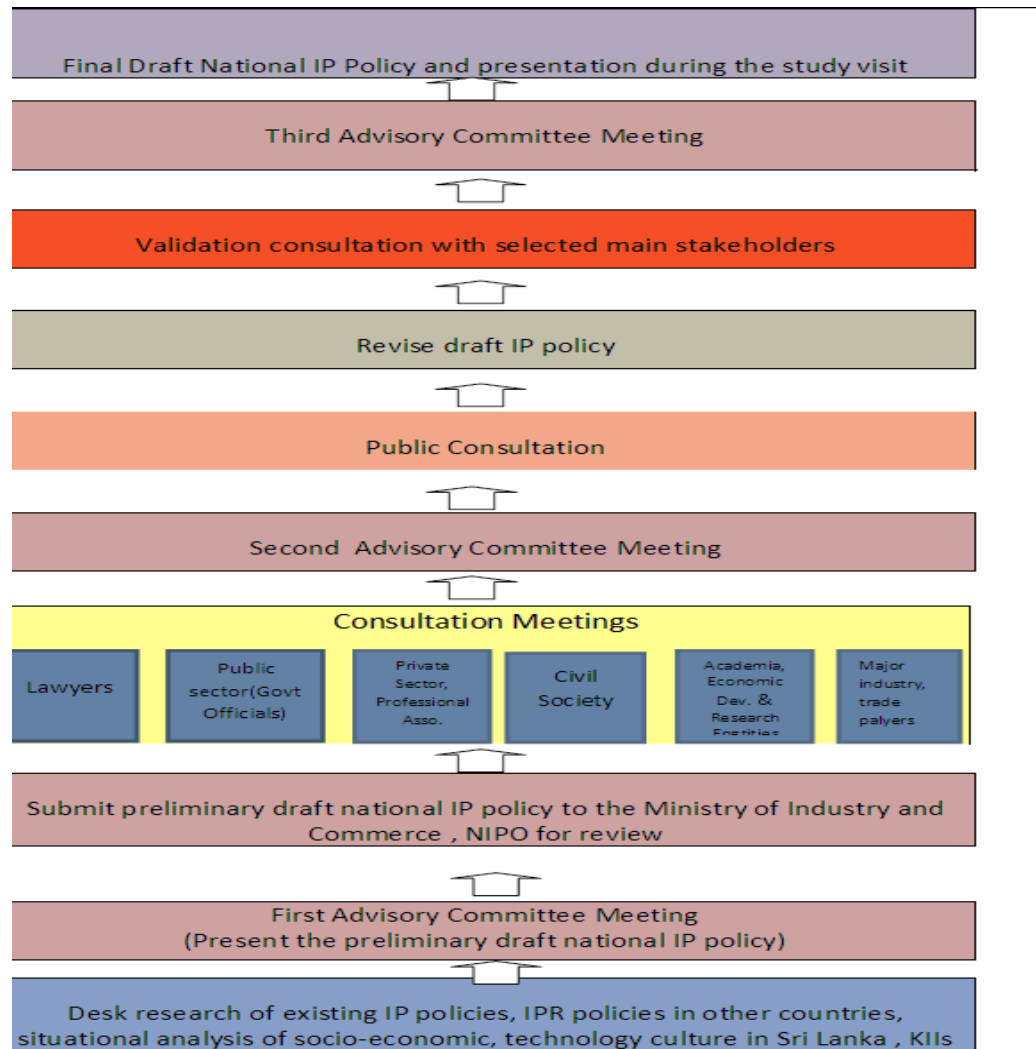
This will facilitate the implementation of best practices which will promote the economic development and innovative capacities of the country



# Methodology

- **A participatory and consultative approach**
- **Desk Research**
  - Policy documents relevant to IP in Sri Lanka and selected other countries, scientific reports, books, journal articles, working papers, research reports, web-based publications, national policy documents etc.
- **Field Research**
  - Key Informant Interviews (KIIs) – Government Officers: National Intellectual Property Office (NIPO), non-governmental (practicing lawyers etc.), academic, community based and private institutes who are working in the fields of IP, technology, innovation etc.
- **Consultations**
  - **Stakeholder consultation** (public/private/professional association/academia etc.)
  - **Public consultation**
  - **Validation consultation**

# Methodology



# Document outline

- **Introduction**
  - *Background*
  - *Need*
  - *Purpose & context*
  - *Rationale*
- **Policy Principles**
- **Policy Statements**
- **Policy Goals**
- **Applicability & Scope**



# Document outline

- **Policy Implementations**
  - *Strategies*
  - *Responsibility & Authority*
  - *Monitoring & Evaluation*

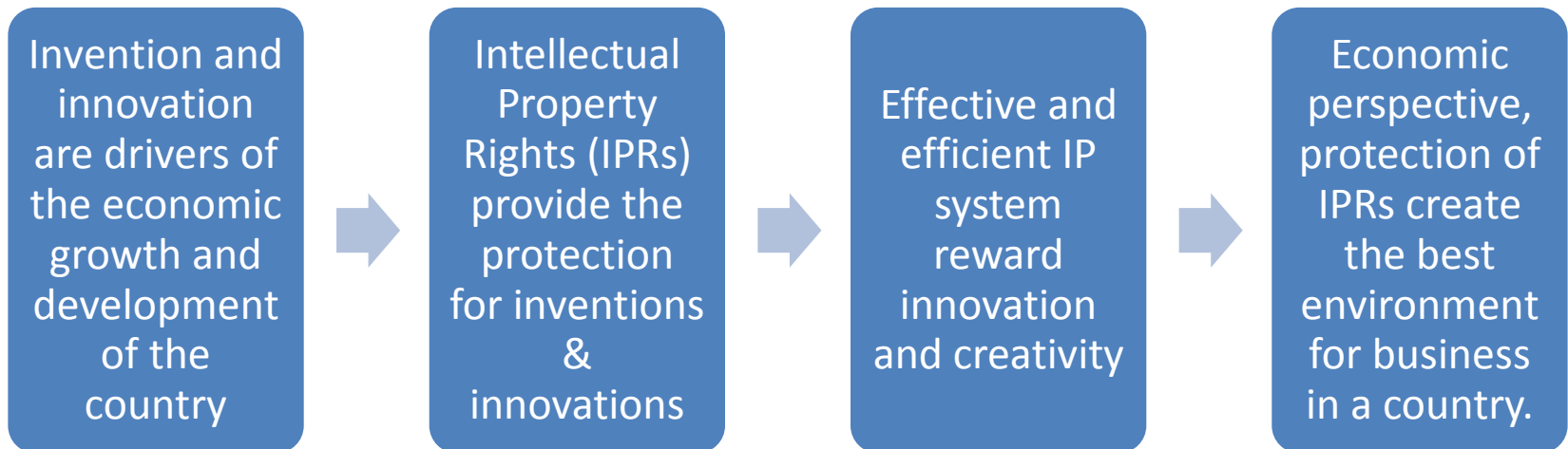


# Introduction

## 1) Background

*'A nation that does not invent and produce new things cannot prosper in this world, but will lie lamenting, being unable to beg.'*

**Cumaratunga Munidasa**



# Introduction cont...

## 2). Need for IPRs Policy

Economic &  
Legal  
perspectives

- IPs do not go through free market
- Government needs to intervene in economic affairs by way of introducing Public Policies and the necessary Institutional Infrastructure
- Legal ownership rights called IPRs
- IPRs provide the owners of IPs with the legally enforceable powers to prevent others using an intellectual creation or it provides the terms on how it could be used by others

# Introduction cont...

## 2). Need for IPRs Policy cont...

Economic theory suggests that the intellectual property rights could either enhance or limit economic growth

Stronger and more assured IPRs could increase economic growth and economic development

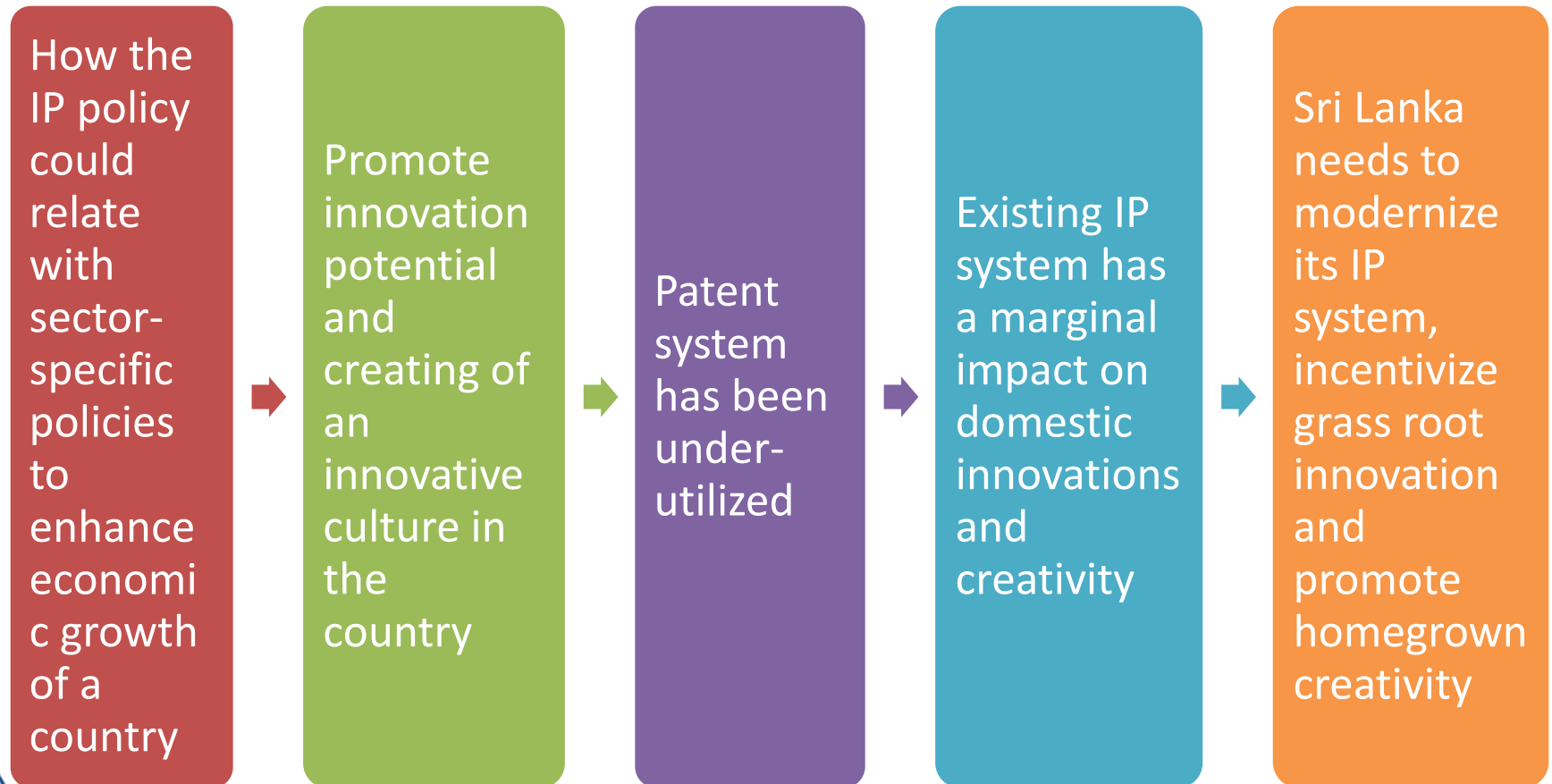
Depend on financial, technical, human capital and the level of economic development in each country

With an appropriate policies and transparent regulations, IPRs could play an important and positive role in promoting economic growth

# Introduction cont...

## 3). Context and Rationale

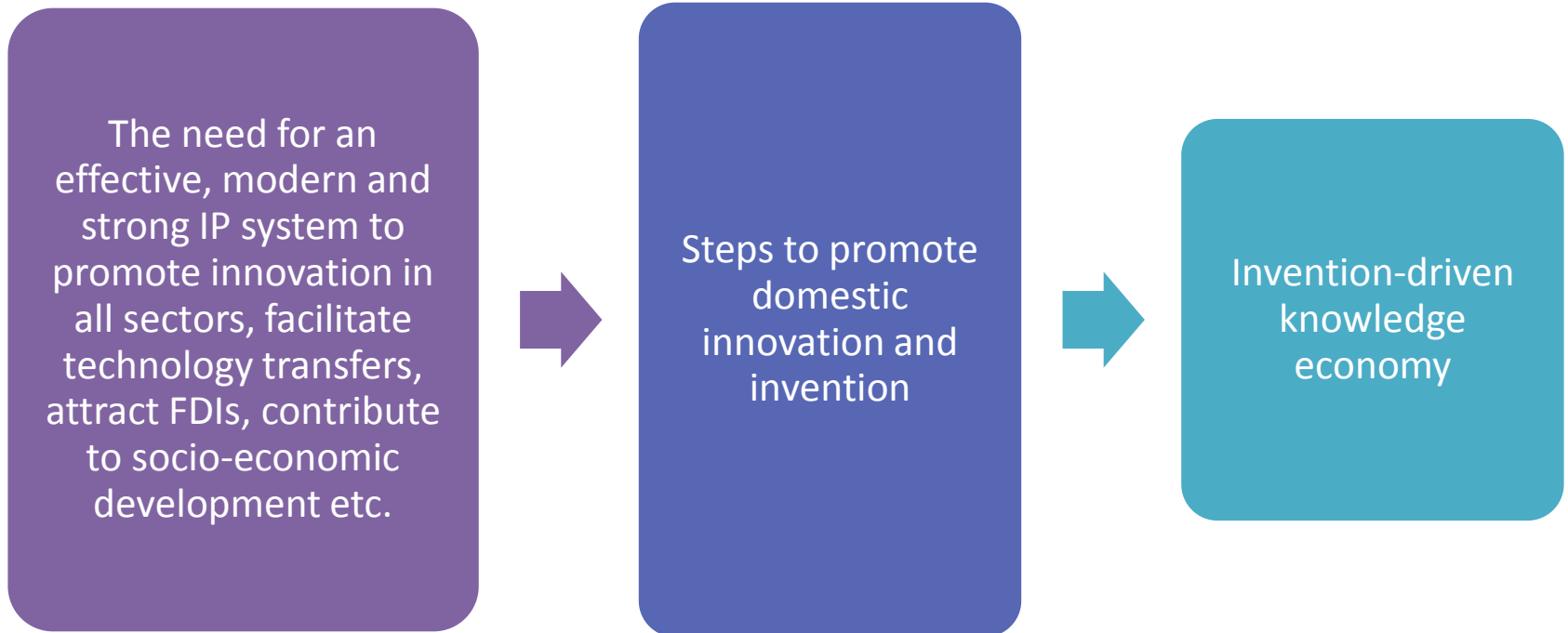
### – *Purpose and Context*





# Introduction cont...

- ***Rationale***



# Introduction cont...

## 4). Objectives

### General objective

- Propose sound implementation strategies that are in line with the economic and innovation aspirations of the country. This will facilitate the implementation of best practices which will promote the economic development and innovative capacities of the country.

### Specific Objectives

- To create and enhance public awareness
- To inculcate an innovation culture to promote domestic creativity and innovation
- To incentivise creation of Intellectual Property
- To facilitate creation of intellectual property in universities, research institutes etc.
- To accord protection of intellectual property in new and emerging areas
- To promote technology transfer from universities, research institutes etc. and commercialization of IPRs
- To improve administration, monitoring and evaluation of IPRs
- To make recommendations for modernization of IP regime through IIP law reform in Sri Lanka

# Policy Principles

- Why the policy exists, why the government adopts the policy and also highlights expected outcomes of the policy
  - Intellectual creations and innovations at all levels should be encouraged and rewarded in order to inculcate innovative spirit in the minds of its people
  - Use of IP system to stimulate economic growth, leverage business competitiveness, wealth creation, increase employment opportunities etc.
  - The need for constitutionalizing IP rights in order to make significant strides in the protection, administration, management, and deployment of IP landscape of Sri Lanka
  - Need of a well-functioning patent office and an efficient innovation infrastructure
  - The importance of using IP tools in tourism, agriculture, industrial, SMEs, cultural etc. sectors in order to brand, protect and promote Sri Lankan products and services both at domestic and international levels

# Policy Principles cont..

- Grassroots innovation needs to be encouraged
- Provide broad-based public education in intellectual property – both in primary and secondary education
- The need for an effective second-tier patent regime or a utility model/small patent system to incentivize domestic innovations
- The creation of a system for protection for Traditional Knowledge (TK) and TK-inspired innovation etc...

# Policy Statements

- (How strong IP system support to technology development, socio-economic development etc... and how the IP policy will benefit all relevant stakeholders (eg: policymakers, innovators, creators, producers, exporters, consumers and higher education institutions etc.)
- Create IPR awareness amongst general public and encourage generation of IPRs
- Provide efficient and effective IP protection system in par with the international standards
- Enhance science, technology and innovation culture
- Encourage to develop IP policies in universities, research institutes etc.
- Improve commercialization of IPRs in universities, research institutes etc.
- Promote technology transfer and investments in research and development
- Expand and improve human capital development
- Develop proper IP management and commercialization system
- Develop strategic approaches to improve IPRs in tourism, agriculture, industrial, SMEs, cultural etc. sectors
- Improve the capability and capacity to provide and use IP of services to support country's economic and social development



# ***Work –in- Progress***

- **Policy Goals**

(It is a broad statement of intent providing guidance for action. There could be several goals supporting the aforementioned policy principles. **Policy goals will mainly focus on developing an enabling IP eco-system in the country)**

- **Applicability & Scope (will be done with the inputs from stakeholder consultations)**

(How and who are the stakeholders affected by the policy. And what are the actions impacted by the policy)

- **Policy Implementations (will be done with the inputs from stakeholder consultations)**

# ***Work –in- Progress***

- **Policy Implementations (*will be done with the inputs from stakeholder consultations*)**
  - *Strategies*
  - *Responsibility & Authority*
  - *Monitoring & Evaluation*

Thank you ...



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