

IP Policy in Action – Incentives for Researchers and Technology Transfer Professionals

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*Ask the Expert session,
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Incentives in Technology Transfer

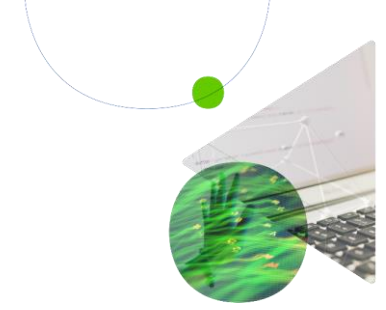
A guide to encourage,
recognize and reward
researchers and
professionals



WIPO



History



2018 – IP Policy Database

2019 – IP Policy Toolkit

2020 – National Projects

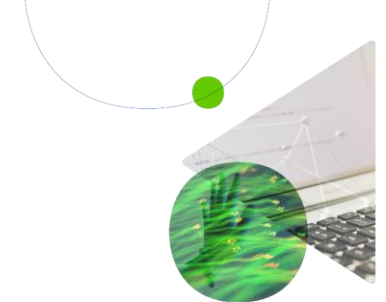
2021 – Work on Incentives for researchers and TTPs

2023 – expanded database

2024 – Incentives Guide

Future – **Incentives Database**

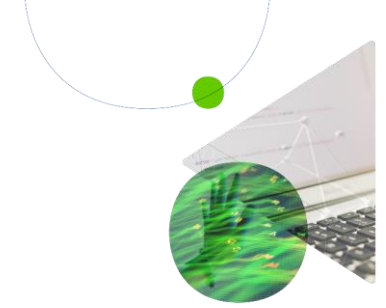
What motivates researchers?



Survey 2023: Main motivations

- **Intellectual freedom**
- **Publish articles**
- **Peer recognition**
- **Social impact**
- **Graduate students**
- **Funding for research and students**
- **Finding jobs for students**
- **Promotion**

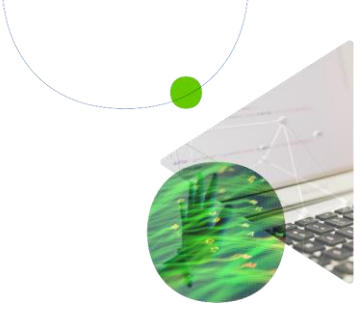
What discourages researchers?



Some challenges

- Workload constraints.
- Concerns about publishing rights.
- Perceived bureaucratic obstacles.
- Lack of expertise.
- Career progression worries.

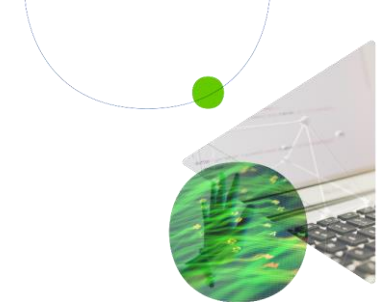
What do you want to encourage?



Key contributions

- Help TTOs to seek protection before publishing.
- Relations with licensees, investors, other partners.
- Support further development of the invention
 - e.g., consultant to a licensee, scientific director, founder spinout
- Ensure the **continued enthusiasm** of the entire TT team.

Typology



Non-financial

- Recognition
- Flexible working conditions
- Entrepreneurship support
- Additional funds
- Right to publish
- Returning IP



Career

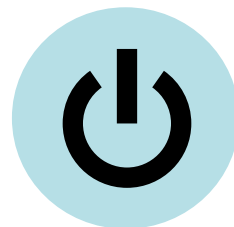
- Promotion criteria and evaluation process



Financial

- Share in revenues
- Spinout equity
- Spinout director's fees
- Consulting fees

I. Non-financial incentives



Proven to be highly powerful

- ✓ Align with researchers' core motivations.
- ✓ Provide immediate reinforcement, encouraging continued engagement.
- ✓ Create a cultural shift toward innovation
- ✓ **Main motivations for researchers to engage with industry are not financial.**

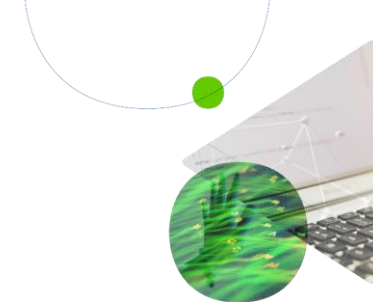


Granted by universities & governments



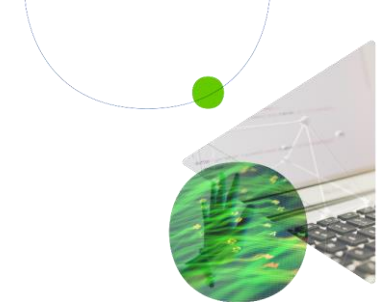
University leaders play a key role

- ✓ Attitude toward TT set in speeches, yearly reports, and committee meetings permeates through and influences the institution.



Be creative!

Recognition



- **Formal recognition**
 - honourable mention on business card
 - office name plate
 - job title (e.g. 'principle', 'senior')
 - lunch with Director
 - individual certificate
 - book of honour; wall of fame.
- **Direct praise**
 - “thank you” communication from the Director in speeches, reports, internet
 - recognition extended to direct management.
- **Publicizing successes**
 - success stories (IP, spinouts, licensing deals)
 - announcement of winners of award-competitions in intranet/media
 - annual university brochure showcasing the achievements of the researchers.
- **Prizes and awards**
 - entrepreneurial courses, personalized training
 - major scientific conferences
 - branded promotional item/wearable.

Examples



University of Cape Town

Inventors' breakfast

Innovation at UCT: profiles of inventions, inventors, spin-offs and RC&I activities.

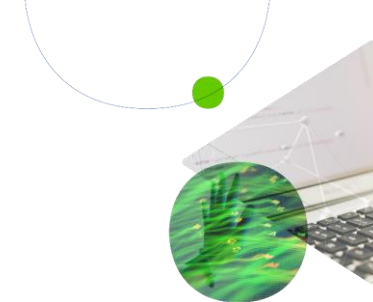
Inventor's mug: granted to inventors upon filing a provisional patent application.



EPO "European Inventor" Award

Recognizes outstanding inventors or teams, honoring their contributions to social, economic and technological progress.

Flexible working conditions



Sabbaticals and mobility schemes

- In which occasions?
- Compensation to department/unit?
- Return to their positions with same salary?
- Pause the tenure process?

Teaching and admin reductions

- Allowing researchers to devote exclusively to enterprise development.
- Researcher maintains full-time employment status.

Time allocation for consulting & other outside professional activities.

- In addition to their full-time employment at the U
- Under what conditions?
- Consulting policies and Col policies



Consult our
Database

Consulting example

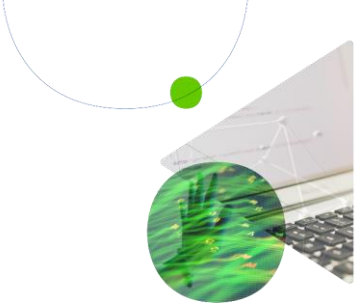


University of Mississippi Faculty Consulting Policy

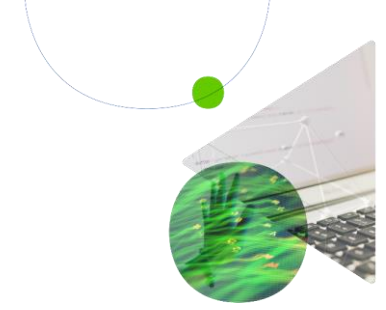
Consulting is permitted provided the faculty member's full-time obligation to the University is met. The maximum number of consulting days permissible for a faculty member is 39 days per academic year or 52 days per calendar year for 12-month appointees. This limit is based on a judgment about incentives and is aimed at furthering The University of Mississippi's teaching, research, and service objectives.

[...] Faculty members should resolve any questions and/or ambiguities with their department chairperson or dean before the fact, so that the University community is not injured by their actions. Faculty members have an obligation to report fully the level (i.e., number of days) of their consulting activities when asked to do so by the University so that it may be determined whether the principles set forth herein are being adhered to.

Source: University of Mississippi, Faculty Consulting Policy



Entrepreneurship support



Examples and good practices

- Training, coaching and **mentoring**
- Education in **patenting**
- **Industry and investor networking**
- Support for **spinout** creation
- Development of business concept or preliminary **business plan**
- **IP due diligence** (incl. internal disclosure, ownership, freedom to operate)
- **Market assessment**, technology positioning
- Introduction to the **financial community**, guidance **on fundraising**
- Helping to prepare communication materials, **pitch** decks, applications for public calls, etc.
- Entrepreneurship **bootcamps**
- **Startup incubators**

Examples

Stellenbosch University (SU)

Innovus and SU LaunchLab provide various programs “to foster an entrepreneurial spirit on campus and to create entrepreneurial awareness”:

Entrepreneurship Boot Camp. The TTO hosts an annual boot camp which focuses on the business model canvas and the growth wheel which are the tools used for start-ups and young entrepreneurs. Innovus guides the entrepreneurs in understanding the concepts behind the Value Proposition, Customer Segment, Pricing Model, and Breakeven point for a business, and invites industry experts and start-ups to advise faculty researchers and students on their entrepreneurial journey. The bootcamps lead to valuable educational experiences for students which augment classroom teachings and enhance the “Stellenbosch experience” for the student community.

Last Friday Pitching Session. The TTO invites SU entrepreneurs to a pitching session on the last Friday of every month. At this session, they are allowed to pitch their idea to the TT team and get advice on the areas of their business which needs support.

LaunchLab Incubator. Extensive support to spinout companies and student entrepreneurs, as well as external entrepreneurs. SU’s TTO also provides free company secretarial support, negotiates discounts with service providers on behalf of the university’s group of companies, legal and administrative support, access to investment and funding, access to networks, association with a top university, access to laboratories and access for spinout employees to the University’s wellness support programs, etc..

Source: Anita Nel

L’École Polytechnique Fédérale de Lausanne “EPFL Changemakers”

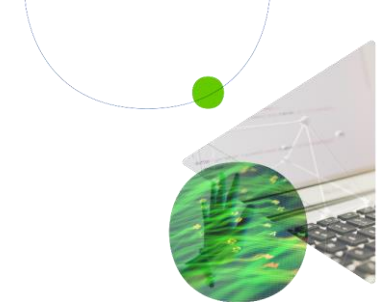
The EPFL Changemakers is designed for students ready to boost their innovation skills, reflect on sustainability and explore their leadership potential.

The 12-week program allows them to get experience on turning a business idea into reality.

There are two tracks available:

- the Startup Track to work on entrepreneurship project,
- the Challenge Track to join a team and work on a solution to a sustainability challenge provided by corporate and NGO partners of EPFL.

Right to publish



Best practices for Reconciling Publications with Industry Collaboration Constraints

1. **Negotiate publication regimes that allow researchers to publish *after consulting* with the industrial partner.**
2. **Define duration of confidentiality obligations**
3. **Clarify rights and responsibilities of researchers**
4. **Transparent consultation processes**

II. Promotion and career advancement



Lack of coherent
policies

Misalignment
between mission
and promotion

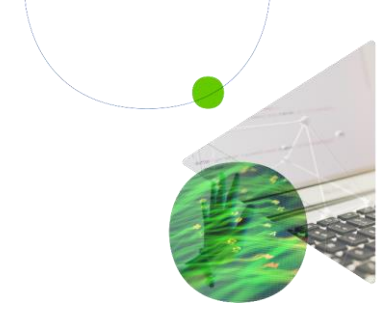
HE is beginning to recognize
the need for more nuanced
promotion criteria with multi-
dimensional career options.



*“Under current industrial relations arrangements **there is little career incentive** for university researchers to pursue commercialisation opportunities **given the focus on publications and citations** in competitive grant assessments and in internal promotion decisions in many institutions”.*

Action Plan for the Commercialization of Research in
Australian Universities (2022).

Examples promotion criteria

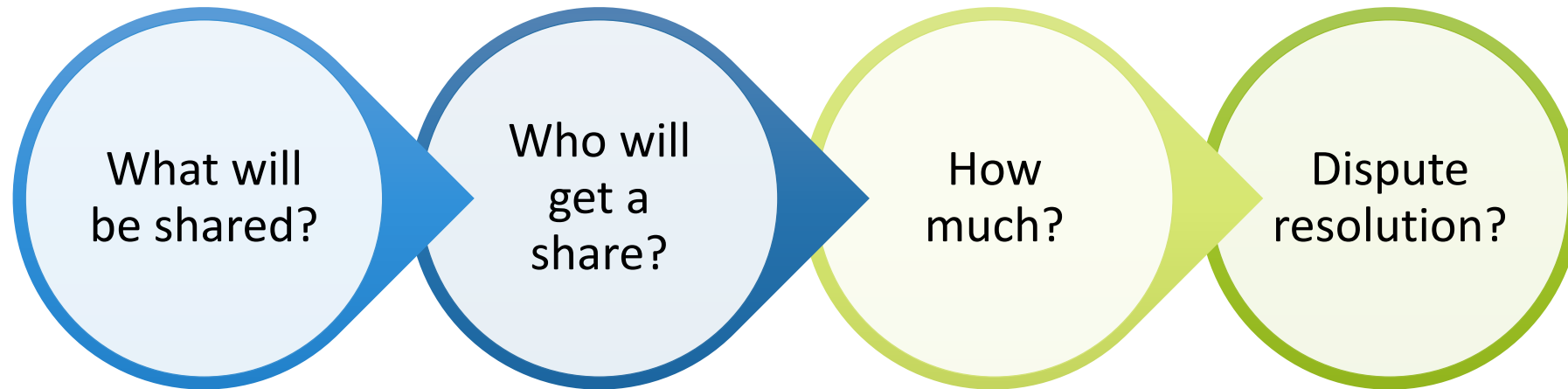
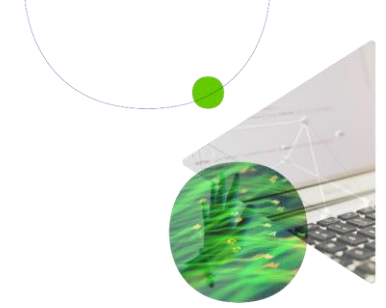


- Number of publications of applied research
- Number of inventions disclosures filed with the TTO
- Number of patent applications filed
- Number of patents granted
- Involvement in licensing or spin-outs
- Actual licensing revenue
- Collaborations with industry (collaborative research, consulting), etc.

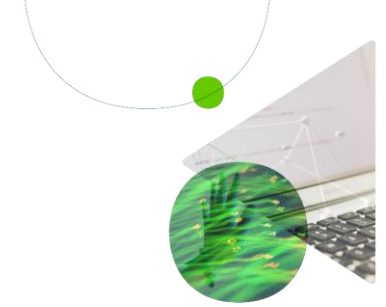
III. Financial incentives



Share in commercialization revenue

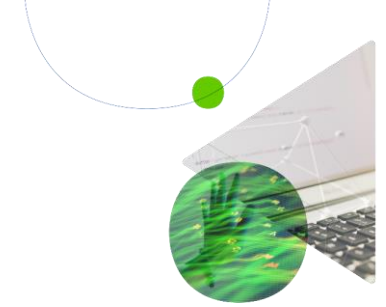


Examples of costs that are deducted



- **Expenses** incurred by payment to **external entities** for securing, maintaining and enforcing **IP protection**: search costs; attorney fees for drafting/filing the application, preparation of any formal documents required during filing and/or subsequent prosecution, translation fees; overhead charges (for example, printing, faxing, telephone, etc.).
- **Patent** (or other IP) application/renewal/maintenance fees.
- **Marketing fees** charged by outside consultants, advertising fees for posting technology summaries.
- **Attorney fees** for the drafting of the **licensing agreement**, royalty audit charges, etc.
- The institution's **expenses incurred in licensing of IP**, such as costs for performing a due diligence on the third party to whom the IP will be licensed.
- In addition, some universities deduct an **administration fee** (typically 10 to 15%) for operational costs. Then, they share whatever is left.

Example of a distribution formula



University of Manchester, UK

Distribution of NET IP Revenue

- 8.5. The University will normally allocate NET IP Revenue on the basis set out in the table below, subject to the exceptions detailed at paragraph 8.6:

	<u>Percentage of NET IP Revenue</u>
8.5.1. Creator's Revenue Share	40%
8.5.2. University Revenue Share	60%

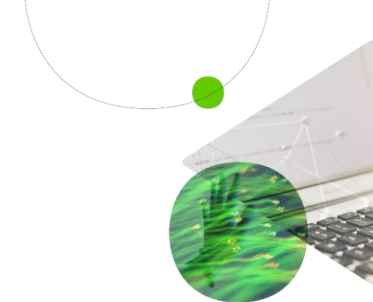
Technical University of Munich, Germany

1. Distribution formula for inventions/patents:

- Inventors' share as per § 42 of the Employee Inventions Act (ArbEG):
30 % of the gross revenues
- Share accruing to the Chair/Institute: 50 % of the share accruing to TUM

Example of a distribution formula

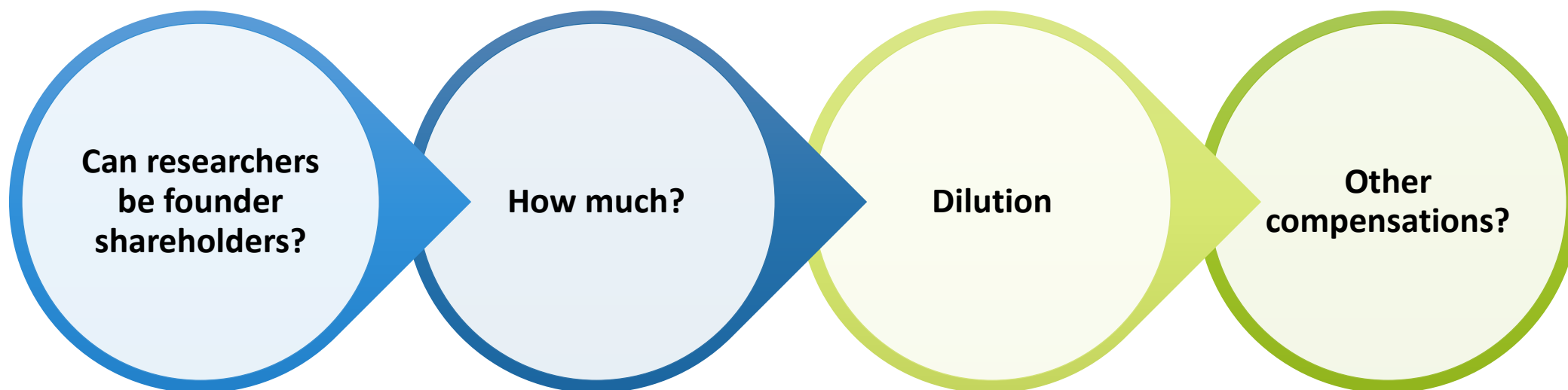
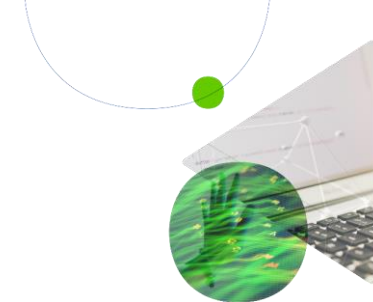
Charles University, Czech Republic



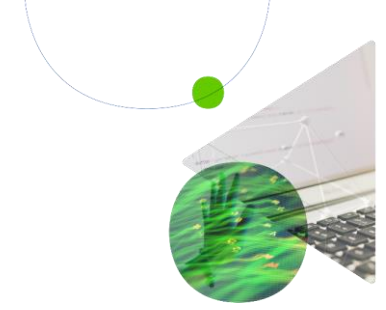
The distribution of revenues from the commercialization of industrial property rights is determined as a percentage of **net revenues** according to the criteria listed below:

UK net income from amounts	Amount remuneration of the originator	Faculty share/ to other components	Share of UK
up to 1 mil. CZK	55%	30%	15%
from 1 mil. CZK up to 5 mil. CZK	550 000 + 40% of the amount over 1 mil. CZK	300 000 + 40% of the amount over 1 mil. CZK	150 000 + 20% of the amount over 1 mil. CZK
over CZK 5 million	2 150 000 + 25% of the amount over 5 mil. CZK	1 900 000 + 45% of the amount over 5 mil. CZK	950 000 + 30% of the amount over 5 mil. CZK

Founder-researcher Equity



Consulting fees



- **Not a universal practice.**
- **Where permitted, practices vary significantly** in terms of the conditions + percentage of fees that researcher is allowed to retain as personal income.
 - ✓ keep all consultancy earnings.
 - ✓ share a portion of the fees with the university.
 - ✓ max limit on consulting fees
 - ✓ restrict types of services for which consulting fees can be charged.
- **Legal and financial implications**

Key messages

1. **Incentives should encourage collaboration, not competition.**
2. **Different times, different incentives:**
Incentives are important when it comes to hiring, keeping employees engaged and making sure they stay.
3. **There is no single solution:** ask researchers and TTPs what motivates them.
4. **Balancing incentives:** A successful incentive plan is based on a multi-faceted approach that combines financial, non-financial and promotional incentives.
5. **Government support** is equally crucial.
6. **Keep sharing:** By learning from each other, we can further improve incentives.



Thank you!

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