

Patent system shake up to boost innovation in SA

Trade and Industry Minister Rob Davies says government is trying to strike a balance between granting monopoly rights to support innovation, the dissemination of knowledge and addressing socio-economic challenges.



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“One of the policy instruments that government is introducing to address the above is a substantive search and examination system of patents. The substantive search and examination system will be implemented on a needs basis because there are too many cases of evergreening of patents,” said Davies.

He was speaking at the two-day Intellectual Property and Technology Commercialisation Colloquium in Pretoria.

The colloquium was hosted by the dti, in collaboration with the Companies and Intellectual Property Commission (CIPC), under the theme ‘Propelling innovation towards full-scale industrialisation and inclusive growth’.

While outlining the Intellectual Property system in SA, Davies said more than 95% of patents registered in SA are foreign patents and only a few are from local innovations.

He said there is a need to encourage the greater use of the patent system by local innovators.

In that regard, he said government is also involved in making it easier for inventors to patent their products through the Inventor Assistant Program (IAP).

The IAP is a CIPC administered program that assists inventors, who meet the qualifying criteria, to obtain patent protection for their inventions through the services of pro bono patent attorneys.

Davies said South Africa has inventions coming from research institutions, universities and individuals, and the issue is then how do these inventions become marketable products.

Davies cited the computerised ticketing system, automatic hosepipe and swimming pool cleaning device (Kreepy Krauly) as examples of South African innovations that ended up being manufactured outside the country. South Africa, he said, does not benefit appropriately from its innovations.

“This tells us that in the journey of innovation... the most difficult part is turning inventions into commercial products. In this regard, in SA we have had many more failures than successes. This is the issue we need to confront,” said Davies.

With the 4th industrial revolution unfolding, Davies said SA will have to adopt new technologies.

“There will be opportunities for small companies to make innovations around those products and barriers for the companies to enter the space are lowered because of the ability to creatively apply the new technologies.”

The dti is developing a programme that will include an incentive grant. It will provide assistance and a supportive environment so that people can find partners and means of taking these ideas to the marketplace to ensure that these innovations are commercialised in South Africa.

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