

Commemorating The U.S. Bayh-Dole Act And Its Impact On Technology Transfer Around The World

By Sun R. Kim

This year marks the 30th anniversary of enactment of the Bayh-Dole Act (BDA) in the U.S., which has paved the way for technology transfer in universities and research institutes. The Act allows government funded agencies, such as universities, to retain intellectual property rights to innovation stemming from the government-funded research. (35 USC Sections 200-212) This has made innovations and discoveries from the government funded research projects more accessible to private industry. The passage of the BDA has accelerated technology growth in the U.S. and permitted the government to capitalize on research discoveries through commercial exploitation.

The challenges faced by the U.S. in the pre-Bayh-Dole period are not unique to the United States. Governments world-wide spend billions of dollars every year funding national public research, yet the scientific knowledge created through such funding often encounter difficulties incorporating it into society.

This issue of *les Nouvelles* commemorates the 30th anniversary of the Bayh-Dole Act by exploring the exportation of the BDA concept and its impact throughout

the world. Starting with the United States, where the legislation originated, ex-Senator Bayh¹ discusses how the Act has evolved and matured since its inception, as well as the battle against the naysayers. The remaining countries addressed in this edition include Australia, India, Japan, Korea, Taiwan, Switzerland, Germany, France, Turkey, The United Kingdom, and Brazil, all of whom have different legal, social and economic infrastructures, yet they have been seeking to emulate the spirit of the Bayh-Dole Act to obtain the positive effect it has brought to the U.S. economy.

We invite you to take a journey with us to better understand the principles of the Bayh-Dole Act and how it has effected legislation and the technology transfer landscape throughout the world.

I would like to take this opportunity to express my sincere gratitude to all the authors who have contributed to this effort and to Larry Plonsker, Editor-in-Chief of *les Nouvelles* for his guidance.

Sun R. Kim, (LES Korea) Chair, University Industry and Government Transactions(IUGT) Committee, Editor for the special edition.