

THE IMPACT OF THE INNOVATION LAW IN FOUR BRASILIAN INSTITUTIONS SCIENTIFIC AND TECHNOLOGICAL

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Abstract: The Brazilian Innovation Law (Law 10,973/2004) has completed 9 years of existence and has the merit of establishing the legal framework for the private-public partnership by means of research and development agreements (R&D) with the participation of Scientific and Technological Institutions (ICT) in the process of national innovation, aiming to accelerate the development of the country. It established the Technology Transfer Office (TTO) to manage innovation's policy of these institutions, whose responsibilities encompass: maintenance of intellectual property, evaluation of the results of the research, protection of creations, disclosure of protected creations and monitoring procedures for protection of creations. This study examined the impact of Brazilian Innovation Law on the management activities innovation of four STI, been three public and one private, which are respectively: National Institute of the Amazonian Research (IMPA), Federal Institute of Education, Science and Technology of the Espirito Santo State (IFES), University of Rio de Janeiro State (UERJ) and Pontifical Catholic University of Rio Grande do Sul (PUCRS). The objective was to demonstrate and compare the impact, noting the progress and limitations it spawned, to propose improvements in these activities. The data were obtained from the database of the National Institute of Industrial Property (INPI) and in the institutions involved, whereas some authors have professional link with them. Data were analyzed from the perspective of definitions on innovation and economic development according

to Josef Schumpeter. The results show that the four institutions already had some policies, in spite of incipient, before of the Law 10,973/04, differentiated processes of internal changes after this Law and a considerable increase in the protection of creations by intellectual property rights, which would characterize the power participation of these institutions in the Brazilian innovation process. However, analyzing the data considering the Josef Schumpeter's theories, it was found that despite the implementation of the Law and of the results obtained by institutions, apparently there is an interruption in this process of innovation, having in view that the introduction of creations them in the manufacturing process of the firm and the availability of products for the consumption of people still are not happening. Some factors may have influenced this scenario: the absence of a clear policy of encouraging the licensing of intellectual property (mechanisms, resources, strategies), legal limitations to the realization of license agreements, and lack of skilled personnel to activities patent's licensing.