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Our ref:

18 March 2013

Mr Phumuza Langa
National Intellectual Property Management Office (NIPMO)
Phumuza.langa@nipmo.org.za

Dear Mr Langa

**Offices of Technology Transfer (OTT) Framework:
Moving towards a technology transfer orientated nation**

Thank you for the opportunity to comment on the OTT Framework document. Higher Education South Africa (HESA) requested all public higher education institutions to submit comments in relation to this document. HESA received nine responses, including comments from Cape Peninsula University of Technology (CPUT); Central University of Technology (CUT); Nelson Mandela Metropolitan University (NMMU); North-West University (NWU); Stellenbosch University (SU); University of the Free State (UFS); University of South Africa (UNISA); University of Pretoria (UP); and, University of the Western Cape (UWC).

Since these were the only responses received, HESA is not in a position to claim that our submission is a sector input. In addition, institutions may have communicated their views directly to NIPMO. The responses we received are nevertheless meaningful and quite detailed, and we trust these responses from individual institutions will be given serious consideration.

Directors: M.S. Badat; A.C. Bawa (Chairperson); R. Botman; C. de la Rey; T. Eloff; J.D. Jansen; M.R. Kgaphola; M.S. Makhanya; M.W. Makgoba; F. Mazibuko; L.V. Mazwi-Tanga; P. Mbatlali; N.M. Mokgalong; I. Moutlana; T.Z. Mthembu; G.L. Nongxa; B.P. O'Connell; N. Ogude; M. Price (Deputy Chairperson); I.L. Rensburg; D.I. Swartz; M. Tom.

A few key points emerging from the individual responses include:

Appreciation:

- Appreciation is noted for NIPMO's initiative in drafting a reference document for Technology Transfer Offices in South Africa;
- The document is seen to be constructive and potentially useful and informative for the establishment of Offices of Technology Transfer (OTTs);
- Furthermore, the document summarises best practices that will be helpful in setting up OTTs;
- The guideline document clearly articulates the key issues pertaining to the design, development and implementation of OTTs;
- The non-prescriptive nature of the document is particularly appreciated.

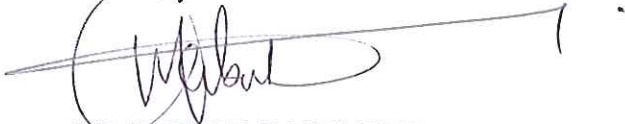
Concerns:

- The document does not properly locate OTTs within the discourse of the developing Science and Technology (S&T) policy context of South Africa;
- It also does not locate OTT formation in the broader discourse on the role of Higher Education Institutions (HEIs) in local, regional and national economic growth initiatives;
- It does not propose funding support for universities. The framework places the onus on universities to develop their own business plans and revenue models at their own cost. Yet, the IPR Act makes it a legal requirement for universities to establish OTTs. Consideration should therefore be given to all the elements that need funding and the extent to which lack of funding may inhibit commercialization;
- There is a concern that NIPMO is placing large emphasis on the commercial success of an OTT whilst, at this stage of development in the South African context, the focus should rather be on creating a solid understanding of IP among students and staff. Immediate commercial success assumes that a pipeline of research output with commercial potential is already in place. And, even if universities have a pipeline ready, it still takes a long time to take a product to market, and it takes an even longer time to achieve any kind of 'commercial success' with such products.
- A separate section dealing with sustainability and institutional support for OTTs will be very helpful. This is in recognition that OTTs may not be financially self-sustainable in the short to medium term;

- Evidence is emerging that it takes an OTT ten years to become effective. However, it is also clear that very few international OTTs are self-sustaining, and probably not within the first twenty years of its existence;
- While benchmarks from other universities across the world have been included as best practice, it may be helpful to do a more comprehensive study. More particularly, comparative studies between the EU and USA universities, as well as comparative studies between universities from the developing and developed countries would be useful;
- HR capacity building in respect of OTTs and its functions should be given serious consideration;
- Developing sustainable quadruple-helix relations and partnerships (government, universities, industry and society), aligned with the core strengths of the universities is a crucial element for the success of the emerging knowledge economy. The OTT framework should give much more attention to this matter.

In addition to these brief comments, the individual institutional responses are also included. HESA is looking forward to the next version of the Framework document.

Sincerely

A handwritten signature in black ink, appearing to read 'Jeffrey Mabelebele', with a long horizontal stroke extending to the right.

DR-JEFFREY MABELEBELE
CHIEF EXECUTIVE OFFICER