

Technology Commercialisation Process

Technology commercialisation is the process of introducing a new product on to the market. Once you develop an invention, we will work with you to move this towards commercialisation (“**from the lab to the market**”).

The basic steps involved in the process is summarised below;

1. [Research](#)

Experiments and observations made during research may lead to an invention with commercial potential.

The University of Ghana, in accordance with general law principles owns intellectual property under the following circumstances;

- The intellectual property was created by an employee in the course of employment
- It was created with significant use of the University’s resources
A significant use of University resources happens where University-administered funds University facilities, equipment, resources, time, office space, personnel, administrative support, etc. are used in the creation of the intellectual property
- The intellectual property emanated from a University commissioned work

Please refer to the [University of Ghana Intellectual Property Policy](#) for more information on ownership of intellectual property.

2. [Invention disclosure](#)

Researchers are required to disclose an invention by completing an [Invention Disclosure Form](#). The disclosure serves as an initial formal step to acquiring appropriate protection for the invention and provides information on;

- Inventors
- Description of the invention
- The technical problem at hand it proposes to solve
- Advantages of the invention over existing technologies
- Scope of use
- Potential commercial partners, etc.

By submitting a disclosure, the inventor enables the Technology Transfer and Intellectual Property Services to offer assistance and support throughout the commercialization process if the University asserts its interest in the invention or technology.

A [Guideline on Invention Disclosure](#) has been developed to aid the process.

The completed form can be submitted by email to orid-ipatt@ug.edu.gh or delivered to our office.

It is important that you contact us before an invention is disclosed publicly so we can take steps to protect it. A key requirement for patent protection is that the invention must be novel. This means information on the invention should not be publicly available in any form. You can present and publish details of your invention once a patent application is filed.

3. Evaluation

The Intellectual Property Committee will conduct an evaluation of the invention to determine whether it will be accepted for the purposes of protection and/or commercialisation.

Key considerations of the evaluation include;

- Novelty of the invention
- Commercial prospects
- Competing technologies
- Industrial use of the invention
- Estimated market size
- Level of investment required for further development

Possible outcomes of an evaluation

- Request the inventor to provide additional information or undertake further work on the invention to support the case for protection and / or commercialisation
- Delay publication of the research until the intellectual property is protected
- Recommended for intellectual property protection
- File for protection and assign some or all of the rights to the invention
- Proceed with commercialisation or begin the process of commercialising the intellectual property

4. Intellectual property protection

Where a recommendation is made to protect the intellectual property, the University will engage the services of a patent attorney who will work with the inventor to draft a patent application and provide technical expertise throughout the process.

The application will be filed at a National or Regional Intellectual Property Office. The costs associated with the protection of the technology will be borne by the University.

The application will be examined by a patent examiner to determine whether a patent will be granted. Thereafter the examiner may issue a Notice of Allowance to indicate a patent will be granted. On the other hand, an Office Action will be issued citing reasons why a patent will not be granted. An applicant can file a written response to an Office Action to rectify or address the issues. A patent may be granted once the examiner is satisfied the issues have been properly addressed.

On the average, it takes about three to four years for a patent to be granted. A patent is valid for twenty (20) years subject to the payment of annual maintenance fees.

In view of the huge costs associated with the patenting process, we regularly evaluate the commercial progress of the invention to determine whether to continue with the process. We will not pursue the protection of an invention whose commercial development is uncertain. We may also abandon a filing that cannot be commercialised.

5. Marketing

Together with the inventor, we will develop a mutually acceptable plan for marketing and commercialising the technology. The plan will address issues such as

- Potential funding sources
- Options for developing the IP
- Marketing
- Targeted customer base
- Companies with resources and capabilities to put the technology on the market.

We will also adopt a number of approaches to identify potential licensees through

- Market research
- Due diligence
- Participation in industry events
- Online marketing

The University of Ghana will partner with investors, entrepreneurs, venture capitalists, companies, etc. to help bring the technology onto the market. Non-confidential and in some cases confidential customized profiles or information on the technology will be developed for targeted licensees.

It may take weeks or even months to identify a suitable licensee depending on factors such

- Availability of a patent or other legal protection
- Competing technologies
- The technology readiness level
- Size of the market for the technology, etc.

6. Licensing

A licensee will be selected based on its ability to commercialise the technology. In some cases, an established company with expertise in similar technologies will be chosen. In other cases, a startup company may be the preferred option.

A Non-Disclosure Agreement or Confidentiality Agreement will be put in place between the University and potential licensees to protect the confidentiality of an invention being evaluated by the licensee.

Where the licensee is interested in commercialising the technology, a licensing agreement will be reached with the University for further development and / or commercialisation of the technology.

7. Commercialisation and revenue sharing

The licensee is required to develop the invention into a commercial product or service and may request the support of the inventor in developing the technology further. This may assume the form of a consulting relationship with the inventor, sponsored research, etc.

Net revenue/royalties accruing from commercialisation would be distributed as follows;

- i. The inventor receives forty percent (40%)

Where there is more than one inventor, this will be distributed equally among them unless otherwise indicated.

- ii. The remaining sixty percent (60%) is allocated as follows:
 - Twenty-five percent (25%) to the University;
 - Fifteen percent (15%) to support research grants or fellowships;
 - Ten percent (10%) to the Inventor's College and its constituents in support of research;
 - Ten percent (10%) to an IP Fund.

Inventors are personally responsible for complying with any tax and other obligations associated with the receipt of their share of income.

If the licensee is unable to commercialise the invention successfully, the University will terminate the license. The University will then license the rights to the invention to another licensee.

These steps may vary sequentially and can occur simultaneously.

Download the Basic Steps to Technology Commercialisation