

FOI Release
Information released under the Freedom of Information Act

Title: Intellectual property commercialisation by health trusts and hospitals

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Information request:

Annual IP commercialisation activities of Health Trusts/Hospitals for the UK. I have looked through a number of IPO reports and data sheets and have been unable to find any categories of aggregated applicant type. Within the data I have found patents are classified by product type, rather than a classification of the source of the application. Do such classifications exist (e.g.: Universities, Private enterprise, Government research institution, Research Hospitals, Health Care Trust etc)?

If so, I am looking for the following

- Invention disclosures received
- Patent applications filed
- Patents issued

I am also looking to find data on the following if it is available. If you could direct me to where I am most likely to find it, I would really appreciate it.

- License, sales and option contracts (including software)
- Total license portfolio (excluding software)
- Spinout companies established
- Technology transfer staff (full-time FTEs)
- The cost of rights-protection etc
- Income from commercialisation
- Research agreements with companies

I am interested in data from 2005 through to 2011.

Information released:

I regret that most of the information you have asked for is not held by the Intellectual Property Office, but you are welcome to the limited information we do hold.

In answer to your first question, patent applications are not classified by type of source. The only distinction we can draw is between 'represented' and 'unrepresented' applicants, which roughly equates to corporate applicants and private individuals, i.e. currently at around 60:40. The only reason we are able to make this distinction is because there is a field on the application form for an address for service. Legislation does not require us to collect and record any other information regarding types of applicants.

However, I have attached a spreadsheet which is an extract of our patent publication data which includes applicant details. It won't be comprehensive, but I've searched the applicant names for those containing one or more of the keywords "hospital", "NHS" and "trust". It won't identify any applicants who may have applied in e.g. the name of an associated

university or institute. For example, St Mary's Hospital (Paddington) is administered as part of Imperial College and it is possible that any relevant IP is administered under the College name rather than that of the Hospital. (Searching for all occurrences of the word "university" would probably return a large number of hits of non-medical patents which would be irrelevant to your search and would cost us more time in searching and identifying relevant hits, time which would probably exceed the cost limit equivalent to 3.5 working days beyond which we are not obliged to provide you with information under the terms of the FOI Act.)

The datasheet includes patent applications that were published from 1995 to the end of 2012, but because most patents are not published until approximately 18 months after application there may well be some patents missing from the second half of 2011. (I am expecting an updated spreadsheet shortly that will include patents published during 2013, but so far this is the most recent data available.)

I know that you are only really interested in information from 2005, but as we do not know when (or if) any of these patents were put to commercial use; I thought I'd better include the earlier data. It will tell you which patents of those that were applied for actually reached grant stage, indicated by a date in the 'B publication' column and of those, which granted patents remain live. I should add that many patents which had not reached this stage by the end of 2012 will since have been granted and others of course will have lapsed.

To answer your specific questions, my patent examination colleagues tell me that 'patent disclosures' do not feature in the UK patent system. With regards to the numbers of patents filed and granted, if you are looking for general figures (as opposed to those filed specifically by Health Trusts), they are published in our annual Facts & Figures which I assume you have already found on our website.

Of your remaining seven questions, we only have partial information on the costs of patents, limited to the official fees as published on our website at:

<http://www.ipo.gov.uk/types/patent/p-formsfees.htm>. You could try contacting CIPA (Chartered Institute of Patent Attorneys) to gain some idea of the additional costs of the services of patent attorneys for help in processing patent applications and managing patent portfolios. The registering of patent licensing with us is nearly always a voluntary arrangement, so we have no reliable data on the scale of licensing and no hard data whatsoever on the income generated from the commercialisation of patents.

The only research paper I am aware of, which may have some relevance for you, is a paper we published last year which covers licensing: <http://www.ipo.gov.uk/ipresearch-sipu.pdf> .

Another source which may be of some value is a conference on patent use hosted by the IPO last September: <http://www.ipo.gov.uk/blogs/ipofacto/2013/09/25/a-meeting-of-minds-on-the-use-and-users-patents>, at which a couple of the presentations covered tech transfer, in particular one specifically in the medical area, full paper here: http://druid8.sit.aau.dk/acc_papers/76fby32cuql31xbap76m09leymcq.pdf .