

LETTER OF INSTRUCTIONS NO. 891, July 23, 1979

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TO:

National Science Development Board Technology Resource Center
Ministry of Budget
Development Bank of the Philippines
All Concerned

WHEREAS, the critical technological problem in the country today is effective transfer, delivery and exploitation of available local and foreign technologies for the purpose of upgrading the products and production processes of firms;

WHEREAS, under Presidential Memorandum dated 22 December 1978, the Technology Resource Center (TRC) has been mandated to develop and implement an Export Industry Modernization Project designed to modernize the production technologies of firms to make them competitive in the international market;

WHEREAS, applied research, which is the innovative improvement of existing and imported technologies, must be market oriented and directly related to the production processes at the firm level;

WHEREAS, there is a pressing need to strengthen and reinforce existing mechanisms involved in the transfer and delivery of available technologies to individual firms;

NOW, THEREFORE I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, hereby order and direct the following:

- Technology Utilization Teams. — TRC is hereby directed to form Technology Utilization Service Teams ("TUST") in the fields of specialization of government entities responsible for the generation of Government Technologies referred in paragraph 4 below. TUSTs, which shall be composed of marketing, managerial and technical personnel from TRC and government entities engaged in research and development, shall provide direct linkage between research and development centers on the one hand and firms availing of Government Technologies on the other.

TUSTs shall also provide, through TRC, consultancy services to firms in order that government technical expertise may be availed of by private sector. TUST members shall be entitled to reasonable honoraria from TRC, provided that such honoraria shall be derived solely from consultancy service fees paid by client firms to TRC.

- TRC Link-Up with Other Agencies — All government research and development, universities, colleges, technical schools and similar agencies are hereby directed to link-up with TRC as the information center for the utilization of Government Technologies. The TRC shall issue guidelines to be observed by such government agencies in the transmission of technical information to, and retrieval thereof from TRC. Technical information generated from such link-up shall be made available to private industry users such terms and conditions to be determined by TRC.

- Licensing of Government Technologies. — TRC shall grant third parties, whether public or private, licenses to utilize Government Technologies. The grant of such licenses shall be subject to terms and conditions, including payment of royalties, to be determined by TRC. Sixty percent (60%) of royalties from such licenses shall accrue to the government research and development agency responsible for generating the technology licensed, while the balance of the royalties shall accrue to a Technology Development Fund to be administered by TRC for the purpose of developing the market for Government Technologies and for building up TRC's technology data bank.

- Government Technologies — Government Technologies, which are owned by government, are defined as follows:

- Service technologies — those innovations, inventions, processes, utility models, industrial designs, secret formulas and similar technologies, whether patentable or not, developed by persons under an employment or consultancy contract/relationship with the government or any of its agencies for the performance of research work.

- Dependent technologies — those innovations, inventions, processes, utility models, industrial designs, secret formulas and similar technologies, whether patentable or not, developed by persons under an employment or consultancy contract/relationship with the government or any of its agencies and who are under no obligation to exercise an inventive activity but who use data or means available to them by reason of such employment or consultancy to develop the technology.

- Other technologies — those innovations, processes, utility models, industrial designs, secret formulas and similar technologies, whether patentable or not, developed by government research and development centers, universities, colleges, technical schools and other agencies.

Excluded from the coverage of Government Technologies are those developed by the government or its agencies in cooperation with foreign governments or international/regional organizations where the resulting technologies are declared to be outside the ownership of any entity, public or private.

- Budget Release. — In compliance with Presidential Memorandum Directive dated 22 December 1978, directing the TRC to implement the Export Industry Modernization Project, the Ministry of Budget shall release a lump sum of FIVE MILLION PESOS (P5,000,000.00) for 1979, for the operation and maintenance of the EIMP.

- Agency Assistance. — Upon the request of TRC, government research and development centers, universities, colleges, technical schools and similar agencies shall make available to TRC their facilities to enable TRC to carry out the foregoing directive and responsibilities.

- Repealing Clause. — All orders, issuances, memoranda, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

DONE in the City of Manila, this 23rd day of July, in the year of Our Lord, Nineteen Hundred and Seventy-Nine.

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