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N. Popova
Associate Professor
Cherkasy Bohdan Khmelnytsky National University
Intership of IPKM Maastricht University Faculty of Law

TECHNOLOGY TRANSFER PECULIARITIES AT THE MAASTRICHT UNIVERSITY, THE NETHERLANDS

The most developed countries in the world have achieved economic success through innovation and successful technology transfer. Academic technology transfer plays an important role in this process. Academic technology transfer is

the gradual process of transfer of an invention from an academic environment to a company (start-up) for its refinement and adaptation to the needs and demands of consumers [1]. Therefore, studying and adopting the experience of a successful model of academic technology transfer in leading European countries will be useful for the introduction and development of technology transfer in Ukrainian educational and scientific institutions.

The purpose of the study is to highlight the process of technology transfer, namely, the activities of the Knowledge Transfer Office at one of the leading universities in the Netherlands – Maastricht University (UM).

The main task is to cover technology transfer not only from the perspective of technology transfer through licenses and contracts but also in the broader context of knowledge valorisation.

The main focus of UM innovation activities is knowledge valorisation, which is understood as «the process of creating value from knowledge by making knowledge suitable and accessible for social and/or economic application and transformation into products, services, processes and new businesses» [2].

Valorisation is considered as a way to help university researchers contribute to society with a long-term perspective in an economically sustainable way.

Valorisation activities are carried out through the UM Knowledge Transfer Office (KTO), which works closely with the Brightlands Maastricht Health Campus (BLMHC), the latter coordinating knowledge valorisation related to business development in the health and life sciences [3].

All the staff of these centres have experience in the scientific or life sciences sector and have a good understanding of the technology transfer process. In general, the valorisation process, organised by the BLMHC, is a team approach with close collaboration among a business developer, a researcher, a patent attorney and a legal expert – all coordinated and led by the responsible business developer.

In the technology transfer process, considerable attention is paid to intellectual property management. In particular, the BLMHC staff has developed a special guide that provides a clear definition of intellectual property and notes that a patent or any other form of IP protection is not the

goal of the valorisation process, but rather a means of bringing a product to market. Often, a potential licensee (either an existing company or a start-up) needs IP protection in order to protect the significant investment required to bring an invention to market [4].

The process of technology transfer in UM has several stages.

The first stage is the disclosure of information (internal disclosure) about the invention, at the early stages. It is during this period that the staff of the KTO office ask researchers to inform them about the invention before an inventor officially discloses an invention through publications, reports, conferences, press releases or any other form of communication outside the IP Office. As soon as the invention is publicly disclosed, published or presented to an audience outside the UM, the potential intellectual property rights may be limited, which will hinder the commercialisation potential.

The next stage is the evaluation, which begins with determining the commercial feasibility of potential products or services, taking into account various aspects, such as:

1. Value offer: what is the potential product or service of the invention and what problem does it solve?

2. Target audience: who wants to use the invention or who are the stakeholders?

3. Stage of development: innovations at a very early stage of development may require significant resources to reach a viable and valuable stage with commercially useful claims in a patent application;

4. Market potential: identify potential licensees/partners for joint development;

5. Market size: whether it is suitable for a small market niche or widespread use, and whether it has a high or low market value [4].

In addition, the novelty and patentability of the invention, as well as competing technologies, are aspects that will be assessed at the initial stage.

The next stage is the protection of intellectual property rights if the preliminary assessment has established that the invention has commercial

potential and meets the patenting criteria, namely, novelty, inventive step and industrial applicability. It is worth noting that without a preliminary assessment and determination of the commercial applicability of an invention, the patenting procedure is not conducted. This is because patenting is an expensive procedure. Therefore, the KTO carefully analyses the commercial applicability of the invention before investing in it. The UM engages an external patent law firm to protect and defend its intellectual property.

The owner of the patent for the invention created by a university researcher is UM.

The next stage is to develop a commercialisation strategy.

After the invention has been disclosed, the Centre's employees conduct market research to promote the product. Based on the market research and more detailed information from the researcher on the invention, the TTO representatives make a one-page description of the invention, which will be used as a marketing tool.

After creating a commercial offer, the invention is promoted to the market. For this purpose, the centre's website is used and direct contacts with potential investors are established through special conferences, networking sessions and various industry events.

The last phase is technology transfer, which takes place through licensing agreements or the creation of start-up companies.

Among UM's major achievements in technology transfer and research funding are the innovative activities of UM and Maastricht University Medical Centre [MUMC], which specialises in research in ophthalmology, cardiovascular diseases and orthopaedics. UM/MUMC, in partnership with the Chemelot Institute of Science and Technology (InSciTe), received an EU OPZuid grant of €1.6 million in 2017 for the further development and validation of the Medical Accelerator Matrix (Bio). The Province of Limburg provided additional funding of €157,000 [5].

The process of technology transfer therefore occupies an important place in MU's policy. Being aware of the importance of knowledge valorisation and its

impact on the social and economic development of society, MU, drawing on the experience of the world's leading innovative universities, has developed and implemented a policy of knowledge valorisation and transfer in the university's innovation activities via the creation and operation of a specific unit - the Knowledge Transfer Office – which works closely with the BLMH and other regional innovation centres.

Valorisation activities are divided into such important stages as preliminary disclosure of the invention, assessment of the commercial potential of the invention and its patentability, marketing and promotion. The successful transfer of intellectual property allows the university to generate additional financial income, which can be used as an additional financial incentive for staff and reinvested in new research. It should also be allocated to the Intellectual Property Protection Fund to ensure the transfer of future innovations. It is worth noting that, in addition to material income, successful technology transfer raises the scientific and social status of the university and contributes to the economic development of the region by creating new jobs through start-ups.

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V. Pop-Stasiv

is a counsel with expertise in the field of Intellectual Property law and IT with a focus on private international law issues

Taylor Wessing

NAVIGATING THE UNCHARTED WATERS OF GENERATIVE AI AND IP RIGHTS IN UKRAINE

Generative AI has transcended the realm of hype to become an indispensable tool for professionals across various industries. Designers, copywriters, engineers, and software programmers now harness the power of generative AI in their daily work. Moreover, its potential extends to healthcare, where AI is revolutionizing drug discovery, disease diagnosis, and personalized treatment plans, as well as the legal and financial services sector, where AI-powered chatbots and virtual assistants enhance customer service, and predictive analytics play a crucial role in risk assessment and fraud detection.

One major challenge is determining how to apply concepts like fair use, sui generis protections, and copyright exemptions to artificial intelligence systems. Some argue AI-created works should enter the public domain freely, while others believe they require a new sui generis framework that grants protections similar to copyright without meeting the «originality» requirement. There are also debates around whether using copyrighted data to train AI systems should qualify as fair use if it creates something substantially transformative.

Overall, regulating this technology in a fair, ethical and growth-oriented way requires nuanced solutions. Sui generis frameworks may offer the flexibility needed. But international cooperation is also key, as AI systems operate across