

# **The Israel Academy of Sciences and Humanities**

## **Abstract**

**On the subject of:**

**The Impact of Israel Patent Office Activity on Local  
Industry and on the Promotion of R&D in Israel**

**The principal questions that the Committee was asked to address were the following:**

1. Is the Israel Patent Office serving as a growth engine for Israel's economy? If so, which of its activities, new and ongoing, contribute or are likely to contribute to economic growth, and how do they do so?
2. From a national and international economic perspective, what is the economic significance of the decision to open up the Patent Office as an international searching authority for applicants from abroad?
3. What is the potential of the Patent Office to employ scientists, including returning residents, members of minority groups, and residents of Israel's periphery?
4. What are the economic significance and the impact on the market of delays in completing the registration of industrial-intellectual property rights, and of the granting of intellectual property rights that are incommensurate with Israel's Patent Law?

The committee met 12 times in the course of 2016, on its own and with key opinion leaders in fields associated with the Patent Office, as listed in the table below.

**List of Committee meetings:**

	<b>Date</b>	<b>Topic</b>
1.	February 2	Introductory meeting and preliminary discussion of the topics to be addressed by the committee
2.	February 9	Conversation between Prof. Elhanan Helpman and Prof. Mark Shenkerman, an economics researcher at the London School of Economics
3.	February 11	Meeting with MK Prof. Manuel Trajtenberg
4.	February 11	Meeting with Dr. Muli Ben Zvi, former Deputy Director General, Finance Division, Teva
5.	April 1	Meeting with Attorney Asa Kling, Director, Israel Patent Office
6.	April 20	Visit to the Patent Office
7.	May 5	Interim summary and overview of the committee's prospective activity
8.	May 30	Meeting with Attorney David Kappos, former Director, U.S. Patent Office (2009–2013)
9.	June 15	Meeting of Committee Coordinator Dr. Menny Kirma with the Israel Innovation Authority
10.	July 13	Video conference with Prof. Carsten Fink, Chief Economist, WIPO
11.	August 18	Meeting with patent attorneys Dr. Ilan Cohen and Tal Band
12.	September 8	Meeting with Prof. Shlomo Nimrodi and Dr. Shulamit Hirsch (Ramat, TTO of Tel Aviv University)

## **Recommendations:**

After reviewing the information at its disposal, the committee concluded that it had neither adequate information nor the tools it would need to address the first of the principal questions put to it, regarding the role of the Patent Office's activities in promoting the growth of Israel's economy. The committee therefore decided to present an abstract of its recommendations for further study or for review within the Patent Office.

1. **Legal:** Over the years, Israel's Patent Law has been revised as a result of the state's participation in various international treaties and agreements, mostly without taking local needs into account. We recommend a thorough review of the law by the relevant department in the Ministry of Justice. A review of patent opposition proceedings (pre-grant vs. post-grant) is especially desirable.
2. **Research at the Patent Office:** We recommend that the internal research already being conducted at the Patent Office be regularized by the establishment of an internal research unit to gather and analyze information for the use of the Director of the Patent Office and other government offices, and to increase public accessibility and outreach. In line with other government research units, the unit should collaborate and exchange information with researchers at the universities. We also suggest that the Patent Office finance academic research in the field, on the model of the Chief Scientists' offices in the government ministries.
3. **The Patent Attorneys Market:** While the Committee did not thoroughly review this subject, it seems that Israel has a small and rather concentrated patent attorneys market. A review of the market's characteristics might indicate whether any regulatory action is desirable.