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The Production Process and the Points of the Knowledge: Invention, Research And Product Technology Transfer

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ABSTRACT

The innovative process even in developing countries is becoming more important day. In this sense the present article aims to clarify the key stages of the production process and value of knowledge: the invention, protection and valuation of the product generated. It was concluded that any product or process that is invention has novelty, inventive step and industrial application is protectable. The protection of this invention can generate a legal title deed, transfer of technology. This article aims to clarify on the three main phases of the production process and promotion of knowledge: the invention, protection and valuation (market).

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INTRODUCTION

Innovation is the implementation of a product (good or service) new or significantly improved, a process, a new marketing method, a new organizational method in business practices, workplace organization or external relations work. It is essential that the product or process bring financial returns for the company. Being the increase in revenues, access to new markets, increase profit margins, or through other benefits. Innovation is intrinsic element of competitiveness, since innovation means that there is an economic and social transformation of a country, using knowledge and resources optimally to face an increasingly globalized and dynamic world. (ARAÚJO *et al.*; 2012).

Law No. 10.973, of 02/12/2004 which is called Innovation Law in his art. 1 establishes incentives for innovation and scientific and technological research in the production environment, with a view to training and scope of technological autonomy in the production environment and industrial development of the country, pursuant to articles. 218 and 219 of the Federal Constitution of Brazil (RUSSO *et al.*, 2010)

With the advancement of new technologies and access to information known to the importance of the protection of human intellectual property (something intangible, intangible assets) in the industrial, scientific, literary or artistic, ensuring the holder the right to receive a reward for own, for a specified

period of time (RUSSO *et al.*, 2010).

In this sense, this article aims to clarify the three main phases of the process of production and enhancement of knowledge: the invention, protection and valuation (market).

Theoretical Conceptions:

Invention:

In step of the invention should be noted some key aspects to management of the preliminary steps of an innovative process, the influence they can have on the future of the generated results.

Every invention is to be kept confidential lest become public domain.

The invention must be new not part of the prior art, ie, should not be disclosed or made available to the public by any means, before the date of the application or its priority date.

The invention must also be inventive activity in the case of patents, it is considered that an invention involves an inventive step if, having regard to the state of the art, is not obvious to a person skilled in the subject matter in question.

In the case of utility models should not result in an evident manner the art or present a practical advantage, or technical, for the manufacture or use of the product or process in question.

Finally the invention should also have industrial application, namely, its object may be manufactured or used in any kind of industry, including agriculture.

Protetion:

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According to IPÉDIA (2011), Article 39/2 of the TRIPS Agreement (on intellectual property rights related to trade, adopted under the auspices of the World Trade Organization in 1994) and Article 318 of the industrial property code converge in fixing final notes of what is meant by trade secret: information or trade secrets under control of its owner, in order not to be known or readily accessible with intrinsic commercial value precisely because they are secret.

It is not considered that the invention was made public if there has been an obvious abuse of the inventor or undue publication made by the National Institute of Industrial Property.

In case of publication before the filing of the invention then there is the grace period, where the inventor has up to 12 months to deposit for invention does not turn the art.

There are several advantages that can be observed for the protection of the invention, one of which is the exclusive right to prevent third parties without authorization holder of producing, manufacturing, selling or economically exploiting the protected invention.

Prevents although other protection for the same product or process and allows the inventor to apply a mention of the products that are protected (by the terms "patented" or "patent No." or the letters "Pat No"; "Model No utility" or "MU No").

Hall (2000) suggests that derivatives intangible assets of research and development, such as patents, utility models, are valued by the financial market. Therefore, it is of great importance, from an academic point of view, protect and analyze the influence that these assets have on the value creation of companies.

Valuation of the Invention and Technology Transfer

Several empirical studies analyze the relevance of intangible assets and its influence on the creation of value of companies. Most of this research is to study the relationship between the market value of the companies and the various types of intangibles, were represented by variables such as spending on research and development, training, advertising, amount of granted patents etc., assuming that these variables representing the magnitude of the economic value of various intangible (HST, KAIO, KIMURA, 2008).

Deng *et al.* (1999) studies the influence of patents on the value of companies. Four variables related to patent are analyzed:

- 1) the amount of patents, resulting from the number of patents granted per year to the company;
- 2) the impact of the quotation, a relative measure of the amount of citations a patent receives in subsequent patents;
- 3) binding to the science which indicates the number of registered scientific references in the patent, ie, the greater the amount of scientific articles

referenced by the patent, the greater will be closer to the pure science; and

4) duration of the technological cycle, which indicates the average time between the year of grant of the patent and the year of the referenced patents.

In this case, longer cycles reflect the company's connection with old technologies.

They appear then that stage tasks and maintenance actions and protection of the rights established, which is the phase that expects all innovative processes to achieve the marketing and generating income IPÉDIA (2011).

The transfer of a particular technology, for an organization - business or not - or market, you need a good infrastructure and a strong relationship between the technology provider and the recipient of this. This means that not just the supplier physically transfer the technology. This must be accompanied by a support able to make full use of the acquired receiver technology. If the receiver is not fully qualified to absorb new information and to use them effectively in their specific needs, must be created mechanisms for a face to face interaction is established. The success of this process is intimately connected to the interaction and collaboration between the research and development sector (R & D), engineering and technical staff. In addition to the sectors mentioned above, the transfer also involves the marketing sector.

Technology transfer is based not only on technical know-how transfer - R & D information, knowledge engineering and standards - but also procedural knowledge - agreements, use of patents and licenses, etc.

Conclusions:

The importance of innovation in creating corporate value seems to be consensus in the gym, however, research on the influence of patents and trademarks in the market value of the companies, especially in Brazil, are not yet incipientes .. Porter (1986) states that the patented product technology provides companies with cost advantages that can not be matched by potential entrants. Once the legal protection granted by the patent is not perennial, the company continuously innovates not can be overcome by those who can innovate in products and new processes substantially. It should also be noted that patents also create a barrier against imitation.

Every product or process that is invention having novelty, inventive step and industrial application are eligible for protection. The protection of this invention can generate a legal title to property, technology transfer involving property rights is important for economic valuation. Because it is exclusive rights, companies can better market position, gaining time and expertise to test and market the products. Being a measurable asset, patents encourage investments in research.

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