FREQUENTLY ASKED QUESTIONS (FAQs)

TECHNOLOGY DEVELOPMENT AND INNOVATION SUPPORT
A. INNOVATION

1. What is Innovation?

Can be:

a. An innovation is a new or improved product or process (or combination thereof) that differs significantly from the unit’s previous products or processes and that has been made available to potential users (product) or brought into use by the unit (process);

b. A product innovation is a new or improved good or service that differs significantly from the firm’s previous goods or services and that has been introduced on the market.

c. A business process innovation is a new or improved business process for one or more business functions that differs significantly from the firm’s previous business processes and that has been brought into use by the firm.

2. What is Invention?

Invention means the creation of a brand-new product or device; creation of a product or introduction of a process for the first time\(^1\).

3. Is there a difference between invention and innovation?

YES; these are two different concepts, though the two terms may sound alike. Common differences include:

a. Invention is the occurrence of an idea for a product or process that has never been made before. While Innovation is the about practical implementation of the new idea for the very first time.

b. The invention is related to the creation of new or novel product or process to the world. On the other hand, innovation means adding value or making a significant change or improvement in the existing product, process or service; introducing an effective critical way of using, producing or distributing something.

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\(^1\) Tanzanian Patents (Registrations) Act 1987, "invention" means a solution to a specific problem in the field of technology and may relate to a product or process.
4. When does an idea become an invention or innovation?
An idea becomes or qualifies as an invention or innovation when certain criteria and qualifications are proved according to ratified treaties, conventions and governing related laws of a particular country.

5. Who is an innovator/inventor?
An innovator/inventor is any person or an entity where an innovation/invention belongs or originates from.

6. Where can an innovation/invention originate?
Invention or innovation can originate from anywhere/all over the places from any person or entity, such as:

   a. Most of industrial or technical innovation/invention originate from research and development through linkage between industry and research; including schools; which may be regarded as a formal sector.
   b. From unaided, untrained individual innovator from informal sector, who has developed a solution to technical, environmental and socio-economic problem. This type of innovation is known as Grass-root Innovation and the person who innovates is known as a Grass -Root Innovator.
   c. Through traditional practices and knowledge from our communities, these too form part of innovation ecosystem. Traditional knowledge refers to the content or substance of knowledge resulting from intellectual activity in a traditional context, and includes the know-how, skills, innovations, practices and learning in our communities embodying traditional lifestyles of indigenous and local people, or contained in codified knowledge systems passed between generations.

7. Can an innovation be legally owned?
YES, an innovation or invention once is qualified and registered under relevant Intellectual Property law/system of that given country; it can be legally owned and protected as an Intellectual Property.
B. INNOVATION/TECHNOLOGY DEVELOPMENT SUPPORT

8. Does COSTECH provide support to inventors/innovators?

YES: The support offered to innovators include technical; financial; and/or linkages to key stakeholder/institutions.

Technical assistance include:

a. Professional advice on the subject matter of innovation;

b. Professional advice and information on Intellectual Property (IP) issues;

c. Entrepreneurship knowledge and business development;

d. Linkage with experts in the field of innovation;

Financial assistance include:

a. Payment to technical services offered by institutions and workshops for technology development

b. Purchase of equipment

c. Cash awards after a competitive innovation call

Linkages to key stakeholder/institutions: means identifying relevant institutions (public and private) that can offer support to develop innovation to next level.

This involves:

a. Use of foundries, workshops, university labs, etc

b. Getting incubation services in incubation centres (e.g. SIDO)

c. Linking to financial institutions and similar financial arrangements

9. What are stages of innovation that fall under COSTECH support?

COSTECH supports innovation according to the level and type of request brought by an innovator. The process involves evaluation by technical evaluation committee conducted both internally (within COSTECH) and externally (from other institutions including private sector). The evaluation may determine which stage a request is at or an innovator may directly specify his/her stage of innovation in the request.
The stages of innovation generally fall under three categories as seen below:

a) **Prototype Development**: This involves advancing research and technological outputs to develop prototypes, establish proof of concept and validate business cases.

b) **Technology Development**: This involves advancing technologies along the innovation value chain, from proof of concept/prototype to technology demonstration.

**Technology Commercialization/Management**: This involves market testing and validation. Connect technology innovators to onward business and investment opportunities.

10. **How does COSTECH identify and support innovation?**

COSTECH supports innovation through its Centre for Development and Transfer of Technology (CDTT). The identification of innovators is through the following mechanism:

a) **Through TASTA awards:**
   The Tanzania Commission for Science and Technology Act No. 7 of 1986 establishes the Tanzania Award for Science and Technological Advancement. The TASTA awards **certificates** and **prize money** as it will be agreed by the TASTA award committee.

b) **Through walk-in clients/innovators:**
   An inventor/innovator walks in to COSTECH to request for an assistance by submitting letter of request and details of innovation and type of support needed. All requests are formally directed to the office of Director General and then are subjected to evaluation. The evaluation of the requests aim at establishing relevance of the request. Relevance means that the request should not fall under activities which are not innovation related. Once relevance is established, the request will evaluated to establish the stage and type of support.
c) **Through Exhibitions and MAKISATU:**
COSTECH participates in various national exhibition events such as Sabasaba, Nanenane, Renewable Energy Days, and Annual General Meetings of Mathematics Teachers (AGM-MAT) and similar events. From these events, COSTECH has been identifying innovative ideas and subject them through the aforementioned support processes.

Ministry of Education, Science and Technology (MoEST) and COSTECH annually organize the event called “Mashindano ya Kitaifa ya Sayansi, Teknolojia na Ubunifu (MAKISATU)”. In MAKISATU, innovators undergo competition evaluated by a team of Judges. The best innovators are chosen for awards. All innovators that participate in MAKISATU are also subjected through the evaluation process.

d) Innovation challenges following the procedures stipulated in the Grants Manual

**C. INTELLECTUAL PROPERTY**

**11. What is Intellectual Property?**

Intellectual Property (IP): -

a. Refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce.

b. Means the legal rights which result from intellectual activity in the industrial, scientific, literary and artistic fields.

**12. What does Intellectual Property protection mean?**

In simple terms, it is the protection, by relevant law, for inventions, literary and artistic works, symbols, names, and images created by the mind.

**13. What are the types of intellectual property?**

Intellectual property is divided into two categories:

a. **Industrial Property** which includes: patents for inventions; trademarks for trade and service marks (goods/products and services); industrial designs for
ornamental designs or shapes of products; and geographical indications for indication of places, territories, environment where products are from, originate or made/produced; Trade secrets for confidential information of trade/ businesses or services; and plant variety for protection of new plant varieties and breeder’s rights.

b. **Copyright** which covers: literary works (such as novels, poems, plays, computer programs), films, music, artistic works (e.g., drawings, paintings, photographs and sculptures) and architectural design. Under this category, there are also Rights related to copyright (also known as *Neighbouring Rights* or *Related Rights*). These include: those of performing artists in their performances (choreographers, dancers, back-singers- guitarists, pianists, drummers etc; producers of phonograms in their recordings (such as music producers, recording studios), and broadcasters in their radio and television programs (TV, radio broadcasting organizations, digital streaming).

14. **How can an invention/innovation be protected under IP systems?**
Invention or Innovation which may be a product, process or service can be protected through Intellectual Property Rights, after the needed criteria are fully met for each IP right in accordance to a respective nation’s laws.

15. **What is an Intellectual Property Right(s)?**
A right given to persons or by a company over their creations or innovation. They usually give the creator/innovator an exclusive right over the use of his/her creation for a certain period of time under a particular law. These rights can include copyrights, patents, trademarks, designs and trade secrets.

16. **Who is a right holder?**
A right holder refers to a legal entity or person with exclusive rights granted by the State/Government to a protected IP Rights (such as copyright, trademark, design or patent).
17. What are the exclusive rights given to a right holder?
In general, a right holder is granted a right to exclude others from exploiting her/his invention/innovation (IPR) without his/her consent mostly commercially (either direct or indirect). Depending on each IPR and law of the particular nation, exclusive rights granted may differ. However, basic exclusive rights include power to:

a. Use the technology/work/innovation
b. Reproduce (i.e., make copies of);
c. Sell;
d. Rent or License;
e. Assign or Transfer;
f. Distribute the created work;
g. Export/Import the created work
h. Translate/adapt or create derivative works based on the work (i.e., to alter, remix, or build upon the work);

18. What is copyright?
Copyright is a form of protection granted by law for original works of creator (authorship) fixed in a tangible medium of expression. Copyright covers both published and unpublished works.

19. What does copyright protect?
General Principle:

a. Copyright protects original works of authorship/creator including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture;

b. Copyright does not protect ideas, facts, systems, or methods of operation; it protects EXPRESSION of ORIGINAL WORKS ‘expression of those Ideas’ (way these things are expressed);

c. A work must be created (and not just recorded) by a human being.

20. When is my work protected under copyright?
Your work is under copyright protection the moment it is created and fixed in a tangible form that it is visible either directly or with the aid of a machine or device.

21. **Must I register for copyright protection of my work/creativity?**
**NO.** Copyright is an automatic right; meaning it exists from the moment the work is created. Registration is voluntary. **HOWEVER,** it is recommended to register for a number of reasons:

   a. Proof by showing facts and records of the copyright holder/owner to the public and relevant stakeholders (certificate of registration);
   b. Eligibility for statutory damages and attorney’s fees in successful litigation;
   c. Prima facie evidence in a court of law (within a limited period of time when registration occurs);
   d. Identification of original works of the author/creator (when a right(s) has been infringed or violated).

22. **How is a copyright different from a patent or a trademark?**
Copyright protects original works of authorship (literary, musical/dramatic and artistic works); while a patent protects inventions or technological innovations. A trademark protects words, phrases, symbols, or designs identifying the source of the goods or services of one party and distinguishing them from those of others.

23. **How do I protect my computer programs/software?**
Universally, in most nations including Tanzania; computer programs/software are protected under Copyright laws.

24. **Does COSTECH register Intellectual Property rights (IPR)?**
**NO:** COSTECH does not register IPR. However, through its Centre for Development and Transfer of Technology, within COSTECH, provides information and advice on IPR matters in relation to Transfer of Technology; trainings and technical assistances (on request) regarding IP and innovation.

25. **How and where do I register for copyright protection in Tanzania?**
By lodging or filing a copyright application at the Copyright Office which is the Copyright Society of Tanzania (COSOTA) for Mainland Tanzania; and Copyright Society of Zanzibar (COSOZA) for Tanzania Zanzibar.

26. Are there criteria for intellectual property protection or registration?  
YES: Each type of Intellectual Property Right; Patents, trademarks, industrial designs, geographical indications and; copyrights have different criteria for their protection.

27. How do I register industrial property protection in Tanzania?  
By lodging or filing a relevant industrial property (patent, industrial designs or trademark) application at the National Industrial Property Office which is the Business Registrations and Licensing Agency (BRELA) for Mainland Tanzania; and Zanzibar Business and Property Registration Agency (BPRA) for Tanzania Zanzibar. More information is available through their websites; www.brela.go.tz (BRELA) and www.bpra.go.tz (BPRA).

28. Do I have to register for industrial property (patent, trademark, or industrial design) protection?  
YES: Industrial Property protection provides for territorial protection or rights; meaning that the exclusive rights are only applicable in the country or region in which such an IPR i.e. a patent, has been filed and granted, in accordance with the law of that country or region.

29. What is the duration of IPR protection of a protected work/innovation?  
The protection of intellectual property depends on the type of IP rights and particular laws of a given country. For example: In Tanzania:  
 a. Copyright protection lasts for life -time of the creator/author; plus 50 years after their death;  
 b. Patent protection is 20 years from the date of grant;  
 c. Trademarks protection is 7 years renewable.
30. Do I have to pay for any fees for IPR registration?
YES: one needs to pay some fees (as described by the authorities and laws) including for the registration and also maintenance. More information can be obtained at national relevant authorities (i.e. BRELA, COSOTA, BPRA, and COSOZA).

31. Is there a Worldwide/Universal patent protection?
NO. There is no such thing as an “International Patent” or a ‘World Patent’; thus, to get a patent protection in a given country you need to file for a patent protection in that specific country.

32. How do I protect my invention in several countries?
The most common is Industrial Property protection: Patents, Trademarks and Industrial Designs. Ways of applying for industrial protection (i.e. a patent) in other countries, can be:

a. Through a National Industrial Property Office ‘National Route’: where you may file a separate complete application in each country in which you decide to pursue the grant of a patent; For example; BRELA –in Tanzania Mainland; BPRA-in Tanzania Zanzibar; or KIPI-in Kenya.

b. Through a Regional IP Office ‘Regional Route’: where you may file a regional application, and designate those countries in which you want to proceed to national phase. For Example: ARIPO, EPO, OAPI.

c. Through an International application (i.e. Patent Cooperation Treaty-PCT) - ‘International Route’: where you may file a PCT application, and in due course nominate those countries in which you want to proceed to national phase.

33. Can I transfer my IPRs?
YES: A right holder may, under different terms of agreements, transfer her/his IPRs to any person or entity for various purposes or reasons such as charities, grants, commercial and non-commercial activities.

34. Can an IPR be inherited?
**YES:** IPR can be inherited by the beneficiaries, after approval by relevant national authorities.

35. **What happens when my IP protection expires?**
IP provides a limited period of protection of a given creativity/innovation. Once that period elapses and it cannot be renewable, the protected creativity and innovation falls into the public domain; meaning it can be used or exploited freely by any person without your consent.

36. **Who is responsible for monitoring the protection of my IPR?**
The right holder is the foremost protector/keeper and monitor of her/his property. Right holder must monitor the exploitation of her/his IPR or invention/innovation; in case of infringement should it occur.

The Government plays a significant role in ensuring IP enforcement systems including Police, Judiciary, Tribunals and relevant national authorities are effecting the provided laws and systems accordingly.

37. **What does commercialization of Intellectual Property “IP Commercialization” mean?**
It is a process of getting your IP to market and/or creating new revenue streams, whether on your own, through a partnership or via a combination of the two. IP assets may be capable of being monetised, whether through licensing or sale. IP asset can be sold outright on the basis of a lump-sum payment, over time through the payment of royalties or through a combination of both.

38. **What are important things I should do before registration for IP protection?**
Few basic things one should consider before lodging for IP protection:

   a. Seek Professional assistance- i.e. patents for search of technologies/patent search; patent documentation/drafting. This will save time and monies;
b. Know your IP Rights – i.e. patents protects inventions; trademarks protects tradenames, brands, signs; industrial designs protects appearance of products, shapes; and copyright protects books, novels, plays, music, and computer software;

c. Why Do You Want IP (i.e., What You Will Actually Do with It) - you need to know the purpose and reason for your IP protection, you are about to register;

d. Keep Your Idea Secret until You Have Filed an IP Application;

e. Make sure the IP is owned in a way that allows development;

f. IP is an investment, make sure you have effective strategies to its exploitation;

g. Investigate your market and; know your competitors;

h. It requires payments of different services and issues including patent agent, application fees, annual maintenance fees, operations or marketing costs, etc.