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| **Application/SOI No:** |  |
| **Project Title:** |  |
| **Researcher/Applicant/Inventor seeking TIA funding:** | Name:  Funding Requested: |
| **Applicant Type**  **(Individual/HEI/Science Council/SMME/Corporation)** |  |
| **TIA Project Manager (PM)** |  |
| **TIA Strategic Technology Area:** |  |
| **PM Target dates** |  |
| **Date:** (insert date instructions are sent to legal services) |  |
| **TIA Legal Advisor (IP) -**To be completed by Legal Services Unit. | Name:  Email: |
| **TIA Legal Advisor (Commercial) -** To be completed by Legal Services Unit. | Name:  Email: |

**INSTRUCTIONS**

* **Small, Medium & Micro-Sized Enterprises please complete Sections A & B.**
* **Science Councils and Higher Education Institutions please complete Sections A, B & C.**
* **Please return this checklist with the required information/supporting document(s).**
* **NOTE: Your instruction will not be processed until the completed checklist and all required information/supporting document(s) are received.**
* **Press “Enter” to obtain more space for responses.**

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| **SECTION A** | | |
| **TECHNOLOGY DESCRIPTION** | | |
| **1.** | **What do you as a researcher, applicant or inventor understand of the problem that current and/or similar technologies or products fail to address, that your proposed technology will or intends to address? Explain the society need for your proposed technology package and the proposed business sector in which it is intended to commercialise?** |  |
| 1(a) | Researcher/Applicant/Inventor Response: |  |
| 1(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor fills in this space with his/her deductions/evaluations and briefly notes/raises any IP issues identified, for example: potential/existing patent/design/trademark).** |  |
| **2.** | **What technological advance in the proposed technology is directed at addressing this problem? Please explain what matters of the problem does the proposed technology address and which it does not address?** |  |
| 2(a) | Researcher/Applicant/Inventor Response: |  |
| 2(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor fills in this space with his/her deductions/evaluations and briefly notes/raises any IP issues identified. From the information received it is intended to determine the technological advancement or step or approach used to address the problem and further whether the advancement is inventive or innovative)** |  |
| **3.** | **Generally, describe the proposed technology package and briefly explain the innovation (an abstract).** |  |
| 3(a) | Researcher/Applicant/Inventor Response: |  |
| 3(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From the abstract received the Legal Advisor assesses if the abstract is an adequate and meaningful summary of the proposed technology and briefly notes/raises any IP or legislative environment issues).** |  |
| **4.** | 1. **Give a detailed description of the proposed technology including any diagrams, sketches and/or drawings of the technology**. 2. **The description should be of sufficient length so that an ordinary professional/a person skilled in the art (in the field) will understand the proposed technology and its feasibility and who could possibly carry out a proof of concept of the proposed technology.** 3. **Indicate whether proof of concept exists.** |  |
| 4(a) | Researcher/Applicant/Inventor Response: |  |
| 4(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor deduces if there is a Proof of Concept and at which TRL level is the proposed technology and raises any IP issues pertaining to the details provided).** |  |
| **5.** | **If the proposed technology includes a method or process, describe the steps of the method:** |  |
| 5(a) | Researcher/Applicant/Inventor Response: |  |
| 5(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor deduces/evaluates the method or process and/or the steps of the method and briefly notes/raises any IP issues).** |  |
| **INTELLECTUAL PROPERTY (IP)** | | |
| **6.** | **List the pre-existing technologies which are similar in this field of technology and give a detailed technological comparison of your proposed technology with the already existing technologies, i.e. how is your technology (invention or innovation) different from the existing technology?** |  |
| 6(a) | Researcher/Applicant/Inventor Response: |  |
| 6(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor notes the comparisons to the proposed technology with already existing technologies and briefly notes/raises any IP issues).** |  |
| **7.** | **Give a list and details on background intellectual property to the proposed technology.**  Information for Researcher/Applicant/Inventor:   1. **Background intellectual property means all pre-existing IP that you are bringing to the project, namely: articles (publications), patents, designs, trademarks, plant breeder’s rights, including inventor/IP creator names, owners of IP rights, patent families, patent specifications that are in your opinion relevant to the proposed technology**. 2. **The list should also include the status of each application filed.** 3. **Also, list all collaboration and/or contracts involving IP rights and ownership, clearly distinguishing between universities, science councils, SMME’s and large corporations.** 4. **List any legislative requirements that are already complied with and any that still need compliance.** |  |
| 7(a) | Researcher/Applicant/Inventor Response: |  |
| 7(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received, the Legal Advisor deduces/evaluates/identifies and analyses the relevant background intellectual property from the information received and conducts own searches/patent searches/other IP searches and/or contracts as well as collaborations and/or legislative compliance and records the analysis and raises in detail any IP issues).** |  |
| **8.** | **List and give details of anticipated foreground intellectual property which will emanate from your proposed technology including any already filed applications including expected ownership. Also, briefly explain your IP strategy and collaborations towards commercialisation.**  Information forResearcher/Applicant/Inventor**:**  **Foreground Intellectual Property is intellectual property that will be generated during the proposed technology development phase (for example patentable inventions or novel innovations).** |  |
| 8(a) | Researcher/Applicant/Inventor Response: |  |
| 8(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor identifies the potential or anticipated foreground intellectual property from the information received and/or patent checking conducted, also deducing the IP strategy and collaborations towards commercialisation and raising any issues and makes recommendations on the strength or weakness of the Foreground IP).** |  |
| **9.** | **Provide any other details as considered relevant to your proposed technology.**  **e.g., Is the proposed technology using any foreign owned IP? (Has the IP been licensed or assigned to a SA legal entity?)**  **e.g., Is any South African owned IP relating to the application involved in foreign IP transactions? (If so, has NIPMO and reserve bank authorisation been obtained where necessary?)** |  |
| 9(a) | Researcher/Applicant/Inventor Response: |  |
| 9(b) | TIA Legal Advisor’s deductions/evaluations/comments:  Information for internal use and not included in checklist  **(From information received the Legal Advisor analyses this other information and raises any issues relevant to the proposed project).** |  |
| **10.** | **If your project pertains to Indigenous Knowledge Systems (IKS) please complete the following:**   1. **Is your technology based purely on IKS, or is the technology based on IKS but refined by processing steps? If there are steps of processing involved, is there novelty in this? Are there other parties assisting you with development/processing, and who are they?** 2. **Have you filed any patents, trademarks or other registrable forms of IP? If so, please provide supporting documentation.** 3. **Which communities is the IKS derived from?** 4. **Has the IKS been recorded in the National Recordal System by NIKSO?** 5. **Have you obtained a licence to commercialise from NIKSO? If so, please provide supporting documentation.** 6. **Have you entered into benefit-sharing agreements with the indigenous community? If so, please provide a copy of the agreement.** |  |
| 10(a) | Researcher/Applicant/Inventor Response: |  |
| 10(b) | TIA Legal Advisor’s deductions/evaluations/comments: |  |
| **SECTION B** | | |
| **SMALL, MEDIUM AND MICRO-SIZED ENTERPRISES** | | |
| **11.** | **Corporate information:**  The most recent Certificate of Incorporation and/or Registration Certificate issued by the Companies and Intellectual Property Commission Memorandum of Incorporation.Share register confirming list of shareholders and shares held.Copies of share certificates issued to shareholders.Tax clearance certificate and/or CSD report. Sworn Affidavit on BBBEE and/or BBBEE certificate. Financial Intelligence Centre Act, 2001 (FICA) documents – Copy of identity document and proof of address such as a utility bill (not older than 6 months) of all project team members, including directors and shareholders. Confirmation letter of bank account details (not older than 6 months) |  |
| **12.** | **Governance Structure:** Provide the entities group structureBoard composition (lists of directors, board committees). Certified copies of identity documents of all directors and board committee members (not older than 6 months) Shareholders Agreement. |  |
| **13.** | **Management structure and project team** Organogram of management (roles and responsibilities) including certified copies of their identity documents.List of persons involved in the project (roles and responsibilities) Copies of management contracts indicating restraint of trade, non-circumvention and confidentiality clauses.  Certified copies of identity documents of all project team members.  Copies of all employment contracts of staff members and/or consultants.  associated with the project |  |
| **14.** | **Contractual obligations**  Copies of all agreements to which the company is a party relating to the technology such as a lease agreement, funding agreements, consultancy agreements, licensing agreements, loan agreements, non-disclosure agreements, technology transfer agreements and the like.  **If no agreements in place provide a list of your suppliers/third parties for the goods and services indicating the terms.** |  |
| **15.** | **Regulatory framework** List of all relevant laws and regulations applicable to the business/product or technology. Regulatory approval (permits, licenses, authorisations certificates and notifications). |  |
| **16.** | **Pending or threatened litigation**  Supply details of any litigation, arbitration, investigations, pending or threatened action by or against the company in relation to the technology, including IP disputes.  Details of all awards, settlement or arrangements in relation to the underlying technology. |  |
| **SECTION C** | | |
| **SCIENCE COUNCILS & HIGHER EDUCATION INSTITUTIONS** | | |
| **17.** | **Corporate information**  Legislation pursuant to which entity is established.  Tax clearance certificate.  Government’s Central Supplier Database (CSD) report. |  |
| **18.** | **Management structure and project team** Organogram of management (roles and responsibilities).List of persons involved in the project (roles and responsibilities). Copies of management contracts indicating restraint of trade, non-circumvention and confidentiality clauses.  Copies of all employment contracts of staff members associated with the project. |  |
| **19.** | **Contractual obligations**  All agreements to which the company is a party relating to the technology such as funding agreements, consultancy agreements, licensing agreements, loan agreements, non-disclosure agreements, technology transfer agreements and the like.  **If no agreements in place provide a list of your suppliers/third parties for the goods and services indicating the terms.** |  |
| **20.** | **Regulatory framework** List of all laws and regulations applicable to the business/product or technology.Regulatory approval (permits, licenses, authorisations certificates and notifications).Copy of certificate in terms of Occupational Health and Safety Act, 1993. |  |
| **21.** | **Pending or threatened litigation**  Details of any litigation, arbitration, investigations, pending or threatened action by or against the company in relation to the technology, including IP disputes.  Details of all awards, settlements or arrangements in relation to the underlying technology. |  |
| **PROJECT MANAGER SIGNATURE**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **DATE:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |  |