The new Brazilian legal framework for Science, Technology and Innovation: What can it contribute to Technology Transfer and Entrepreneurship?

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After a discussion that took 8 years, in parallel to one of the biggest economic and political crisis in its history, Brazil completed most of the process of changing its legislation regarding Science, Technology and Innovation activities. This process, which had as an important element the beginning of the proceedings in the Congress of the Draft Law 2,177, in 2011, resulted in the Constitutional Amendment 85, in 2015, in a Law that has its own provisions and changed other 9 laws (Law 13,243, in 2016) and, finally, a federal regulation with almost 90 articles (Decree 9,283, in 2018). The changes of several state laws and a bill to reinsert articles wrongly vetoed in the Law 13,243, among others instruments, are still under discussion.

All this work demonstrates an unprecedented capacity for political articulation of the Brazilian academic community and an unprecedented willingness to joint action with the representatives of the business segment. It also reflects the tortuous, pachydermic and strenuous bureaucracy that hinders the research action, especially in the public sector but also greatly restricts the effectiveness of the tools created to support both the private innovative entrepreneurship and the academia-business collaboration, and harms the efficiency of the entire national S & T system.

It is important to emphasize that public institutions are by far the main responsible for scientific publications in Brazil and, in a somewhat strange way, are more prolific in patent filing than private companies. This seems to indicate a scenario in which, at the same time there is great potential and also an urgent need for the generation of startups and spin-offs. Unfortunately, despite some success stories and undeniable recent growth, the innovative scientific-technological entrepreneurship scenario still leaves much to be desired.

It will be interesting to see if the recent reform of the legislation, in addition to its rather open discussion process that in itself helped popularize and demystify the theme, will be able to change the technology transfer and the entrepreneurship scenario in the coming years.