

CONGRESS APPROVES NEW TECHNOLOGY AND KNOWLEDGE TRANSFER LAW

Following more than two years of legislative discussion, on June 9, 2026, the Chilean Congress approved the bill establishing a legal framework for technology and knowledge transfer (the "LTT"), contained in Bill No. 16,686-19.

Once constitutional review by the Constitutional Court is completed and the law is published in the Official Gazette, its provisions will enter into force on the first day of the sixth month following such publication.

The new legislation seeks to strengthen scientific and technological research, promote the transfer of knowledge to the productive sector and society, and foster innovation by establishing a legal framework for the protection and commercialization of research results, particularly those generated with public funding.

Key Features

The LTT recognizes research as a fundamental function of higher education institutions (**HEIs**) and promotes closer alignment between academic research, societal and cultural needs, and the productive sector. To this end, it mandates the Ministries of Science and Education to implement policies encouraging collaboration among national and foreign institutions, the private sector, and other non-academic organizations, while requiring them to periodically report to Congress on the measures adopted and their results.

The law also creates a **National Repository of Scientific and Technological Knowledge and Information**, to be administered by the National Agency for Research and Development (**ANID**). The Repository is intended to collect, preserve, and disseminate scientific and technological knowledge generated in Chile. Researchers will be allowed to deposit their work both in their institutional repositories and in the ANID repository, while a future regulation will establish the operational rules governing its use, contributions, embargo periods, and interoperability.

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Another key pillar of the legislation is the promotion of **open science**, encouraging open access to scientific publications, research data, and source codes, as well as the development of platforms and infrastructure that facilitate the sharing and reuse of scientific knowledge.

Regarding technology transfer, the LTT promotes mechanisms aimed at enhancing the value and transfer of knowledge generated through research and development activities. In particular, it encourages the creation and strengthening of **Science and Technology-Based Companies (EBCTs)** and introduces the concept of **socially responsible licensing** for technologies developed with public funding.

The law also introduces significant changes to the protection of research results financed with public resources. Funding recipients may seek intellectual or industrial property protection for such results and may notify ANID of their intention to do so at a later stage. If the recipient does not take measures to protect their industrial property rights, or does not report their interest in doing so, these rights will become part of the public domain. In addition, the LTT eliminates the former mandatory licensing regime in favor of the State for certain patents derived from publicly funded research, together with the economic burdens previously imposed on patent holders upon commercial exploitation.

Finally, the legislation establishes a legal framework enabling higher education institutions to create or participate in Science and Technology-Based Companies, regulating the participation of academics, introducing transparency obligations and conflict-of-interest safeguards, and imposing additional requirements on state institutions.

Entry into Force

The law will enter into force on the first day of the sixth month following its publication in the Official Gazette. The implementing regulations required for its application must be issued within six months after the law becomes effective.

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