



IP Management in Horizon 2020

Focus on MSCA



European IPR Helpdesk

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Key success factors for „bridging“ academic/non-academic sector

Mutual Trust

Managerial
Capacities

Governance
Structures

Clear and
transparent
contracts

Active
involvement
of all parties

Agreements
on IPR

Win-Win-
Situation



MSCA – IP relevant characteristics

- Intersectoral exchange – academic/non-academic (i.e. SMEs) – Different IP policies/interests; Publication vs. Exploitation
- International dimension EU-MS/AC vs. Third Countries – Different IP laws/regulations
- Joint research and innovation activities between the participants- Exchange and sharing of knowledge (IP); joint protection and exploitation of results
- Secondments of research and innovation staff (exchanges) focusing on the exploitation of complementary competences of the participants – Granting access to background/results for/by “Visitors”

The background of the slide features a series of overlapping, semi-transparent lines in various colors (blue, green, purple, yellow, orange, and grey) that create a complex, abstract pattern. A yellow line with a circular node at its end is positioned in the lower right, connecting to a yellow box containing the word 'STOP'.

STOP

Setting the scene



Vocabulary

Key terms in the context of Horizon 2020 projects are:

- Background
- Results
- Exploitation
- Dissemination
- Access rights





Definitions (I)

Background

Tangible or intangible input (data, knowhow, information) which is held by the project partners prior to their accession to the agreement. Includes IP as copyright, patents/ patent applications (filed prior to access to agreement).

Examples: *prototypes; cell lines; database rights, licences with the right to sublicense*

Project partners **must identify their background in writing**

Results

All results which are generated under the project – whether or not protectable. Such results may include copyrights, design or patent rights, trademarks or others, and belong to the partners who have generated them.





Ownership of Results

- **In Horizon 2020, generally the grant agreement establishes that the results of the project belong to the participant generating them.**
- It is advisable to take appropriate measures to properly manage ownership issues, such as keeping laboratory books or other kinds of documentary evidence (e.g. a properly completed Invention Disclosure Form)
- Given the collaborative nature of most projects, some results can be jointly developed by several participants. Hence, situations of joint ownership might arise.
 - > **Joint Ownership Agreements** (i.e. defining specific conditions for granting licenses or issues related to costs of protection and sharing of potential revenues); Default rule in Consortium Agreement.



Access Rights (II)

Granting of Access Rights

	Access to background	Access to results
Project implementation	Royalty-free	Royalty-free
Use of results	Royalty-free, or on fair and reasonable conditions	Royalty-free, or on fair and reasonable conditions



Access Rights for Researchers

- Unlike in other H2020 projects, the MSCA fellows are entitled to access rights to the beneficiaries' background and results for the purpose of allowing them to undertake the research activities under the project.
- These access rights are granted on a royalty-free basis, and only for the duration of the project.
- Beneficiaries must moreover ensure that partner organisations and entities with a capital or legal link give similar access.



General obligation to exploit

Each beneficiary must — **up to four years after the project completion** take measures aiming to ensure '**exploitation**' of its results (either directly or indirectly, in particular through transfer or licensing by:

- (a) **using them in further research activities (outside the action);**
- (b) developing, creating or marketing a product or process;
- (c) creating and providing a service, or
- (d) using them in standardisation activities.



STOP

The background of the slide features several overlapping, semi-transparent lines in various colors (blue, green, purple, yellow, orange, grey) that create a complex, abstract pattern. A yellow line with a circular node at its end points towards the 'IP Management' text. A yellow rectangular box with rounded corners and a grey border contains the word 'STOP' in white capital letters.

IP Management



Knowledge (IP) Management

Managing the KEY assets!

- IP **used** by the project
 - access and usage rights **during AND after** the project (foreground, background and 3rd party)
- IP **generated** by the project
 - **Capture/disclosure, ownership, management** of IP, secure **evidence of creation, pre-publication reviews** for technical inventions
- IP **assessment**
 - prior art, market opportunities
- IP **protection**
 - patents, copyright, database rights, trademarks, etc.
- IP **dissemination and exploitation (use!)**
 - Research, education, commercial, policy, etc

IMPACT!

**societal, environmental, research etc.
technical, commercial, educational**



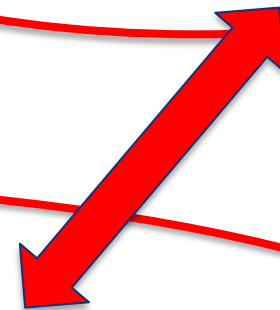


Key IP Management Tasks

to maximise impact

1. Secure the foundations
2. Capture the project outputs
3. Assess and protect the project outputs
4. Disseminate and exploit the project outputs

***STRATEGY* for
management of IP**





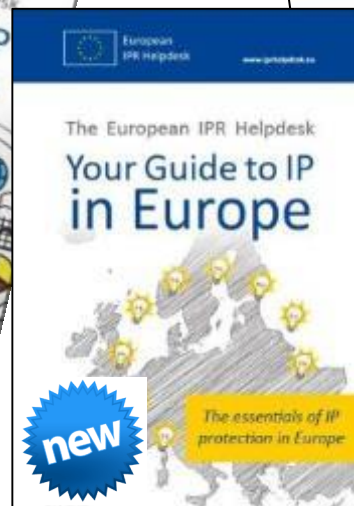
STOP

EU IPR Helpdesk: Further assistance





Publications





Helpline

- **First-line support**
- **User-friendly** service provided in English
- **Personalised answers** to individual questions within **three working days**
- **Wide range of IP topics:** IP protection, IP management and exploitation, revision of agreements, etc.
- **Understandable** for non-legal experts





Webinar schedule 2017/2018

20 December 2017

[Maximise the Impact of Horizon 2020 project results](#)

1st half of 2018

17 January 2018

[Introduction to IP](#)

07 February 2018

[IP Commercialisation and Licensing](#)

28 February 2018

[Geographical Indications](#)

21 March 2018

[Technology Transfer](#)

11 April 2018

[IP in EU funded projects](#)

02 May 2018

[Consortium Agreements](#)

23 May 2018

[IP Management in H2020 with a special focus on Marie Skłodowska Curie Actions](#)

04 July 2018

[Impact and Innovation in H2020](#)

18 July 2018

[Maximise the Impact of Horizon 2020 project results](#)





Transferable skills training in MSCA

- IP & Innovation related training activities dedicated to the needs of Young Researchers could/should be included in your capacity building programme
- Contact us for any further assistance in setting-up
- IP & Innovation related training and capacity building programmes
- Most popular IP training programme for non-professionals in Europe (> 5500 participants in 2016/17): 60% researchers, 28% SMEs
- Access to a network of high-level experts (i.e. EPO, Patent attorneys, License managers)





Thank you.

We look forward to getting in touch with you!

For further questions and general IP advice, please contact our Helpline team:

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For questions related to our training activities, please send us an email at: **training@iprhelppdesk.eu**

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