

TURKEY HORIZON 2020
 TURKEY IN HORIZON 2020
 ALTUN/HORIZ/TR2012/0740.14-2/SER/005

Intellectual Property & Horizon 2020:
 Write a Better Proposal, Manage a Successful

Session 4: IPR issues at the proposal stage

Lisa Cowey
 Istanbul, 13/9/2017

Outline of session

1. (Safe) Concept development
2. Case Study IP at the proposal development stage
3. Discussion

Concept development

3- 6 Million EURO Project

Shared information

Use of an NDA



Non Disclosure Agreement (NDA or CA)

- One way
- 2 way
- N way! (n partners in a consortium)

Identify:

- ✓ The confidential information;
- ✓ Who has access to it;
- ✓ What they may do with it;
- ✓ how it will be kept confidential;
- ✓ how long it will be kept confidential;
- ✓ (penalties for breaking the agreement)

Use of a (signed!) 'n' party NDA

Use of a MoU (Memorandum of Understanding)

- agreement that defines the framework of the negotiations among the partners of a consortium
- generally concluded in the very beginning of the negotiations on the involvement in a project, even before submitting a proposal.

Helps to explain:

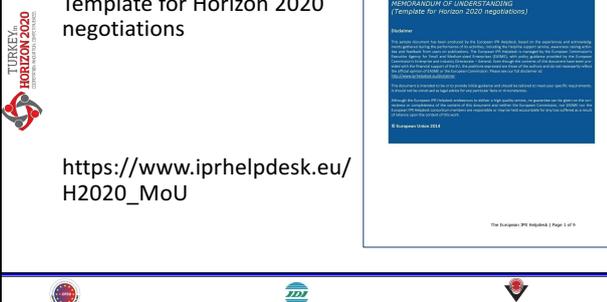
- ✓ protocols for communication;
- ✓ information exchange;
- ✓ Reporting;
- ✓ confidentiality issues, and
- ✓ modifications and conditions for terminating the agreement.

Useful Resource MoU

MEMORANDUM OF UNDERSTANDING
Template for Horizon 2020 negotiations



https://www.iprhelpdesk.eu/H2020_MoU

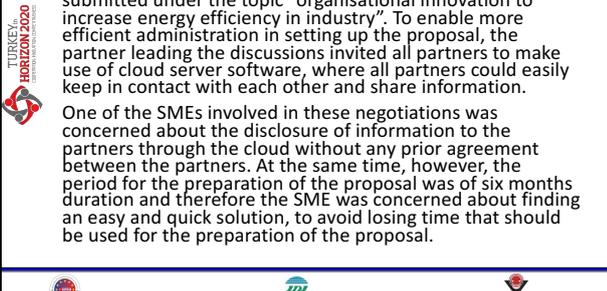


Case Study: IP at the proposal development stage



Within the framework of the Horizon 2020, a group of nine partner organisations from eight different countries, including SMEs and research organisations, has initiated discussions for the joint preparation of a proposal to be submitted under the topic "organisational innovation to increase energy efficiency in industry". To enable more efficient administration in setting up the proposal, the partner leading the discussions invited all partners to make use of cloud server software, where all partners could easily keep in contact with each other and share information.

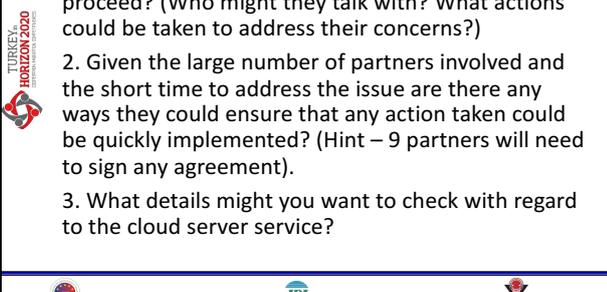
One of the SMEs involved in these negotiations was concerned about the disclosure of information to the partners through the cloud without any prior agreement between the partners. At the same time, however, the period for the preparation of the proposal was of six months duration and therefore the SME was concerned about finding an easy and quick solution, to avoid losing time that should be used for the preparation of the proposal.



Case Study: IP at the proposal development stage

Discussion questions:

1. How might you advise the SME partner to proceed? (Who might they talk with? What actions could be taken to address their concerns?)
2. Given the large number of partners involved and the short time to address the issue are there any ways they could ensure that any action taken could be quickly implemented? (Hint – 9 partners will need to sign any agreement).
3. What details might you want to check with regard to the cloud server service?



Assessing 'Excellence'

Proposal should **demonstrate**: 'ambition, innovation potential and results beyond State-of-the-Art'.

SotA Searches of

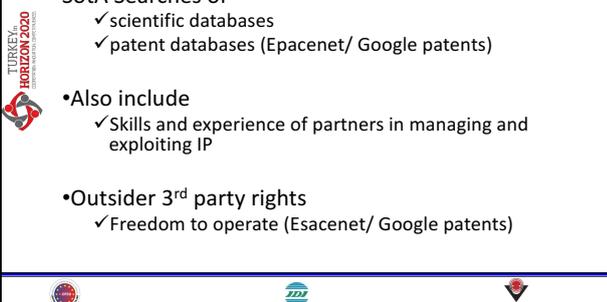
- ✓ scientific databases
- ✓ patent databases (Epacenet/ Google patents)

•Also include

- ✓ Skills and experience of partners in managing and exploiting IP

•Outsider 3rd party rights

- ✓ Freedom to operate (Esacenet/ Google patents)



Other IP related issues

Eligible costs

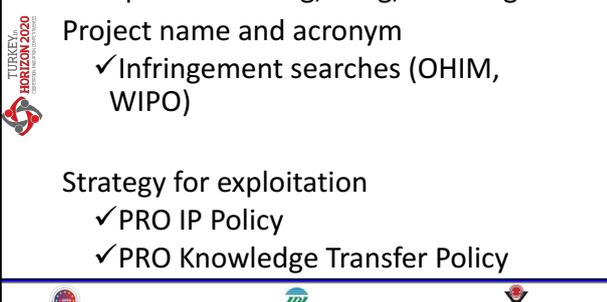
- ✓ patent drafting, filing, licensing fees

Project name and acronym

- ✓ Infringement searches (OHIM, WIPO)

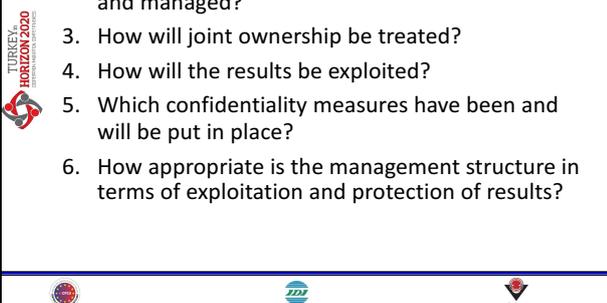
Strategy for exploitation

- ✓ PRO IP Policy
- ✓ PRO Knowledge Transfer Policy



Evaluators Checklist (Proposal cheat sheet!)

1. How will Results be protected?
2. How will background and Results be organised and managed?
3. How will joint ownership be treated?
4. How will the results be exploited?
5. Which confidentiality measures have been and will be put in place?
6. How appropriate is the management structure in terms of exploitation and protection of results?



Useful resources



European IPR Helpdesk Fact Sheet s
1. IP Management in Horizon 2020: proposal stage

<https://www.iprhelpdesk.eu>



Lunch





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