

# “Intellectual Property & Horizon 2020: How to deal with your intellectual Assets”

## IPR in H2020 Projects

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# What is Horizon 2020 ?

- The **largest** EU Framework Programme for Research and Innovation with nearly €80 billion of funding available over the next 7 years (2014-2020).
- **Financial** instrument to implement the Innovation Union
- Stronger focus on innovation and close-to-market activities than the previous Seventh Framework Programme (FP7)
- Merging all research and innovation funding previously provided by three separate programmes
- Places particular emphasis on the participation of SMEs.



# Horizon 2020 Programme Sections

## 3 central pillars:

- ✓ *Scientific Excellence* – funding the best science through competition
- ✓ *Industrial Leadership* – support for innovative SMEs, and the development of enabling and industrial technologies
- ✓ *Societal Challenges* – support for research in health, climate, food, security, transport and energy



# Horizon 2020 Programme Sections

Additional sections:

- Spreading Excellence and Widening Participation
- Science with and for Society
- European Institute of Innovation and Technology (EIT)
- Euratom



# What's **new** in Horizon 2020 with regard to IP?

- Horizon 2020 has established a set of rules concerning the exploitation and dissemination of project results, **including their protection through intellectual property (IP)**
- It establishes commitments from the participants in terms of **dissemination** and **exploitation** of the **projects results**
- “**dissemination**” = the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by scientific publications in any medium
- “**exploitation**” = the use of results in further research activities other than those covered by the action concerned, or in developing, creating and marketing a product or process, or in creating and providing a service, or in standardisation activities
- “**project results**” = any tangible or intangible output of the project, such as data, knowledge or information, that is generated in the project, whatever its form or nature, whether or not it can be protected, as well as any rights attached to it, including intellectual property rights.


# Exploitation of Results

- Therefore, effectively exploiting research results depends on the **management of IP**, which **should be part of the overall management of knowledge** in the project.
- In other words, Intellectual Property is the **cornerstone** of H2020 projects, due to its capacity to give its holders a **competitive advantage** in the market.

# Management of IP

- Therefore, participants must **effectively manage intellectual property** within their project, especially in collaborative projects.
- **Why ?** Because even though research collaboration lead to lower R&D expenses and risks, it can lead to disagreements in terms of results ownership, use and even misappropriation, if no steps are taken to protect IP.
- In this respect, a **proper management of IP** enhances the chances of an effective exploitation of the research results.

# Consider Intellectual Property

- IP has to be considered when describing the measures for exploiting the results.
- IP rules are part of a single set of rules detailed in the official “**Rules of Participation**”.
- Changes and specifications with regard to terminology : “**foreground**”  “**results**”.



# Consider IP at all levels of the project

- **Why ?** To make sure that a suitable strategy and management is implemented
- It has a special importance at the proposal stage (we will see it in the presentation on “**Handling IP in the proposal stage**”)
- Furthermore, it has an importance when describing the consortium as a whole and how each partner will complement each other
- This should include information on the skills of each partner to deal with IP ( for example: by having in-house personnel with experience in the field could be seen positively by the evaluation team)

# Exploitation, dissemination, Open Access

- Exploitation, dissemination (open access), ownership and access rights as well as protection and licensing of IP should be considered.
- **Open access in H2020** can be defined as the practice of providing on-line access to scientific information that is free of charge to the end-user.
- In the context of R&D, '**scientific information**' can refer to peer-reviewed scientific research articles (published in academic journals) and also to scientific research data (data underlying publications, curated data and/or raw data).

# Open Access

- Open access is **not a requirement to publish**, as researchers are free to publish or not, nor does it interfere with the decision to exploit research results commercially e.g. through patenting.
- The decision on whether to publish open access documents must come after the more general decision on whether to go for a publication directly or to seek first protection using Intellectual Property Rights.

# Conclusion

Better and more effectively **exploiting project results**, an **efficient and strategic knowledge management** including the safeguarding and protection of your intangible assets through **Intellectual Property Rights (IPR)** and confidentiality becomes more pressing than ever.