

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

Handling IP in the Proposal Stage

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1. Before you start

IP issues to be considered at proposal stage:

Before you start writing your project proposal you should take the time to carefully go through all the official documents, and become familiar with the specific IP-related rules applicable to your call:

- the applicable **work programme**,
- the general **Rules for Participation in Horizon 2020**,
- the **Model Grant Agreement** applicable for your specific call (available in the participant portal)



2. Define your own IP background

Consider **existing knowledge, know-how**, IP that you will bring to the project, and bear in mind potential rights of third parties that may be needed for the project

You should **identify the tangible and intangible assets** likely to be needed for the implementation of your project and/or for the use of the expected results

You should therefore **consider identifying the components** you are likely to bring to the project

- i.e. scientific studies, methods, materials, and
- potential Intellectual Property Rights attached to them (i.e. patent, copyright)
- verify who owns them, ask for authorisation to use them in case there are third party rights
- depending on the type of Intellectual Property, consider their registration before the project starts

3. Confidentiality Issues

Think about **confidentiality issues** when drafting, discussing and negotiating your ideas and project contribution with others

To avoid any misappropriation and use of such information it is best-practice to conclude a **Non-Disclosure Agreement (NDA)** or

Include confidentiality obligations in a **Memorandum of Understanding** where you:

- identify relevant information
- define the use of information as well as restrictions
- include possible sanction



4. Assess the State-of-the-Art (SOTA)

This is a crucial point for a positive evaluation of your project proposal

- State-of-the-art analyses should include the following actions:
- Screen the already existing project landscape
- Examine existing scientific literature

Search in patent databases e.g. by using the openly accessible database Espacenet provided by the European Patent Office

<https://www.youtube.com/watch?v=U-2PDaUrADk>

[Espacenet Link](#)

5. Clear Plan

Have a clear plan concerning the dissemination and exploitation of project results

Why ?

- Commitments to disseminate project results ASAP
- use best efforts to exploit the results of the project

//Dissemination & Exploitation Strategy

Draft strategy concerning dissemination and exploitation of project results to be presented in the proposal

What should it contain ?


- Results expected
- How will background and results be organised and managed?
- How will joint ownership be treated?
- How will results be protected?
- How will results be made available and disseminated to the public?
- How will results be exploited?

//Dissemination & Exploitation Strategy

- The **draft strategy** is only a step in the process.
- Once the proposal has been successfully evaluated all these issues will need to be further detailed and agreed on by all partners in the Consortium Agreement.
- ⚠ The plan has to be revised according to the development of project results.

6. Project name and acronym

- Important task during the conceptualisation and proposal writing process of your project.

 Be careful not to use any acronym which is identical or similar to a trade mark which is registered or applied for identical or similar goods and/or services.

Why ?

- Because such use may lead to trade mark **infringement actions**.
- Therefore, think about **registering your acronym as a trademark** in case you want to carry out a commercial activity using this acronym.

7. Budget

- Include costs for potential IP protection in your budget planning

Why ?

- Because, costs which occurred during the project implementation, including those related to protecting results (e.g. fees paid to the patent office for patent registration) and royalties on access rights, can be eligible for reimbursement as costs of other goods and services.

Good luck with your Proposal !

Thank you for your attention
