**Session 1 Quick Quiz: Intellectual Property**

|  |  |
| --- | --- |
| 1. Name 3 types of ‘industrial property’. | 1  2  3 |
| 1. Name three types of ‘artistic’ works that would be protected by copyright. | 1  2  3 |
| 1. Can you get a patent for software code from The European Patent Office? |  |
| 1. What is the legal document most usually associated with protecting trade secrets? |  |
| 1. What are the main legal ‘rights’ associated with a granted patent? | 1  2  3  4  5  Plus: |
| 1. Can you have more than one exclusive license for a technology? Explain. |  |
| 1. What is the cost of ‘free’ software...? |  |

**Session 2 Quiz: Collaborating with industry – the issues**

|  |  |
| --- | --- |
| 1. An H2020 consortium has academic partners from UK, Turkey, Poland and Sweden. Do any of the academic partners need to take any steps before they sign the grant agreement? |  |
| 1. Party A (University) grants access to their background to party B (and SME) in order to enable them to carry out a H2020 project. Party B wants to use the background on some other projects in their company. Is this permitted? |  |
| 1. A University and an SME are collaborating on a research project. They produce Results that the SME wants to patent and the researchers wish to publish. A researcher sends a paper manuscript to a Journal on May 1st 2016 describing the main results. The Paper is not published until August 2016 . The SME applies for a patent for the invention described on July 1st. Do you think the SME will be able to obtain a patent? (Explain). |  |
| 1. What is the Commission's policy on open access and how will it be implemented in Horizon 2020? |  |
| 1. The Open Research Data Pilot applies to which two types of data? |  |

**Session 3: IPR at the proposal stage**

**Background**

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.

**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?

For full feedback See IPR Helpdesk Case Study handout.

Also at:

https://www.iprhelpdesk.eu/sites/default/files/newsdocuments/case\_study\_confidentiality\_updated.pdf

**Session 4 IPR in the Grant Agreement**

**Rights and obligations related to Background and Results**

(Refer to General model grant agreement 2015 Section 3 articles 23a to 31)

In this part of the grant agreement, which terms can be varied by agreement amongst consortium members? Answer by writing in the table below following the format of the example.

(For the purpose of this exercise, ignore the optional articles and sub-articles printed in italics in the grant agreement).

|  |  |  |
| --- | --- | --- |
| Article | Issues addressed | Variation |
| Example:  25.1,  31.1 | Access right exclude sub-licensing | Unless agreed otherwise |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |