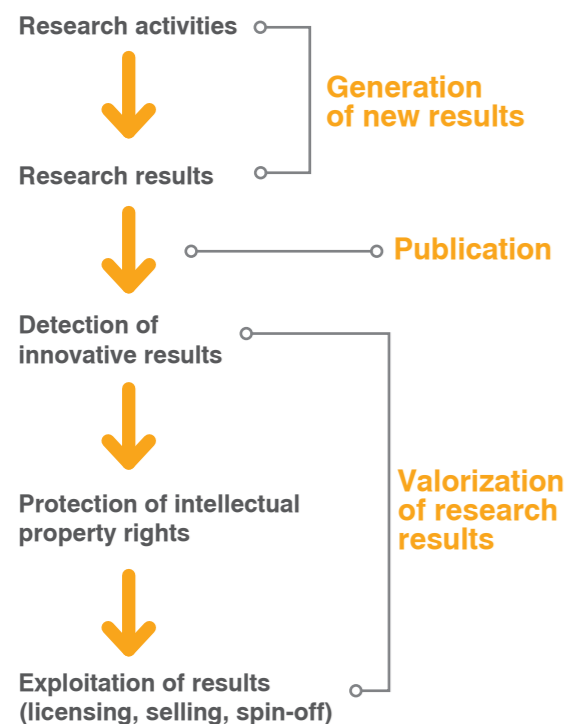


i Valorization of research results

Valorization may be defined as all initiatives and activities undertaken with a view to increasing the value of research results and, more generally, enhancing knowledge. The valorization process allows the researchers to protect, add value and transform the theoretical research results into products, processes, services or innovative and economically viable forms of technology duly protected by intellectual property rights.

The procedure for the valorization of research results is illustrated below:



The valorization of research results:

- Accelerates scientific advances
- Provides improved recognition of research results
- Maintains competitiveness and contributes to socio-economic development
- Provides new ways of financing research.

i Steps of Valorization

STEP 1 Detecting Innovative Results:

Detection is a structured and systematic procedure to highlight results of an innovative nature with valorization potential.

STEP 2 Protecting Innovative Results:

Research results are protected via IPR. IP is divided into two categories:

- Industrial property, which includes inventions (patents), distinctive signs (trade marks), industrial designs etc.
- Literary and artistic creations (copyright).

STEP 3 Exploiting Innovative Results:

Research results can be exploited in different ways:

- Contractual exploitation which consists of developing relationships between university and public or private partners.
- Licensing of IPR
- Transfer (assignment) of IPR
- Creating spin-offs and start-ups: this type of exploitation will often require giving an exclusive license to the new company.

Check List

- Read Guide to Intellectual Property Rules for FP7 projects document, available at: ftp://ftp.cordis.europa.eu/pub/fp7/docs/ipr_en.pdf
- For additional information and questions please use the Research Enquiry Service at: <http://ec.europa.eu/research/index.cfm?lg=en&pg=enquiries>
- For additional information about patent rules, refer to the European Patent Office (includes European Patent Convention) at: www.epo.org/index.html
- Contact your National Contact Points that can help you with general questions on the Seventh Framework programme, including questions on IPR issues and valorization.
- Contact your local contact point of the Enterprise Europe Network, the main European network for the valorization of research results at: www.enterprise-europe-network.ec.europa.eu/about/branches

A network of 27 partners from 22 countries is there to assist you free of charge.



Project coordinator:
Ines Haberl, ines.haberl@ffg.at

Interested?
Contact your national expert now!

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Fit for Health is funded by the European Commission



Intellectual Property Rights (IPR) & Valorization

Fit for Health supports SMEs & researchers

in Health-oriented FP7 projects from the research idea to the exploitation of research results

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Intellectual Property Rights (IPR) are there to protect someone's intangible assets. Overall, participants are strongly encouraged to consider and tackle IPR issues as soon as possible during the preparation of their project and to negotiate any relevant questions with the other participants before starting the project.



i Background in FP7:

Information and Intellectual Property Rights (IPR) held by the participants prior to their accession to the grant agreement and which are needed for carrying out the project or for using as foreground.

Regarding IPR for which an application must be filed, only those IPRs granted/for which the application was filed before the accession of the participant to the grant agreement are included.

Ownership of background is not affected by participation in an FP7 project.

i Foreground in FP7:

The results of the project, including any IPR which may protect such results.

Ownership of Foreground: Foreground resulting from the project is owned by the participant generating it. When foreground is generated jointly and the respective participants' contributions cannot be distinguished, it will be jointly owned, unless the participants concerned agree on a different regime.

Joint owners must agree among themselves on the allocation and the terms of exercising the ownership of the foreground. Where such an agreement is not yet in place, a default joint ownership regime applies.

Protection of foreground: Foreground should be protected when it has the potential for commercial/industrial application. Protection is therefore not mandatory in all cases, though the decision not to protect foreground should preferably be made in consultation with the other participants, which may wish to take ownership. If valuable foreground is left unprotected, the Commission may take ownership.

i FP7 Rules for protection, use and dissemination of results:

Participants have three main obligations regarding the management of foreground:

- Protecting it
- Using it
- Disseminating it

The foreground may **be protected** by various forms of IPR, such as patents, utility models, trade secrets, etc.

The use of foreground can be much more complex. Participants can use foreground in further research activities or for the development and commercialization of products and services.

The dissemination of foreground can be done by different means (websites, workshops, scientific publications, etc.) and its objective is to make available to the public the new knowledge generated by the project.

? What are access rights?

Access rights are the licenses and user rights associated with the foreground or background owned by another participant in the project. The provisions of the grant agreement relating to access rights constitute "minimal" provisions that, unless otherwise indicated, cannot be set aside or restricted. The participants may define specific conditions (e.g. in relation to the intended purpose and confidentiality obligations) in their consortium agreement and/or bilateral agreements.

Access rights are to be granted throughout the duration of the project for implementation needs, and for up to 1 year after the end of the project for usage needs (unless the participants agree on a different time limit).

Table: Summary of the main access rights

	Access rights to background	Access rights to knowledge resulting from the project
For carrying out the project	Yes, if a participant needs them for carrying out his own work for the project	
For usage purposes (exploitation + further research)	Royalty-free unless otherwise agreed before accession to the grant agreement	Royalty-free
	Yes, if a participant needs them for using his own knowledge	
	Either royalty-free, or on fair and reasonable conditions to be agreed	

i IP in FP7:

The applicable rules may need to be adapted / supplemented in a consortium agreement in light of the specificities of the project and the needs of the participants, provided it remains consistent with the said rules and compatible with other relevant agreements. IP management is important for a research project funded under the EU Seventh Framework Programme (FP7), from the proposal stage through to implementing the project and using its results.

? A party who has signed our Grant Agreement has chosen to leave the project. What happens to the access rights?

Note that the participant's obligation to maintain confidentiality continues. The obligation to grant access rights for the execution of the project persists.

? Is it o.k. to invite representatives from other relevant projects to the technical committee meetings?

Sign non-disclosure agreements with any entity or person that has access to confidential information related to your project work. Clearly define under which conditions & for which purpose such third parties could obtain confidential information, what they can do / cannot do with this information & how long the non-disclosure obligation will last.