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Research Exploitation

Managing EU Projects to Maximise Impact

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Get your ticket to innovation.

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Horizon 2020

- An impact orientated approach
- Delivering strategic technologies that can drive competitiveness and growth
- The H2020 Work Programme sets out the challenges and expected impacts
- Good project management and use of the project results are essential if the challenges are to met and the impacts maximised

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Ideas to Impact

Key terms – what do they mean?

- Intellectual Property (IP)
 - Intellectual Property Rights (IPR)
 - Results, knowledge?
 - Knowledge Management
- Dissemination and Communication
- Exploitation
- Innovation, Innovation Management
- Impact

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Intellectual Property (IP)

- Products of the mind
- Products of research & experimentation
- Products of creativity
- Intellectual Property, like Physical Property can be a valuable asset.
- Like physical property, intellectual property is an asset which can be traded (sold, bought, leased, used as collateral, or given away!)

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IP/Knowledge

The key asset to be managed in the project

- IP **used** by the project
 - access and usage rights for key IP during AND after the project (foreground, background and 3rd party – especially Open Source Software)
- IP **generated** by the project
 - Capture/disclosure, ownership, management of IP, secure evidence of creation, pre-publication reviews for technical inventions
- IP **assessment**
 - prior art, market opportunity, exploitation and protection strategies, etc
- IP **protection**
 - patents, copyright, database rights, trademarks, etc
- IP **dissemination and exploitation** (tell and get it used!)
 - Research, education, commercial, policy, etc

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Intellectual Property Rights (IPR)

States provides legal rights to protect IP

Patents (technical inventions)

Copyright (Software, Written works, Engineering drawings, Semiconductor Topologies, etc)

Design Rights (functional or aesthetic)

Database Rights (organising and querying and retrieving data)

Trade marks

Plant Breeders Rights

Utility Models/petty patents etc

NOT ONLY PATENTS
<ul style="list-style-type: none">• Some legal rights come into existence automatically• Some need registration
<ul style="list-style-type: none">• Confidentiality Agreements (Know-how)• Secrets (Trade Secrets)
<ul style="list-style-type: none">• National rights• Regional variations in law• Time limited rights

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Intellectual Property Rights (IPR)?

- To **promote innovation** by encouraging invention and creativity, to increase innovation capacity, and thereby benefitting society
- The state grants the owner the **legal right to prevent** others using the creation for **commercial purposes** for a limited period, **in return for disclosing details** of the new creation (so others can develop new creations).
- The state benefits by avoiding secrecy, enhancing innovation capacity to stimulate further innovation, so enriching society
- The creator benefits by being able to prevent unauthorised commercial use by others, unless they come to an agreement
- **Commercial partners benefit** from the limited monopoly, and so can get a return on their investment in development and building market

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Innovation

A **new** (or improved) entity (creation), which when **used** produce tangible **benefits**, satisfying needs and wants.

Invention → exploitation → Innovation

Invention IS NOT Innovation

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Exploitation

from EC Reference Terms

"The **utilisation** 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."

Exploitation does not mean only commercial use

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Any type of innovation

- Innovations do not have to be commercial
- Innovations can be based on new or improved:
 - products, services
 - organisational or business methods
 - research tools or methods
 - networks or collaborations
 - advisory reports
 - roadmaps
 - etc

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Innovation Process

➤ The process to create the innovation

Idea TRL 0 → Market introduction TRL 9

Innovation Management

➤ The management of the process

Impact

The benefits derived from the innovation. The larger the benefit, the larger the impact

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Any type of benefit and impact

- Benefit (hence impact) does not have to be financial
- The impact of the innovation can be:
 - Societal
 - Environmental
 - Technical
 - Commercial
 - Educational
 - or anything that delivers a benefit to someone or addresses a need

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What the difference between..

Dissemination
and
Communication?
(and Exploitation)

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EC Reference Terms

- 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.
- Communication
 - Communication on projects is a strategically **planned process**, that starts at the outset of the action and continues throughout its entire lifetime, aimed at promoting the **action and its results**. It requires strategic and **targeted measures** for communicating about (i) the action and (ii) its results to a **multitude of audiences**, including the media and the public and possibly engaging in a two-way exchange.

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Extract from proposal template

2.2 Measures to maximise impact

a) Dissemination and exploitation of **results**

b) Communication **activities**

"Describe the proposed **communication measures** for promoting **the project and its findings** during the period of the grant. Measures should be proportionate to the scale of the project, with clear objectives. They should be **tailored to the needs of various audiences**, including groups beyond the project's own community. **Where relevant**, include measures for public/societal engagement on issues related to the project."

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Dissemination and Exploitation - 2.2(a) Communication Activities – 2.2(b)

- Section 2.2(a) Dissemination and Exploitation Plan
 - is the plan for telling the right people (dissemination), and for getting the results used (exploitation), including strategy for IP Management and Open Access
- Section 2.2(b) The Communication Activities
 - is about how the messages will be delivered (to ALL target groups, not just potential exploiters or the public)

Companies have separate teams for "strategic marketing" and "Communications and PR".

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Managing the Project to Maximise Impact

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Management structures and procedures to:

- Create, capture and manage the research results
 - Establish good foundations and guiding principles/policies
 - The management framework (who is responsible)
 - The management procedures (how it will be done)
- Disseminate (tell) and Exploit (use)
 - Assess the opportunities
 - Dissemination and exploitation strategies and plans
 - Exploit/Extract value from research outputs

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Key tasks and responsibilities

1. Secure the foundations
2. Capture the project outputs
3. Assess and protect the project outputs
4. Disseminate, exploit and communicate the project outputs

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1. Secure the foundations

- Ensuring researchers can recognise and capture IP (IP awareness training for participants)
- Ensure good research practice (including record keeping)
- Secure access and usage rights for background and 3rd party IP during and after the project

Intellectual Property is an asset which has value.

Its creators (i.e. the researchers) must be able to:

- recognise it
- prevent its value being lost
- know where to go for help

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2. Capture the IP

- Proactive monitoring of project outputs - regular reviews
- Facilitating disclosure/standard "disclosure forms"
- Initial Disclosure - **Key information needed**
 - Identify ALL relevant outputs (software, papers, know-how, etc)
 - Clarify ownership/management – particularly if 3rd parties involved
 - Check for "hidden traps" (publications, posters, etc.), which might affect patentability

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Have you captured ALL the Project outputs?

- Technical (Patentable)
 - Process, Product, Manufacturing Apparatus
- Protected by copyright
 - Software
 - Reports
 - Engineering drawings
 - Manufacturing and user guides
- Database rights
- Trademarks/brands
- Designs (design rights)
 - Functional
 - Eye-appeal
- Know how (e.g. best way to implement)
- Secrets (e.g. secret formulas)

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Ownership and Management?

- Who owns what? (in what proportion?)
- Who will look after it?
- How will relative contributions to the invention be agreed?
- How will shares of costs and revenue be agreed?
- Who will manage the IP bundles?
- Who will manage the exploitation?

Are there structures and procedures in place to agree these?

Legal Ownership of EC Supported foreground IP is with the Institution – so institution involvement is crucial for issues such as ownership, management, access and use.

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Hidden Traps

which can prevent patentability for technical inventions

- Novelty - Not previously described or publicly disclosed (anywhere or anyhow in the world)
- Inventiveness (not obvious)
- Industrially Applicable or Useful

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Common inadvertent disclosures

Not only ..

- ✓ Publishing in the literature
- ✓ Posting information to the Internet

But also beware of ..

- Inclusion in a thesis deposited in a library
- Oral or written disclosure with a customer, at scientific meetings (including poster sessions), or in any circulated abstract
- Disclosing to visitors in a non-confidential manner, including posters and displays in corridors
- Leakage of information from experimental public trials or prototypes without taking precautions to avoid this
- Advertisement, sale, use or any form of commercial activity which is public (e.g. to try and "test the market")

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Inventiveness... Obviousness

European Patent Office Guidelines

"The term 'OBVIOUS' means that which does not go beyond the normal progress of technology but merely follows plainly or logically from the prior art i.e. something which does not involve the exercise of any skill or ability beyond that to be expected of the person skilled in the art"

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Establish good practice

to capture new IP, and prevent its value being lost

- IP awareness training for participants
- Good Research Practice to record research activity and results (to secure proof of creation)
- Mechanisms to capture results and/or facilitate disclosure
- Procedures for pre-publication review
- Procedures to manage other public disclosures such as in emails, posters, internal seminars
- Procedures for visitors and visiting researchers

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3. Assess and Protect

or .. how do you predict the future?

The challenge of assessing future markets for new technologies is to: -

- determine the demand for products that don't yet exist
- from customers who don't yet know about them

• Prediction is difficult, especially when it's about the future"
Niels Bohr (Nobel Prize winner)

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Who can you ask?

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graph TD; Inventor --> LP[Licensing Professional]; LP --> PA[Patent Attorney]; PA --> EC[External Consultant]; EC --> User[The user]; User --> MR[Market Research]; MR --> CR[Corporate R&D]; CR --> CA[Corporate Accountant]; CA --> LP; LP --- G((Globe));
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How do investors decide?

- Ask everyone!
- Different inputs are needed to assess project outputs and plan exploitation
- Assessing new technologies and markets is always difficult

Picking winners is a risky business!

Risks cannot be avoided - but they can be managed

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Protecting the IP

- If protection of the project results could support commercial exploitation?
- Then invest in protecting and securing foreground IP as appropriate (an eligible cost in H2020)
- Think of IP protection as an investment NOT a cost!

Assessment and protection must be considered together

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Summary

Management structures and procedures to:

- Ensure access and usage rights for key IP during AND after the project
- Capture, assess and protect results
- Develop an exploitation strategy to
- Tell all the right people (dissemination)
- Get the results are used (exploitation)
- Without USE:
 - the challenges of the call **WILL NOT BE ADDRESSED**, and
 - there will be **NO CONTRIBUTION** to the expected impacts

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