



European
IPR Helpdesk

Best Practice in H2020 Exploitation Management



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Prague
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Roadmap

- *IP Review*
- *Competitive Intelligence Planning*
- *Exploitation Workshops*





STOP

IP Review



Objectives of an IP Review in a collaborative research project:

➤ **Sources of Information:**

- Put together all available information necessary for the project research
 - ➔ Gather all the pieces of the picture

➤ **Capture results:**

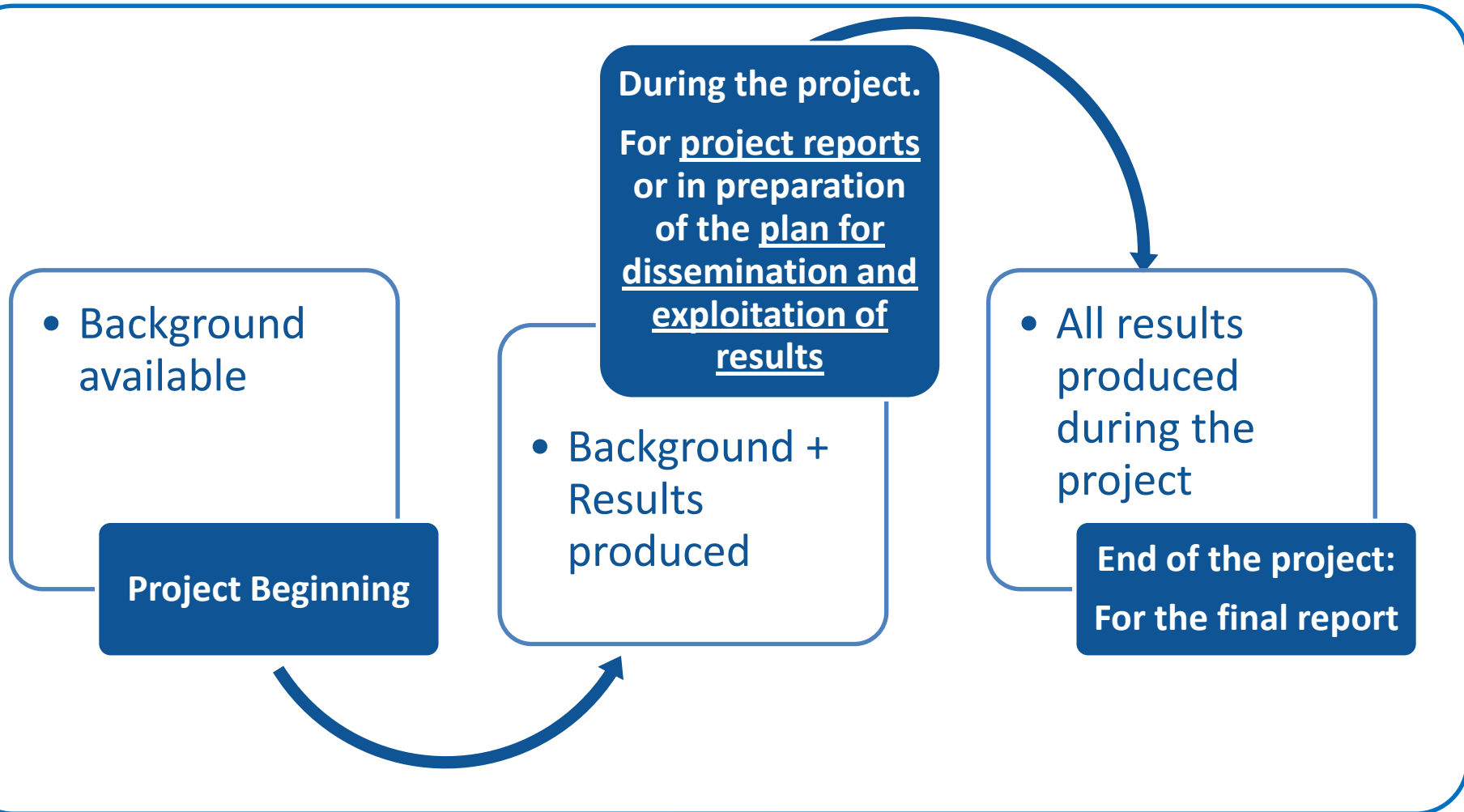
- Regularly screen project results, choose the ones to be protected
 - ➔ Inform partners about rules and risks, take measures to prevent them

➤ **Optimize exploitation strategies:**

- Analyze results, wisely choose your exploitation and dissemination targets
 - ➔ Get in touch with interested users through dissemination activities and market research



Timing of IP reviews:





Relevant questions:

1. Are the IP assets in the inventory exhaustive?
2. Does the consortium (each single partners) own all the intellectual properties of concern?
3. Are there owners of IP assets clearly identified and are there any ownership issues?
4. Are there any IP assets used by the company but owned by third parties? Have due licenses been obtained? Is there any restriction to use third party IP?
5. Are there any IP assets which are not protected?
6. Is the Consortium prepared to work efficiently in order to reach relevant results?



Answering to those questions?

Sources of information – State of the art of the Project:

- Consortium Agreement
- Specific questions to the partners
- Description of the Action (DoA)



1) Are the IP assets in the inventory exhaustive?

➤ Attachment 1 Consortium Agreement: Background included

[Attachment 1: Background included]

According to the Grant Agreement (Article 24) Background is defined as "data, know-how or information (...) that is needed to implement the action or exploit the results". Because of this need, Access Rights have to be granted in principle, but Parties must identify and agree amongst them on the Background for the project. This is the purpose of this attachment.

PARTY 1

As to [NAME OF THE PARTY], it is agreed between the Parties that, to the best of their knowledge (please choose),

Option 1: The following background is hereby identified and agreed upon for the Project. Specific limitations and/or conditions, shall be as mentioned hereunder:

Describe Background	Specific limitations and/or conditions for implementation (Article 25.2 Grant Agreement)	Specific limitations and/or conditions for Exploitation (Article 25.3 Grant Agreement)

Option 2: No data, know-how or information of [NAME OF THE PARTY] shall be Needed by another Party for implementation of the Project (Article 25.2 Grant Agreement) or Exploitation of that other Party's Results (Article 25.3 Grant Agreement).

This represents the status at the time of signature of this Consortium Agreement.

PARTY 2

As to [NAME OF THE PARTY], it is agreed between the Parties that, to the best of their knowledge (please choose)

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- Make sure parties do not forget/omit relevant info
- Ask to the coordinator, who should have a comprehensive view of the project if some info is missing
- In case of doubt, ask directly to the partner



2) Does the consortium (each single partners) own all the intellectual properties of concern?

➤ Attachment 1 Consortium Agreement: Background included

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- Partners should state that the ownership of the background
- Ask to the partners



3) Are there owners of IP assets clearly identified and are there any ownership issues?

4) Are there any IP assets used by the company but owned by third parties?

➤ **Critical issues:**

DoA:

- Subcontracting activities
- In-kind Contributions
- Linked third parties

P4/2000	
Does the participant plan to subcontract certain tasks (please note that core tasks of the project should not be sub-contracted)?	YES
HUI plans to subcontract the following activities as the relevant expertise is not available in-house: 1) The field trials will be carried out in MIRA Experimental station. MIRA Experimental station has been a sub-contractor in the EU projects Bole and Bole 2.0. This sub-contractor specializes in open field trials and fruit quality evaluations with a track record of outstanding performance. 2) For glasshouse we are using the services of "MIRA" who have excellent tomato cultivation facilities 15 minutes drive from the Faculty of Agriculture and an experienced team that helps us in the various tasks associated with the research. We have been working with this company for the past ten years and are completely satisfied with their performance.	
Total costs for subcontracting: 100000	
Does the participant envisage that part of its work is performed by linked third parties?	NO
Does the participant envisage the use of contributions in kind provided by third parties (Articles 11 and 12 of the General Model Grant Agreement)?	NO



5) Are there any IP assets used by the company but owned by third parties? Have due licenses been obtained? Is there any restriction to use third party IP?

- Ask directly to the partners with **Innovation questionnaires** covering those issues.





Clear rules – no unexpected problems



1. Protection duties
2. Ownership rules
3. Access rights to results
4. Rules Regarding
Dissemination activities



Example: Project title (II)



TMview

Research engine for trademarks from EUIPO

→REGISTER THE TradeMark

- Check on other Trademarks
- Check Nice categories to avoid oppositions at registration phase





Monitor Upcoming results

- **Avoid early disclosures/novelty spoilers** in general: **NEW**
- Set up a **dissemination strategy**, make sure partners know about other partners' potential conflicting dissemination activities and may block them.



- Adopt a solid **invention disclosure form** for the research team



STOP

Competitive Intelligence Planning



Open Research Data

- From 2017 Open Research Data will be the default option; Projects will have the possibility to opt-out , providing a justification (i.e. IPR issues)

Requirements/Steps:

- Write a brief data management section at proposal stage
- Develop and up-date a Data Management plan from project start
- Deposit research data in a suitable research data repository, to make it possible for third parties to access, mine, exploit, reproduce and disseminate data



Research Data Management and IP Analytics

- It refers to all the means and strategies put in place to create, store, share and preserve research data throughout its lifecycle. It facilitates the future reuse of data.

IP-related Components:

- **Data Acquisition** (i.e. 3rd party infringements, Open Source regulations, etc.)
- **Data Protection** (i.e. Ownership, Copyright, Database Rights, Registered IP)
- **Data Assessment** (i.e. field of use, applicability, need for further research)
- **Data Sharing** (i.e. Embargoes, Pre-Pub-Checks, Licences, Assignments, Collaborations, Joint Ventures)

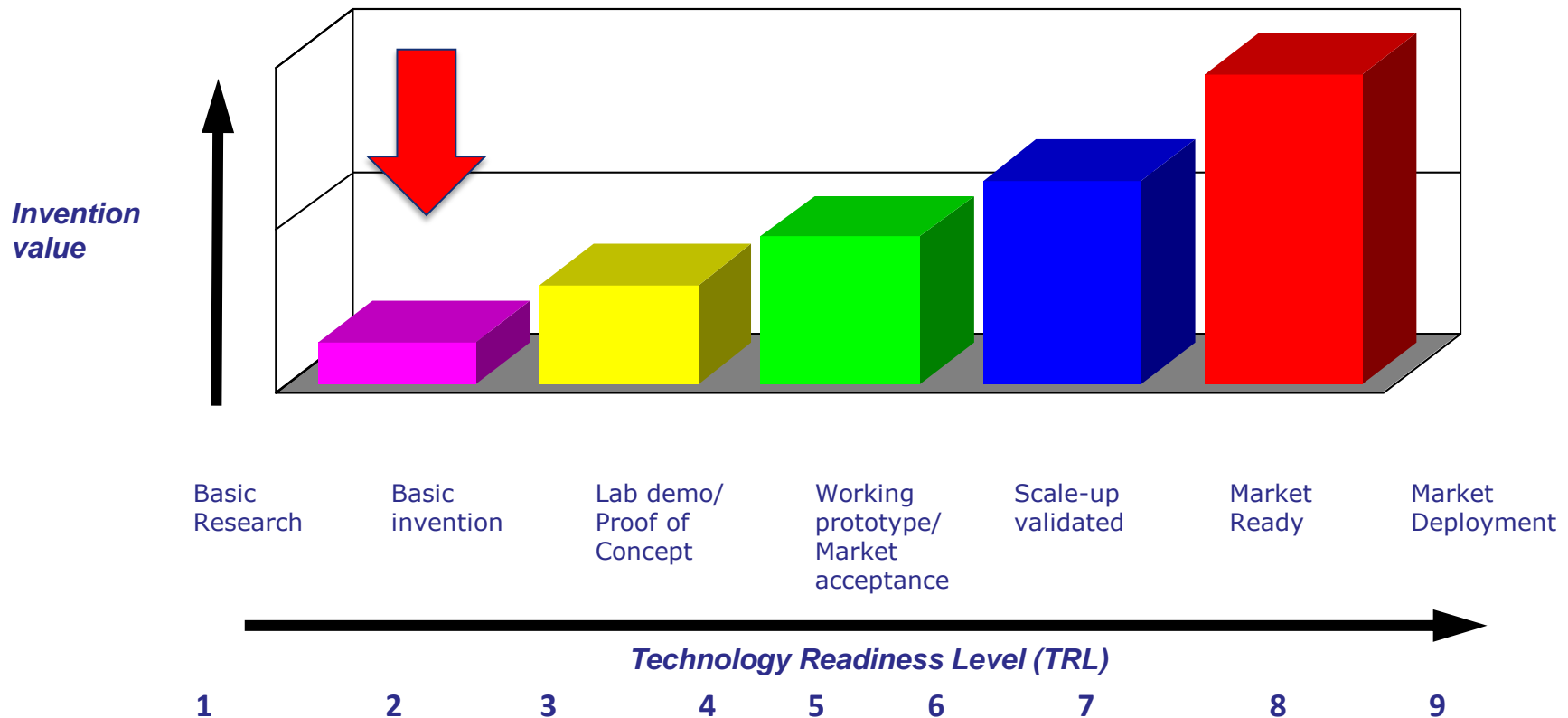
Output: Data Management Plan (DMP)



- How far are the results from potential commercialization? What is the Technology Readiness Level (TRL) of my project?
- This influences both data analysis and exploitation activities



Projects with low Technology Readiness Level:





Access to market is too premature...

➤ **What potential of further development does my technology have?**

1. Researchers/ research institutions, , universities active in the research field?

2.What are the best dissemination strategies to be carried out?





Best Practice Example: Monitoring ongoing related research

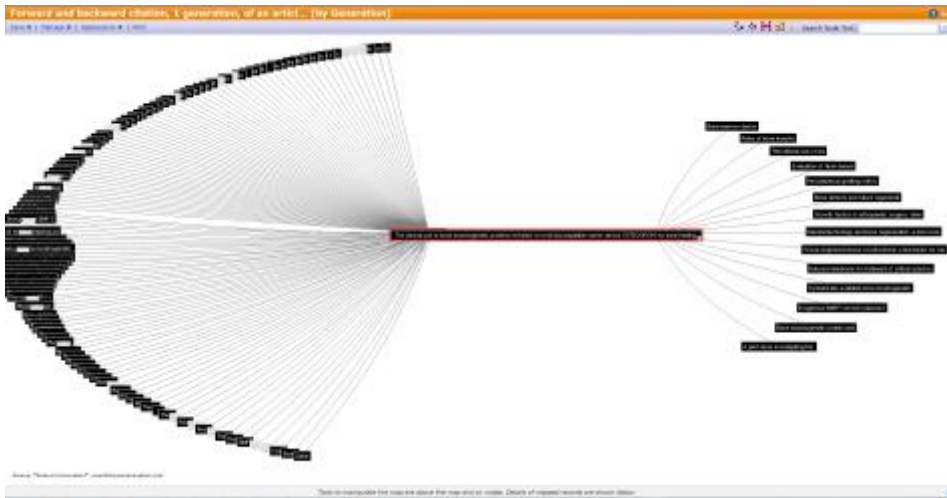


A **Themescape map** shows a general overview of the current state of the art in different fields of research:

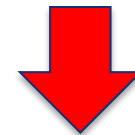
- Create a overview of all the research fields that might be connected
- Check possible collaboration pathways



In depth analysis of interesting research fields



- Look for every possible citation of your work, both in background activities as well as for results.



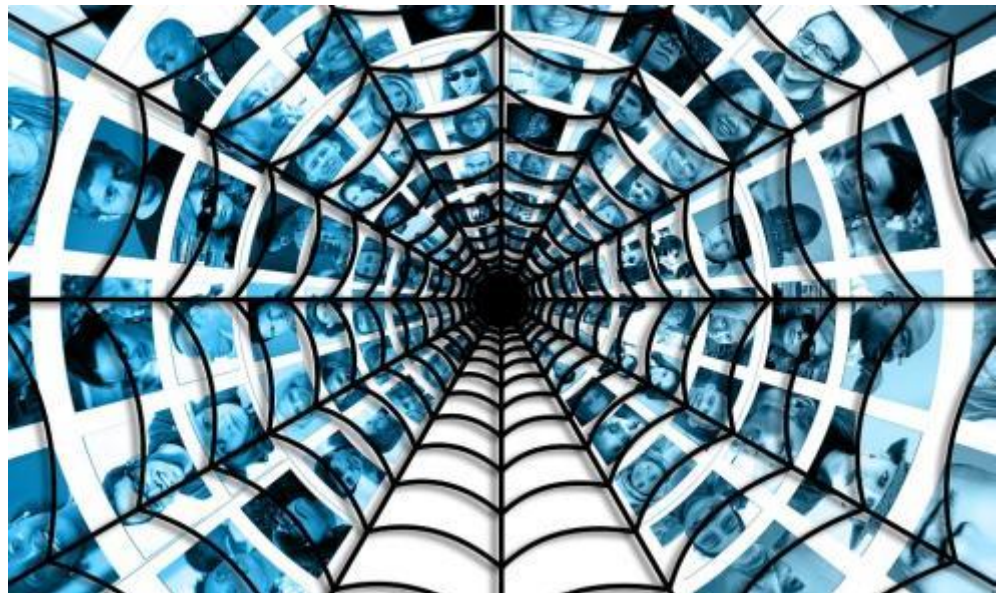
- Optimize dissemination and communication activities in order to foster the use of results



In depth analysis of interesting research fields (II)

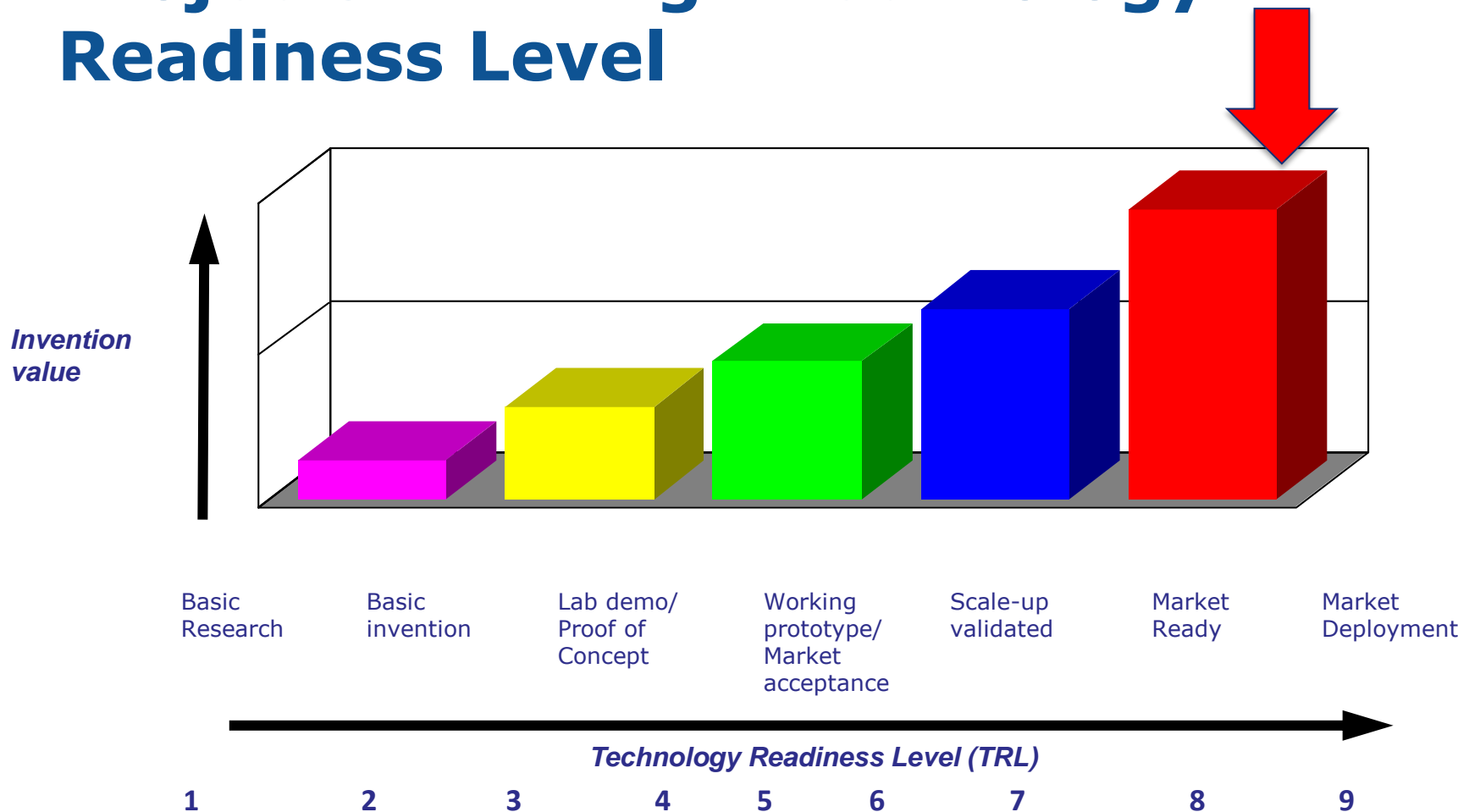
- Find collaborating institutions (third parties involved in the action)
- Prepare for further research activities

(Further research is an exploitation method)





Projects with high Technology Readiness Level





➤ **Looking at market opportunities**

1. Market analysis

- Who are my competitors?
- Potential strategic collaboration partners

2. What are the risk concerning existing IP rights?

3. Possible exploitation pathways



Market analysis:



A **Themescape map** shows a general overview of the current state of the art market in which the technology could be commercialized.

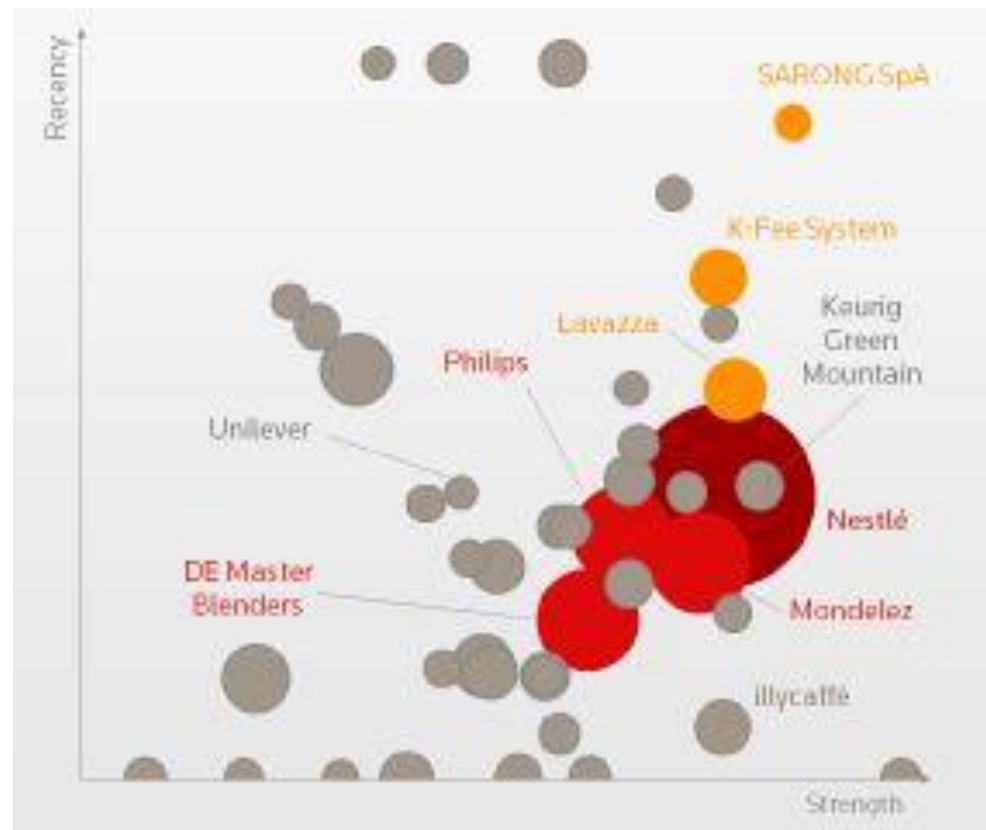
Sometimes technologies may be relevant for companies and markets very far away from the initial target market.



Look for the most innovative companies in the field

Patent analysis. Useful for:

- Knowing other innovators;
- Not committing patent or TM infringements
- Look for possible exploitation ways





Other innovators (II)

➤ Where are they?

A patent grants a right to its owner only in territories in which the title has been registered



Patent Authorities with > 100 Inventions from Medium Applicants

Figure 11 - Global View of Major Filing Locations for medium volume (3-19 inventions) patent applicants



How valuable are patents currently existing in the field?



Sometimes patent portfolio are very large but not valuable.

- Check patents' status



Useful programs to carry out an IP analysis:

- IP Navigator (focus on H2020 results)
- IP score
- Espacenet
- TM view
- Thomson Data Analyzer





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STOP

Exploitation Workshops



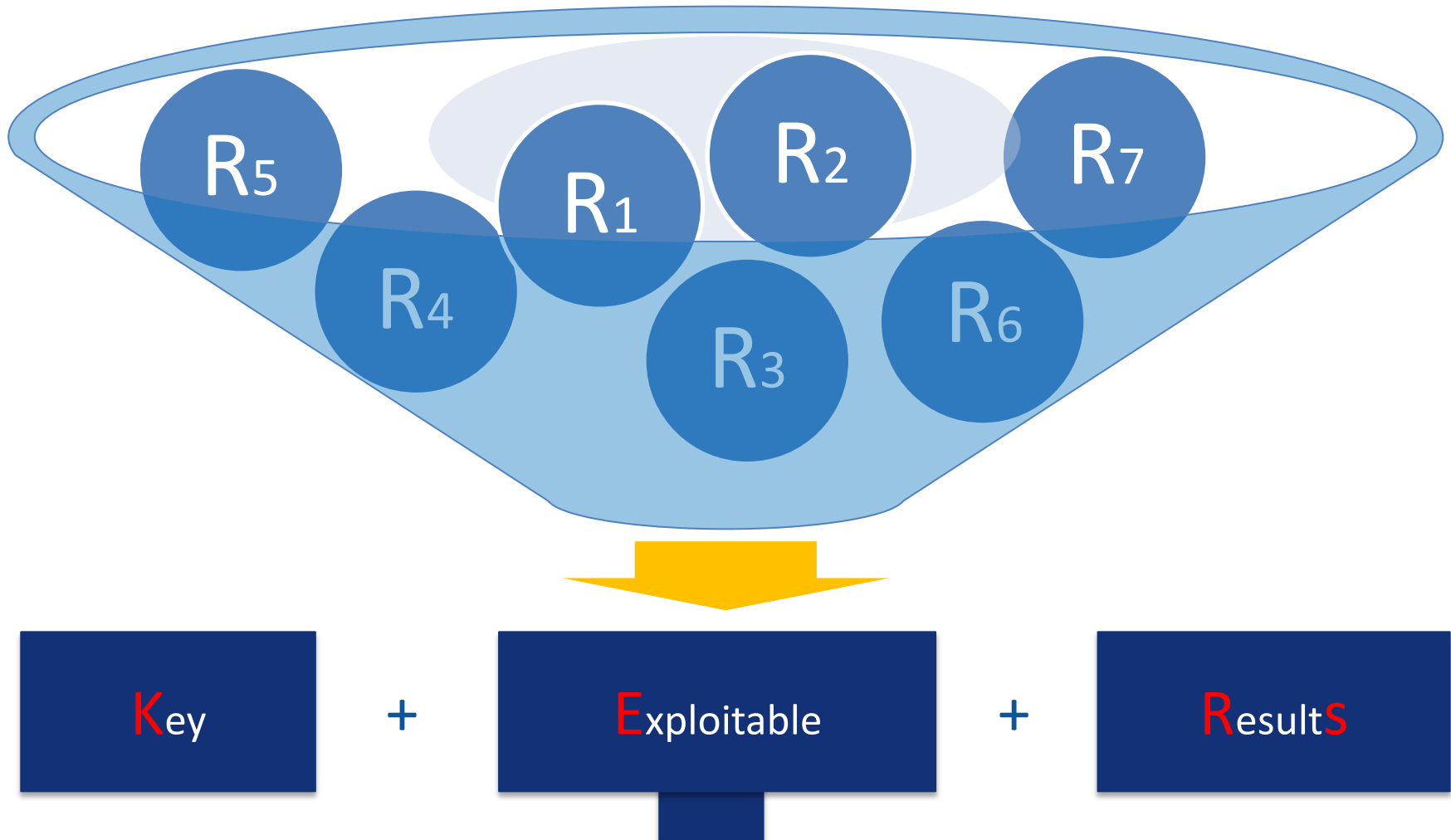
KERs:

- **Questionnaires to partners**
- **Exploitation workshops** based on the results of the questionnaires



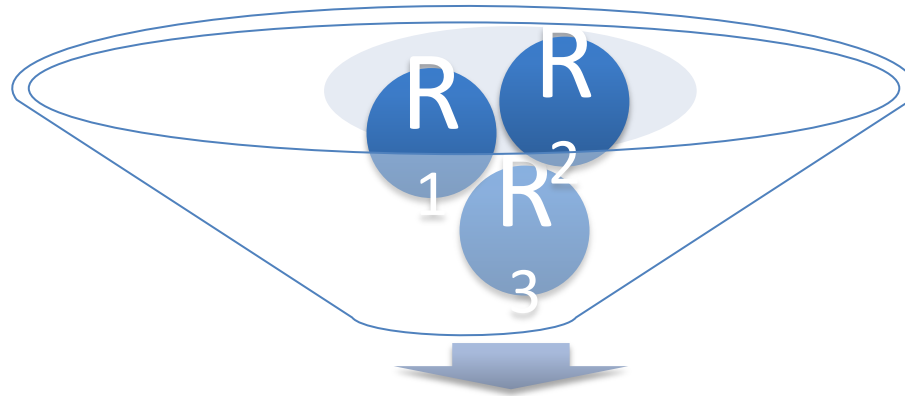


Identify **K**ey **E**xploitable **R**esults





Analysing **Key Exploitable Results**



Risk
Analysis

+

Exploitation
Strategy

+

Business
plan



Related EU Initiatives

COMMON EXPLOITATION BOOSTER

Common Exploitation Booster

Common support service for facilitating exploitation of research results of ongoing R&I projects under FP7 and H2020

- In developing, creating and marketing a product or a process
- In creating and providing a new service
- In setting new standards
- In setting up new training courses or developing new curricula

<http://exploitation.meta-group.com>

#1 Analysis of Exploitation Risks

#2 Exploitation Strategy Seminar

#3 Business Plan Development

#4 Brokerage and Pitching Event

Applications are open

EC-CSC-Exploitation-support@ec.europa.eu

All FP7 and H2020 projects are eligible to apply

1 A project can benefit only once

Projects can ask for the service only if they have not already benefited by a similar one under another support scheme

Innovation Radar

EXHIBITORS CEBIT 2017

MARCH 19-21

- ESENS
- FRAUNHOFER ITWM
- INTRINSIC ID
- LEANDSCALE
- MANDO GROUP
- MYFORCE
- PERACTION LTD
- QIBROBOTICS
- QTALES
- VIDEODOCK

MARCH 22-24

- ESENS
- FRAUNHOFER ITWM
- FUELSO
- MANDO GROUP
- MY MOVE MATCHCOM
- MY AIR COACH
- OPEN-EASE
- REALVEYES
- SIXSQ
- TELLU
- VOKOLAB

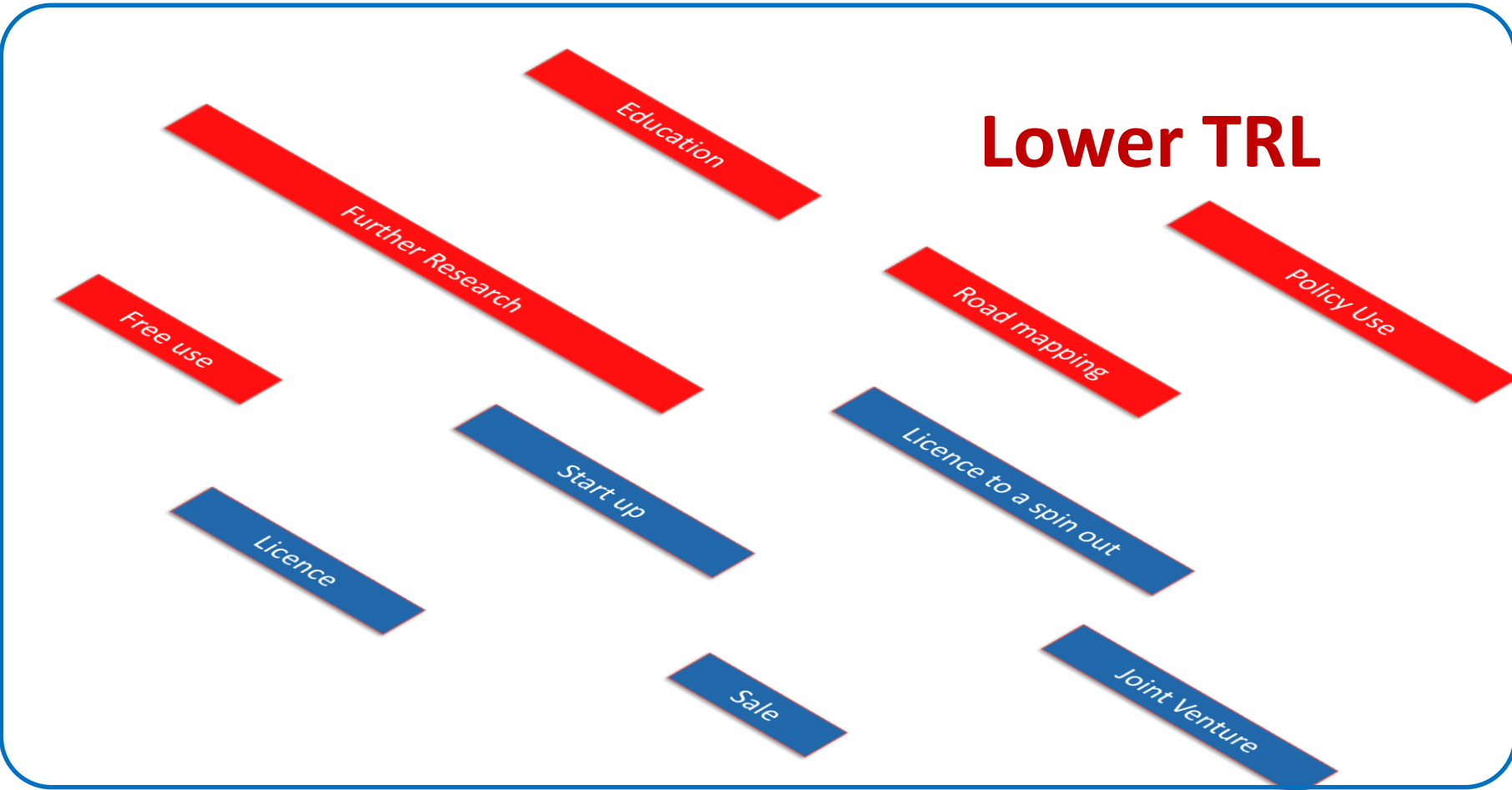
WINNER OF FOOD SCANNER PRIZE

On the European Commissioner's CEBIT pavilion you can experience the breakthrough digital technologies that these organisations have developed with EU-funding.



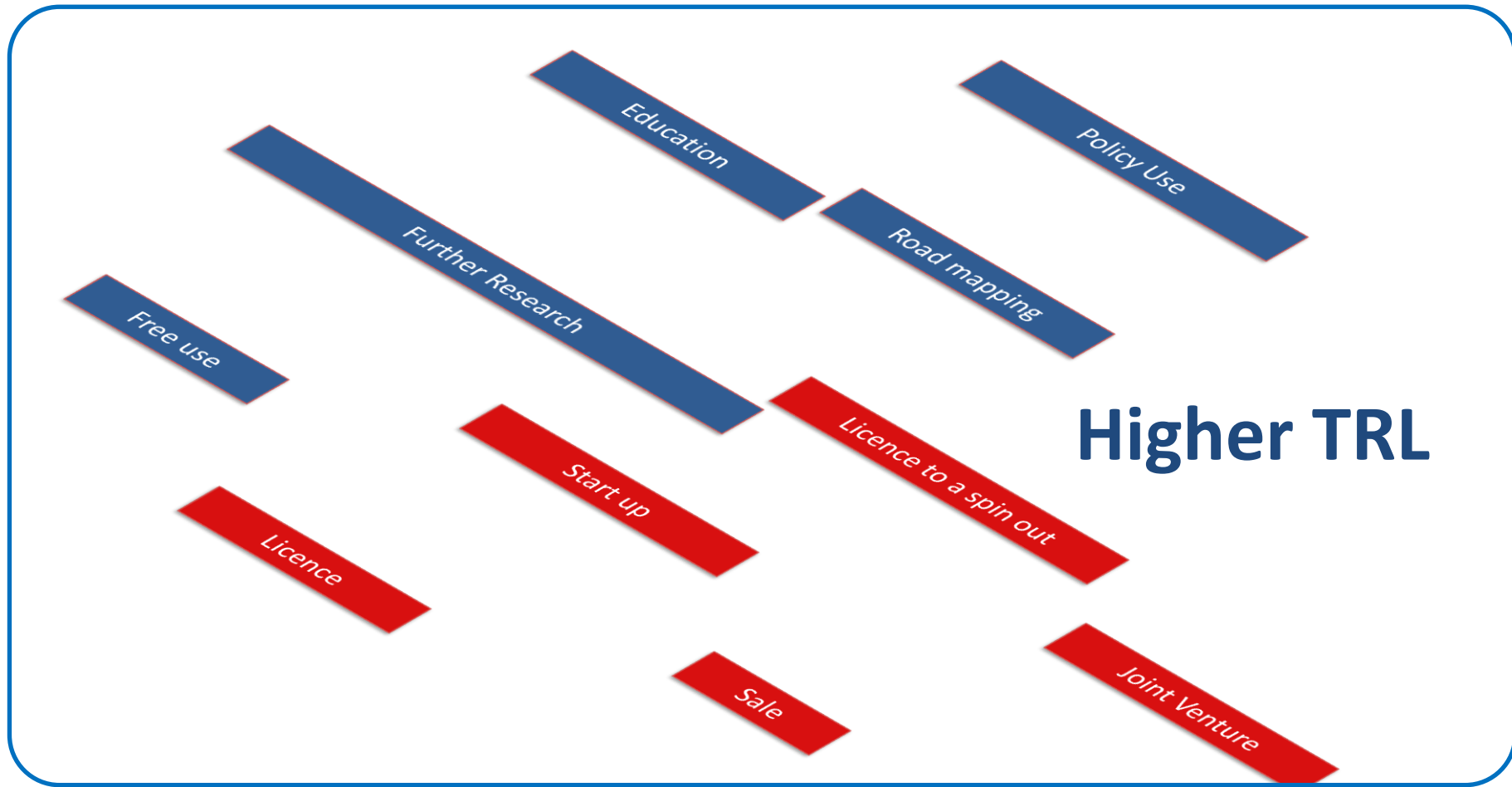
Exploitation Models

Lower TRL





Exploitation Models





Thank you.

We look forward to getting in touch with you!

For further questions and general IP advice, please contact our Helpline team:

service@iprhelpdesk.eu

Phone +352 25 22 33-333 (Helpline)

Fax + 352 25 22 33-334 (Helpline)

www.iprhelpdesk.eu

For questions related to our training activities, please send us an email at:

training@iprhelpdesk.eu

