



IPR-Helpdesk's Role for Participants in EU-funded Projects

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IPeuropAware Final Event, 9 February 2011, Brussels

IPR-Helpdesk is a constituent part of the "IP Awareness and Enforcement: Modular Based Actions for SMEs (IPeuropAware)" project which is financed by the CIP Programme, DG Enterprise and Industry of the European Commission





Objective Providing free of charge basic legal assistance on intellectual property (IP) related issues to participants, mainly SMEs and research institutions, in R&D&I EU funded projects

A bit of history...

09/1998 – 08/2001

Pilot phase

01/2002 – 12/2004

First phase of IPR-Helpdesk

01/2005 – 12/2007

Second phase of IPR-Helpdesk

11/2007-10/2010 (11/2007-02/2011)

**IP Awareness and Enforcement:
Modular Based Actions for SMEs
project 'IPeuropAware'**

**Coordinator: University of Alicante
(UA)**

IPR-Helpdesk run in full by UA



2007-2010 in IPeuropAware



TFEU (ex EC Treaty)
Pluriannual Framework Programmes (2007-2013)



The 7th Framework Programme of the European Community for RTD and demonstration activities

Decision No 1982/2006/EC

Official Journal L 412, 30/12/2006, pp. 1 – 43



The Competitiveness and Innovation Framework Programme

Decision No 1639/2006/EC

Official Journal L 310, 09/11/2006, pp. 15 - 40



FP6
€ 17 883 M

Budgets FP6
FP7

FP7
€ 50 521 M

...but budget is not everything...

Making the most of the EU funding very much depends on **participants'**
knowledge of the **IP- related issues & rules**



1. Knowing the FP context

Under which conditions are we going to exchange our knowledge?

**PROPOSAL STAGE...
END OF PROJECT**

Who will be the owner of the results?

How will we exploit the results?

2. Knowledge of the IP rights system



- **Grant Agreement (GA)**
- Annex I (technical description)
- Annex II (general conditions – main IP rules)
- ...



The CA supplements the GA
It shall not contradict the latter

- **Consortium Agreement (CA)**
- Other agreements



Planning agreements in due time

Negotiation and proposal preparation

- preliminary agreements
- consortium agreement

Ensuring cooperation and confidentiality

Project execution

- access rights (licences)
- joint ownership agreements

grant agreement

Use and dissemination

- licensing
- assignment
- Technology Transfer agreements

The transnational issue

Different systems, different internal rules and languages (!)

IP rights (territorial rights)



Aware of the IP rights system?...

'I had my patent granted, that's it'
IP rights are worth nothing if they are not exploited.
Tradable assets: the owner may license third parties; sell the right to someone else...



Many applicants register in order 'not to be copied'

Nobody wants lawsuits or conflicts when applying for IP rights, but if infringed, IP rights should be enforced.

Amicable settlements
Litigation (civil-criminal law)/alternative (ADR) systems



Friday, 6 February 2009
Free of charge helpdesk on Intellectual Property Rights related issues in EU-funded projects.

IPR Helpdesk Bulletin - Windows Internet Explorer
http://www.ipr-helpdesk.org/newsletter/40/html/EN/ AOL Search

IPR Helpdesk Bulletin
N. 40, October - December 2008

IPR and competition: the pharmaceutical sector
Lorena Boix
Editorial

A competitive European pharmaceutical industry is high on the Commission's agenda and innovation constitutes an essential and dynamic component to achieve this goal. ...

Ethics Issues in FP7 Health Research
Dr. Joana Namorado
Ethics review of research projects is a legal requirement under FP7, and it is essential for the research activities that are funded or carried out within this framework. In proposals that apply for EU funding, ethics issues must be identified and addressed. Ethics is central to scientific integrity, and considering ethics issues from...

How to stay "alert" to changes in Community trade marks and designs
Reg Res
Recent months have seen developments in the way in which OHIM provides information to users to help them make better Community trade mark and design filing decisions...

Measures of simplification in the Portuguese Industrial Property Code
Instituto nacional da propriedade industrial
The Decree Law No. 143/2008, of 25th July, that introduces into the Portuguese Industrial Property Code measures of simplification and makes access to Industrial Property easier, has been published...

Technology Transfer and IP Licensing in China
Ting Zhang
China's goal for science and technology (S&T) is to change from being a big nation to creating a strong nation by 2020, based on an emerging, innovative society. The government is keen to develop S&T as a driver of the new economy. For example, the Chinese Ministry of S&T launched S&T funding programmes worth €10 billion in 2005. The...

Patent of the month
The Universal Spectacles (U-Specs) developed by the VU university medical centre in Amsterdam (The Netherlands) are a remarkable project. It aims at producing universal spectacles - i.e. spectacles with a large adjustable refractive power, at very low cost, in particular to solve the problems of children with poor vision in a number...

esp@cenet Quiz
Exercise may soon aim to do more than just keep you in shape. New devices are being developed to generate energy while walking to power portable devices in remote locations where no other energy sources are available. Using esp@cenet® find patents covering this invention...

NEWS
05/02/2009 OECD. Information Technology Outlook 2008
04/02/2009 EU. German Supreme Court asks ECJ about Google's "adwords"

EVENTS
Alicante (Spain), 6th February 2009: "UIAIPIT Congress on IP Protection in the Information Society".
Alicante (Spain), 9th February 2009: Dercova - The renewable and efficient energy day.

IPR Bulletin
October-December (2008)

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How can I manage the IP related issues in a EU project?

SEVENTH FRAMEWORK PROGRAMME

In the sections below you will find, by topic, all relevant information about the FP7 IP-related rules and practice. By clicking on each section you will access to specific documents and other resources that deal with every aspect of IP management in FP7 projects in detail.



Select a section below or a different programme on the left menu to continue

FP7 Sections

- General issues
- Ownership
- Protection (Confidentiality and IP rights)
- Access rights
- Use and dissemination
- Specific actions
- Enforcement and dispute resolution
- Consortium agreement
- Grant agreement
- Legislation

SME Gateway

The content of this section is specifically designed for Small and Medium-sized Enterprises (SMEs). SMEs can find here information on how to manage their IP in FP7 projects, how to protect and exploit their results.

- Before the project starts
- Implementation of the project and protection of results
- Use and dissemination of results
- More for SMEs



How to manage Intellectual Property under FP7? A practical guide for SMEs

This guide aims to offer SMEs an overview of the IP aspects related to FP7 projects. It contains tips and information useful to all those interested in FP7.

The guide is also available in paper version for multipliers (such as National Contact Points and partner organisations of the Enterprise Europe Network as well as other services offering support in FP7). To order copies, please contact us at: ipr-helpdesk@ua.es

News Latest news

- 14/09/2010 EU. Academic co-operation with the USA and Canada
- 13/09/2010 EU. Parliament adopts declaration on the ACTA

Events Next events

- The Hague (The Netherlands), 19th September 2010: The Hague International Open Day
- Prague (Czech Republic), 12th-13th October 2010: European Computer Science Summit (ECSS 2010)

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July-September (2010)

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How can I manage the IP related issues in a EU project?

IP management in CIP funded projects



GLOSSARY TERMS

- Background
- Dissemination
- Foreground
- Grant agreement

FAQ'S

- ? How should I protect my legitimate interests and manage preexisting information and related IP rights before the project starts?
- ? In a CIP action, who will be the owner of the results generated?
- ? As participants in CIP projects, should we treat the protection of the project results differently than those under other EU programmes?
- ? How should we deal with parts from third parties' works that we wish to include in a report/deliverable to be published?

EXECUTIVE SUMMARIES

Approaching IP issues in CIP projects – Summary Fiche

Under the Competitiveness and Innovation Framework Programme (CIP), there are no horizontal rules for participation or a common grant agreement model for the three operational sub-programmes... [READ MORE...](#)

Personnel creations in EU funded projects

Participants in EU-funded projects, including the Seventh Framework Programme for research, technological development and demonstration activities (FP7) and the Competitiveness and Innovation Framework Programme (CIP), should pay attention...

IP rules in ICT PSP projects

The Information and Communication Technologies Policy Support Programme (ICT PSP), a sub-programme of the Competitiveness and Innovation Framework Programme (CIP), is a major funding scheme... [READ MORE...](#)

IP rules in Eco-Innovation projects

Eco-innovation actions can be co-financed under the EU Competitiveness and Innovation Framework Programme (CIP), in particular under the CIP sub-programme 'Entrepreneurship and Innovation Programme'... [READ MORE...](#)

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Helpline

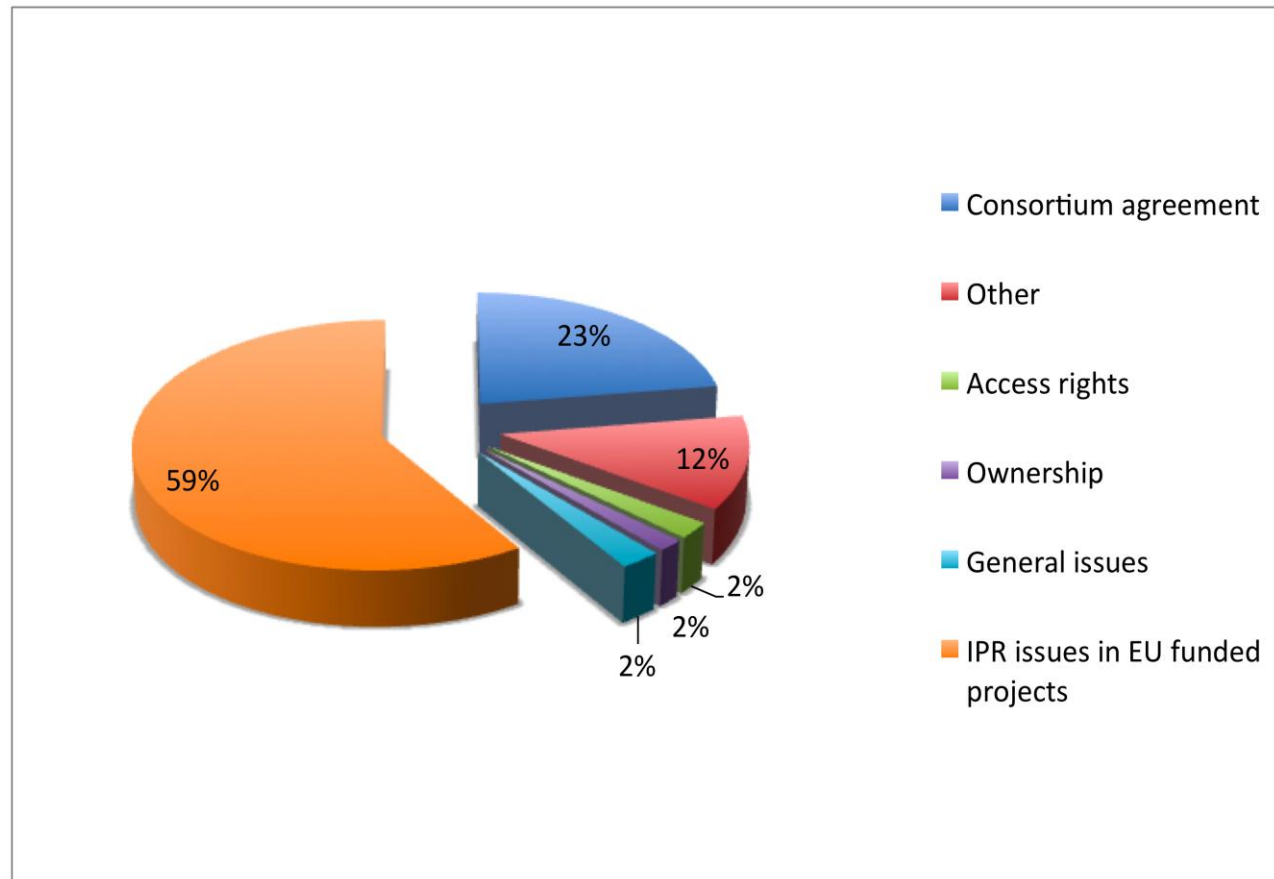
From 1 January 2008 until 4 February 2011 we have dealt with **3928** questions.

≈ 6% questions sent to NPOs (questions on IP not related to EU-funded projects).

98% of the users were very satisfied with the answer.



Helpline





Training

140 training actions (30 committed) in EU Member States and Associated countries to the FPs.

> 30 countries (EU MS + Associated countries).

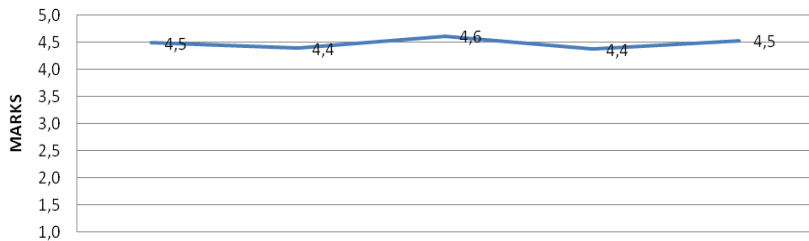
17 videoconferences held.

35 specific dissemination actions.



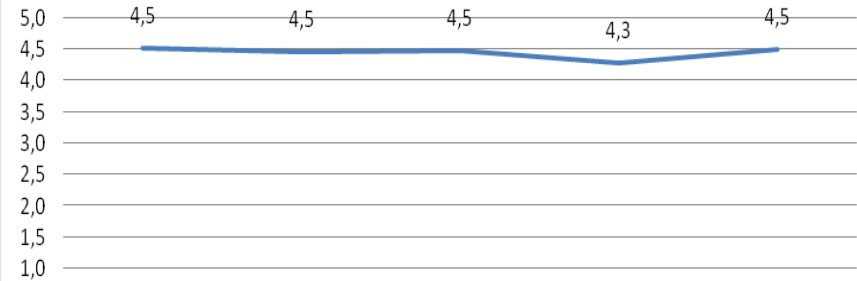
Training

Training Feedback in Period 1



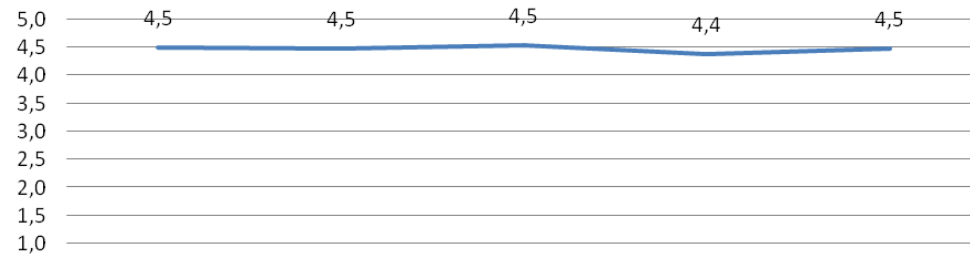
1. Did the training improve your awareness / understanding of the subject?
2. How would you rate the selection of topics and content?
3. How would you rate the quality of the presentations?
4. How would you rate the documentation and visual aids used?
5. Overall evaluation?

Training Feedback in Period 2



1. Did the training improve your awareness / understanding of the subject?
2. How would you rate the selection of topics and content?
3. How would you rate the quality of the presentations?
4. How would you rate the documentation and visual aids used?
5. Overall evaluation?

Training Feedback in Period 3



1. Did the training improve your awareness / understanding of the subject?
2. How would you rate the selection of topics and content?
3. How would you rate the quality of the presentations?
4. How would you rate the documentation and visual aids used?
5. Overall evaluation?



Thank you for your attention
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