4TH WORKSHOP

HORIZON EUROPE
IPR & TECHNOLOGY TRANSFER

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TODAY`S TOPIC

9:00 -09:10	Welcome
09:10 10:00 10:00- 10:45 10:45-11:30	Overview of IPR - What is IPR ? - How can you protect your IPR? IPR Frameworks and Challenges at IAC - Presentation of tools and resources available for effective IP management at IAC - Discussion on common challenges faced in protecting intellectual property Technology Transfer Process - Overview of existing technology transfer processes - Case studies of successful technology transfer instances - Best Practices
11:30-12:00	Coffee break
12:00-12:30 12:30-13:15 13:15-14:00	Horizonte Europe IPR and Technology Transfer - IPR in Horizon Europe - Horizon Europe Results Ownership List - Best practices for managing IP sharing in Collaborative projects Enhancing Technology Transfer at IAC - Discussion a of potential Strategies to enhance technology transfer - Spin-off and Stat ups - Strategies to strengthen collaborations within IAC and with external partners - Action Plan for the Improvement of IPR and Technology Transfer - Presentation of tools and resources available for effective IP management at IAC - Presenting specific goals for improving IPR and technology transfer within IAC - Actionable steps and responsibilities -
14:00-14:30	WRAP-UP and Closing Remarks • Recap of key outcomes and discussion points • Next steps for implementation and follow-up actions • Participant feedback and suggestions

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UNDARK

Ana Sofia

- +25 years of experience in managing European projects in the area of innovation and research.
- +20 years of experience as a Technology Transfer Manager
  - Exploitation Strategies and Plans
  - Trainned by WIPO and EPO
- +25 years of experience in European proposals drafting.
  - Experience in different European programs: HE, H2020, INTERREG, CEF, FP7, FP6, ...
- Technological Physics Engineering
  - Additional training in innovation management, intellectual property management, gender issues European Union,...

For more information:
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AND WHO ARE YOU ?

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Overview of IPR

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What is Intellectual Property?

Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

IP is protected in law
For example, patents, copyright and trademarks, which enable people to earn recognition or financial benefit from what they invent or create.

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What is Intellectual Property?

By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.

IP covers a vast range of activities, and plays an important role in both cultural and economic life.

This importance is recognized by various laws which protect intellectual property rights in different countries.

- International Convections (Berne, Rome,..)



Spource: European Commission, Executive Agency for Small and Medium-sized Enterprises, Your guide to IP in Europe, Publications Office, 2019, https://data.europa.eu/doi/10.2826/94924

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Patent- What it is?

A patent is an exclusive right granted for the protection of inventions **(products or processes) offering a new** technical solution or facilitating a new way of doing something.

In return, the patent holder **must disclose the invention to the public in the patent application.**

▪ Exclusivity enables investment and higher returns on investment ▪ Strong, enforceable legal right ▪ Makes invention tradable (licensing)	▪ Reveals invention to competitors (after 18 months) ▪ Can be expensive ▪ Patent enforceable only after grant (this can take 4 to 5 years)

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Patent- What it is?

Requirements:

- **Novelty -**The invention must be new in comparison to the existing knowledge in the relevant technical field -that is, not being part of the state of the art.
- **Inventive step -**The invention must be non-obvious, in other words, it cannot be deduced easily by a person with average knowledge in the relevant technical field.
- **Industrial application** It must be capable of industrial application (i.e. it can be made or used in any kind of industry, including agriculture).

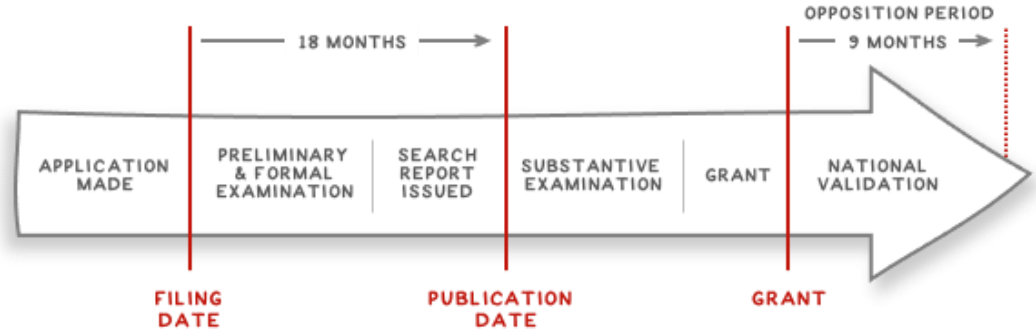
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Patent-Procedure

The exclusive right conferred by a patent allows its owner to pre others from making, using, offering for sale, selling or importing a product or a process based on the patented invention, without the owner's prior permission.

The patent owner may give permission to others to use the invention on mutually agreed terms (i.e. patent licensing agreement).

The owner may also sell the patent to someone else, who will then become the new owner of the patent.





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Patent- Regional and Fees

- Patents are territorial in nature, which means that patent rights are granted and enforceable within the geographical boundaries of the country or region where they are registered.
- Costs - Fee

- National route -Registration takes place at national IP offices and is obtained only in the territory where the patent is registered.
- Regional route (European patent) -A European patent can be obtained for all the European Patent Convention (EPC) contracting states by filing a single application, under a single set of fees with the European Patent Office (EPO)
- International Route PCT system that allows users to obtain patent protection in more than 150 territories by filing a single application in one language and paying a single set of fees

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Patent-
European Patents and Unitary Patent

A European patent with unitary effect (unitary patent) is a European patent granted by the EPO to which unitary effect in the territory of the participating Member States

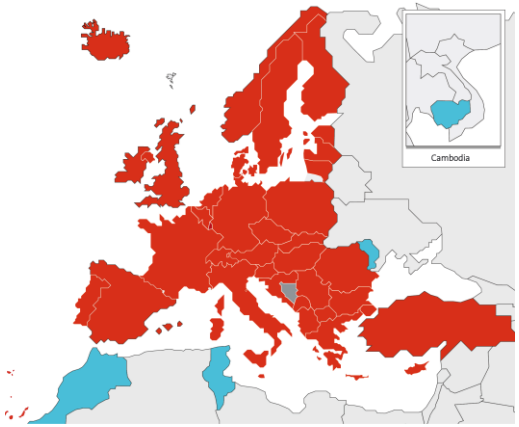
The Unitary Patent will be based on a European patent granted by the EPO under the rules and procedures of the EPC.

After grant of the European patent, unitary effect can be requested for the territory of the participating Member States.

Source :EPO

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Patent-
European Patents and Unitary Patent



European Patent - Source :EPO

Estimated overall cost (incl. external costs) of validation and maintenance in EUR

	Unitary Patent (UP)	Classic European patent (EP) validated and maintained in four countries
Total official fees for years 5-10	4 400	3 745
Total external costs* for years 5-10	3 000	3 855
Total cost up **to year 10**	**7 400**	7 600
	difference UP vs EP: **EUR -200** = **-3%**	
Total official fees for years 5-12	7 635	6 585
Total external costs* years 5-12	3 625	5 265
Total cost **up to year 12**	**11 260**	11 850

Source :EPO



Unitary Patent States – Source :EPO

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Patent-Software?

A computer-implemented invention (CII) is one which involves the use of a computer, computer network or other programmable apparatus, where one or more features are realised wholly or partly by means of a computer program..

Computer programs receive copyright protection in Europe,
Software patentability in Europe is excluded by law but the issue is under debate. As a consequence, a computer program claimed “as such“ is not a patentable invention.

Under specific conditions, a patent could be granted for a computer-implemented invention where a technical problem is solved in a novel and non-obvious manner.
- https://www.epo.org/law-practice/legal-texts/html/guidelines/e/j.htm

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Patent-Software?

At international level - several approaches have been taken in protecting software by patents.

While some countries grant patents for all types of software, in others the computer programs are expressly excluded from patentable subject matter (https://www.wipo.int/patents/en/topics/software.html)

Patentable inventions

G-I, 1 Patentability requirements

G-II, 1 General remarks (updated in GL 2022)

G-II, 2 Examination practice (updated in GL 2022)

Features related to the list of Art. 52(2) and technical contribution

G-II, 3.3 Mathematical methods (updated in GL 2022)

- G-II, 3.3.1 Artificial intelligence and machine learning (introduced in GL 2018)
- G-II, 3.3.2 Simulation, design or modelling (updated in GL 2022)

G-II, 3.4 Aesthetic creations

G-II, 3.5 Schemes, rules and methods for performing mental acts, playing games or doing business

- G-II, 3.5.1 Schemes, rules and methods for performing mental acts (updated in GL 2022)
- G-II, 3.5.2 Schemes, rules and methods for playing games (updated in GL 2022)
- G-II, 3.5.3 Schemes, rules and methods for doing business (introduced in GL 2018)

G-II, 3.6 Programs for computers (updated in GL 2018)

- G-II, 3.6.1 Examples of further technical effects (introduced in GL 2018)
- G-II, 3.6.2 Information modelling, activity of programming and programming languages (introduced in GL 2018)
- G-II, 3.6.3 Data retrieval, formats and structures (updated in GL 2022)
- G-II, 3.6.4 Database management systems and information retrieval (introduced in GL 2021)

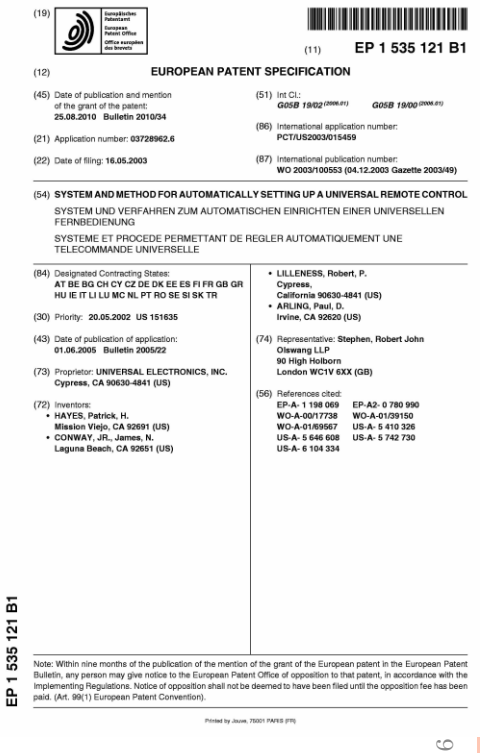
G-II, 3.7 Presentations of information (updated in GL 2018)

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Patent Contents

1. The **cover page** reveals not only the title of the granted invention but also what is known as the bibliographic data such as inventor, applicant, publication date, or international classification. Additionally it often includes an abstract with initial technical information and a basic **drawing** of the invention.

2. The rest of the patent document accounts for the **technical and legal core** details supporting the granted invention and features:



(19) European Patent Office

(11) EP 1 535 121 B1

(12) EUROPEAN PATENT SPECIFICATION

(45) Date of publication and mention of the grant of the patent: 25.08.2010 Bulletin 2010/34

(51) Int Cl.: G05B 19/02 (2006.01) G05B 19/00 (2006.01)

(21) Application number: 03728962.6

(86) International application number: PCT/US2003/015459

(22) Date of filing: 16.05.2003

(87) International publication number: WO 2003/100553 (04.12.2003 Gazette 2003/49)

(54) SYSTEM AND METHOD FOR AUTOMATICALLY SETTING UP A UNIVERSAL REMOTE CONTROL

SYSTEM UND VERFAHREN ZUM AUTOMATISCHEN EINRICHTEN EINER UNIVERSELLEN FERNBEDIENUNG

SYSTEME ET PROCEDE PERMETTANT DE REGLER AUTOMATIQUEMENT UNE TELECOMMANDE UNIVERSELLE

(84) Designated Contracting States: AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LI LU MC NL PT RO SE SI SK TR

(30) Priority: 20.05.2002 US 151635

(43) Date of publication of application: 01.06.2005 Bulletin 2005/22

(73) Proprietor: UNIVERSAL ELECTRONICS, INC. Cypress, CA 90630-4841 (US)

(72) Inventors:
- HAYES, Patrick, H. Mission Viejo, CA 92691 (US)
- CONWAY, JR., James, N. Laguna Beach, CA 92651 (US)
- LILLENESS, Robert, P. Cypress, California 90630-4841 (US)
- ARLING, Paul, D. Irvine, CA 92620 (US)

(74) Representative: Stephen, Robert John Olswang LLP 90 High Holborn London WC1V 6XX (GB)

(56) References cited:
EP-A- 1 198 069 EP-A2- 0 780 990
WO-A-00/17738 WO-A-01/39150
WO-A-01/69567 US-A- 5 410 326
US-A- 5 646 608 US-A- 5 742 730
US-A- 6 104 334

EP 1 535 121 B1

Note: Within nine months of the publication of the mention of the grant of the European patent in the European Patent Bulletin, any person may give notice to the European Patent Office of opposition to that patent, in accordance with the Implementing Regulations. Notice of opposition shall not be deemed to have been filed until the opposition fee has been paid. (Art. 99(1) European Patent Convention).

Printed by Jouve, 75001 PARIS (FR)

Source :EPO

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Patent Content

•Description
The description must outline the invention clearly and completely enough for a person skilled in the art to be able to carry it out, and constitutes the basis for the claims.

•Claims
The claims are the most important part of the document and must define the subject-matter for which patent protection is sought in terms of its technical features. In other words, a concise and clear formulation is extremely important as it legally determines the scope of protection covered by the patent. The description and drawings can help you interpret the claims more easily.

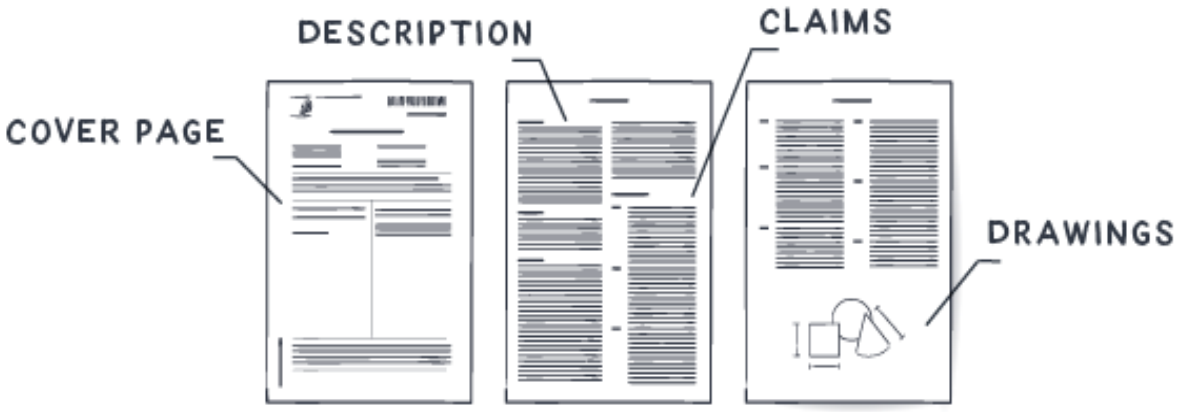
•Drawings (optional)
The application may also contain drawings. These constitute a useful addition to the description in that they illustrate visually the features of the invention.

Source :EPO

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Patent-

Patent procedures demand a high degree of technical and legal expertise.

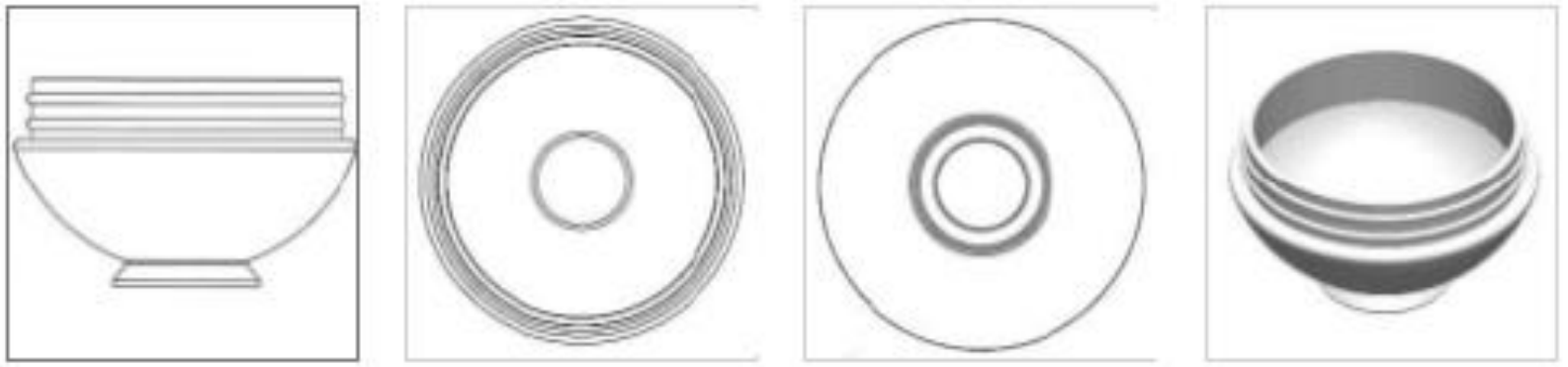


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Industrial Design - What it is?

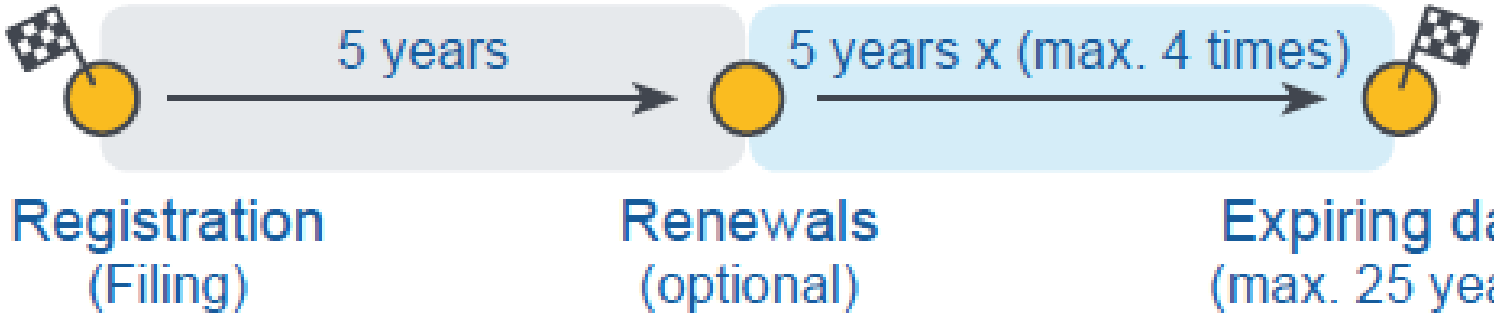
An industrial design is the outward appearance of the whole or part of a product resulting from the features of, in particular, the lines, contours, colours, shape, texture and/or materials of the product itself and/or its ornamentation.:



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Industrial Design - Requirements

- **Novelty** -A design is considered to be new if it has not been disclosed to the public previously.
- **Individual character** -Assessing individual character consists of verifying whether the overall impression produced by the design differs from the overall impression produced by the designs made available earlier.
- **Non-functionality-** Those features of the design that are dictated solely by a technical function do not receive protection.



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Utility model?- What it is?

Also referred to as a "petty patent", a utility model is an exclusive right granted for an invention, which allows its owner to prevent others from commercially using the protected invention, without their authorisation, for a limited period of time.

The requirements for acquiring a utility model are less stringent than those of patents.

While the requirement of novelty is always to be met, that of inventive step or non-obviousness is much lower.

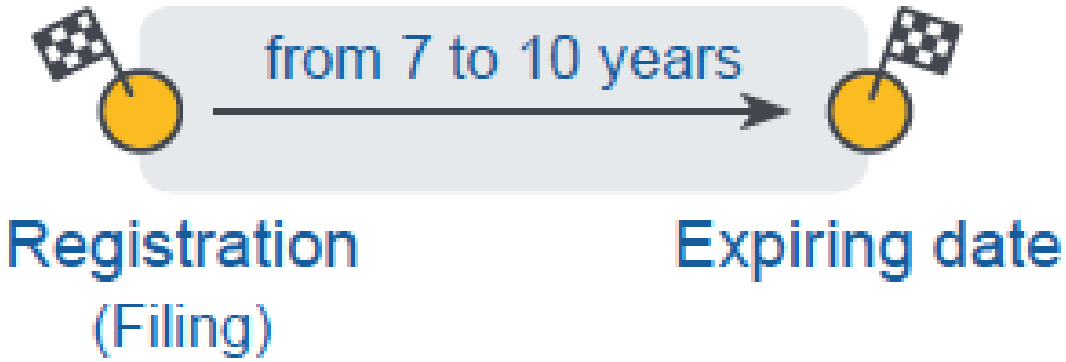
Therefore, protection for utility models is often sought for inventions with a limited inventive step, which may not meet the patentability criteria.

- The term of protection for utility models is shorter than for patents and varies from country to country (usually between 7 and 10 years without the possibility of extension or renewal).
- The fees for obtaining and maintaining utility models are generally lower.

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Utility Model- Requirements

- The rules for utility model registration vary from country to country.
- Consequently, although novelty and inventive step are generally required, the conditions for utility model protection will vary depending on the applicable national legislation.



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Copyright - What it is?

Copyright (or author's right) is the term used to describe the rights that creators have over their literary, scientific and artistic works. There is not an exhaustive list containing the works that can be protected by copyright

Works usually covered by copyright at international level:

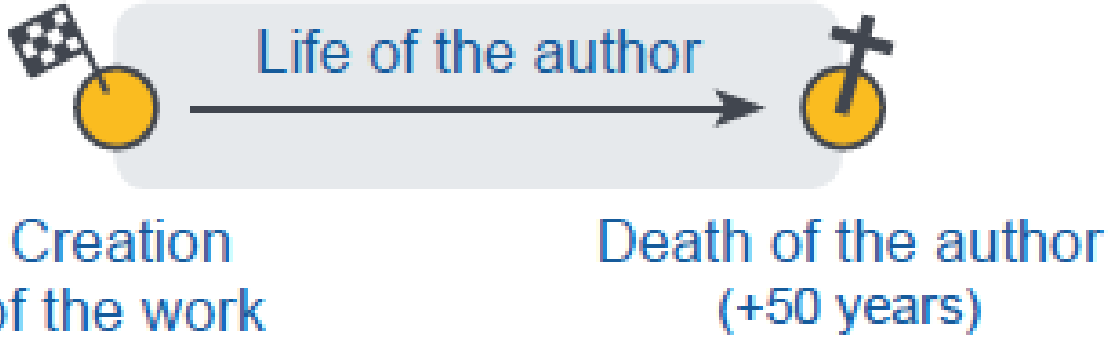
- literary works such as novels, poems, plays, newspaper articles;
- computer programs, databases;
- films, musical compositions, and choreographies;
- artistic works such as paintings, drawings, photographs, and sculptures;
- architecture; and
- advertisements, maps, and technical drawings.

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Copyright - Requirements

The requirements can vary from one country to another, to qualify for copyright protection a work must in general:

- **Be original:**
- **Exist in some form:**



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Databases Protection- What it is?

In the EU, a “database” consists of a collection of independent works, data or other materials arranged in a systematic or methodical way and individually accessible by electronic or other means

Copyright protection

- Original databases can be protected by copyright.
- Copyrighted databases must be original “intellectual creations”
- Copyright is the highest level of protection that can be obtained by databases in the EU.
- The owner of the database is the person who creates it.

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Databases Protection- What it is?

In the EU, a “database” consists of a collection of independent works, data or other materials arranged in a systematic or methodical way and individually accessible by electronic or other means

Sui generis protection

• Non-original databases –

• Sui generis databases do not need to be an “intellectual creation”, but they must show that there has been “qualitatively or quantitatively a substantial investment in either the obtaining, verification or presentation of the contents” of the database.

• The owner of a sui generis database is the person who creates the database, that is to say, the person undertaking the initiative of creating the database and assuming the associated investment risks.

Examples: protected non-original databases include telephone listings or compilations of legislation.

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Neighboring rights, What it is?

Neighboring rights, also known as me[illegible]ghts or related rights are those rights, which, although related to copyright, have a specific subject matter and protect the interests of certain right holders different to the work's author, such as performers, producers (e.g. of films), broadcasting organisations and publishers.

These rights are regulated at international level by the Rome Convention,
which establishes a term of protection of 20 years from the end of the year in which
(i) the fixation was made (for phonograms and performances incorporated in them),
(ii) the performance took place,
(iii) the broadcast
took place.

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Other Ways Of protection – Trade Secret

Technical inventions can be kept secret in areas where it is not easy to reverse-engineer a product.

However, technical information might leak out, destroying the basis for the monopoly.

One drawback of secrecy is that, since the invention is not publicly disclosed, the knowledge gained by the public is restricted and hence the amount of new knowledge fed into R&D activities is reduced.

Trade secrets do not confer “proprietary rights”, meaning that the holder of a trade secret does not have exclusive rights over the information.

However If a person obtains the trade secret by dishonest means (such as in the case of espionage), most European countries and all EU Member States offer protection under unfair competition laws.

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IP rights in a nutshell

IPR	What for?	Duration of protection	Priority	Routes to registration
Copyright	Literary, scientific and artistic works Neighbouring rights (media or related rights)	**Moral rights:** no time limit **Economic rights:** at least the author's lifetime + 50 years (in the EU, 70 years from the author's death) **Neighbouring rights:** at least 20 years from the end of the year in which the fixation was made or the performance / broadcast took place (in the EU, 50 years instead of 20 for phonograms and performances)	No	None
Databases	Collection of independent works, data or other materials arranged in a systematic or methodical way and individually accessible	**Copyrighted databases:** within the EU: life of the author + 70 years ***Sui generis* databases:** 15 years from the end of the year in which the making of the database was completed or in which the database was first made available to the public	No	Copyrighted databases: automatic *Sui generis* databases: EU right only

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IP rights in a nutshell

IPR	*What for?*	*Duration of protection*	*Priority*	*Routes to registration*
Trade marks	Distinctive signs	Renewable indefinitely for periods of 10 years	6 months	National EU trade mark (EU) Madrid System
Industrial designs	Appearance of products	**RCD:** renewable every 5 years up to 25 years **UCD:** 3 years, not renewable	6 months	National Community design (EU) Hague System
Patents	Inventions	20 years	12 months	National European Patent (EPC) PCT
Utility models	Inventions	7-10 years	12 months	National
Trade secrets	Confidential business information	Unlimited	No	None

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IPR Frameworks and Challenges at IAC

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INSTITUTIONAL IP POLICY IMPORTANT EVERYONE KNOWS ABOUT IT

- ownership of and right to use the IP;
- procedures for identification, evaluation, protection and management of IP;
- procedures for cooperation with third parties;
- guidelines on the sharing of profits from successful commercialization;
- mechanisms to ensure respect for third-party IP rights.

Ab institutional IP policy is usually part of the broader regulatory framework of an institution.

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IP POLICY

- An institutional IP policy is usually part of the broader regulatory framework of an institution. As such, it must be coherent and compliant with the other acts or policies put in place, especially those related closely to the scope of the institutional IP policy.
  - participation of students in research;
  - collaboration with industry;
  - confidentiality;
  - creation of institutional spin-off companies.

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IP POLICY STEPS

- 1. Find inspiration in existing institutional IP policies
  - Most large universities and research institutions have developed IP policies that are publicly accessible. Browse WIPO's Database of IP policies for examples of policies from different institutions across the world, to help you understand how other institutions deal with IP issues.
- 2. Involve the right people
  - Various stakeholders contribute to creating and disseminating innovations, inventions and research findings or teaching materials. Each stakeholder has their own interests and expectations which are not always fully aligned. To obtain commitment and endorsement, an institutional IP policy should preferably be drafted together with the main stakeholders.
- 3. Consider key policy choices
  - Use WIPO's **IP Policy Writer's Checklist** as a tool for kick-starting the drafting process. The checklist walks you through the preparation, drafting, implementation and monitoring stages of your IP policy project.

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IP POLICY STEPS

- Draft your institutional IP policy
  - The WIPO **Intellectual Property Policy Template for Academic and Research Institutions** and its **Guidelines for Customization** can provide great support for drafting a comprehensive IP Policy.
  - Adhering to a template will streamline the writing process and save you time. However, customisation to local factors and individual circumstances is crucial in shaping your singular IP Policy.
- Disseminate and improve your institutional IP policy
  - Check the WIPO **IP Policy Writer's Checklist** for guidance on how to
    - communicate and enforce your IP policy;
    - raise awareness on IP and technology transfer issues;
    - revise and update the policy.

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IP Tools – freely available

WIPO Policy tool kit

WIPO Intellectual property (IP) self-assessment tool

- EU IP HELPDESK
  - EU IP helpdesk - IP cost tool
  - EU IP helpdesk - IP diagnostic tool

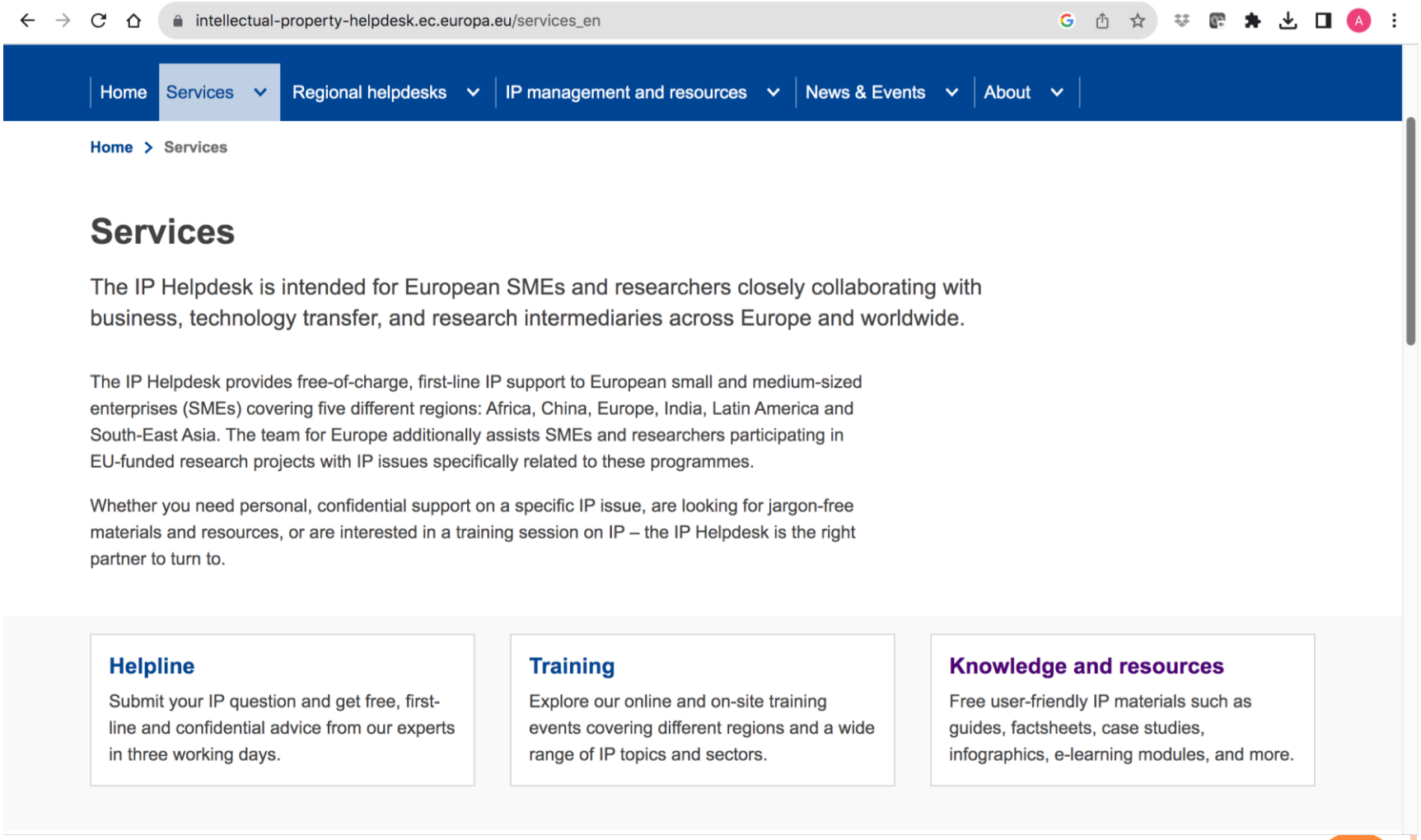
- Creative Common License Chooser

WIPO Institutional IP Policies Database

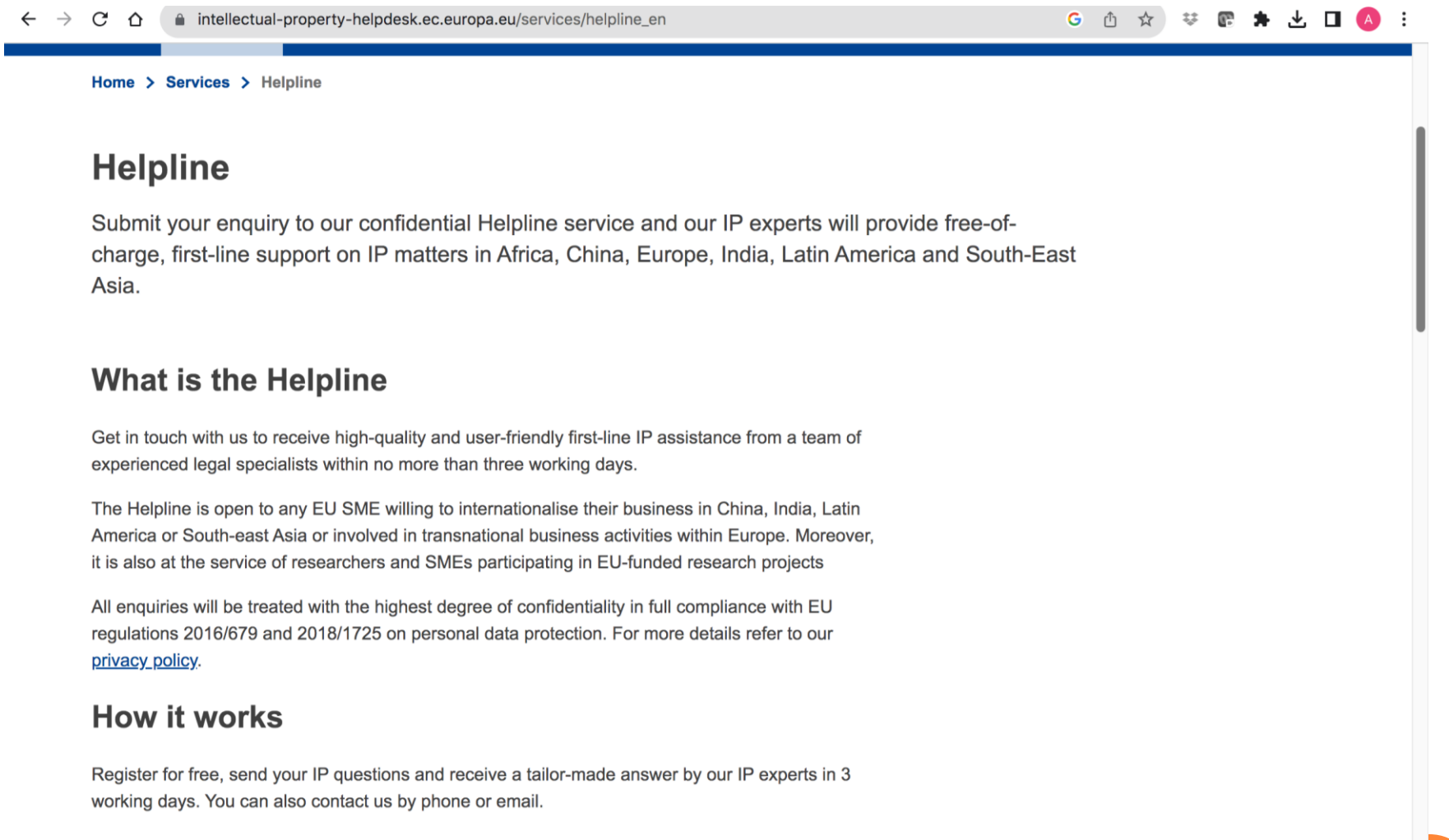
- Intellectual property (IP) policies, manuals and model agreements databases from universities and research institutions worldwide
  - IP Policies for Universities and Research Institutions toolkit

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Intellectual Property Helpdesk



Intellectual Property Helpdesk



More Information & tools

- **Intellectual Property Helpdesk**
  - https://intellectual-property-helpdesk.ec.europa.eu/index_en
- **Patent office for Europe**
  - https://www.epo.org/about-us.html
- **World Intellectual Property Organization (WIPO)**
  - https://www.wipo.int/portal/en/index.html



Technology Transfer Process

IPR commercialzaition

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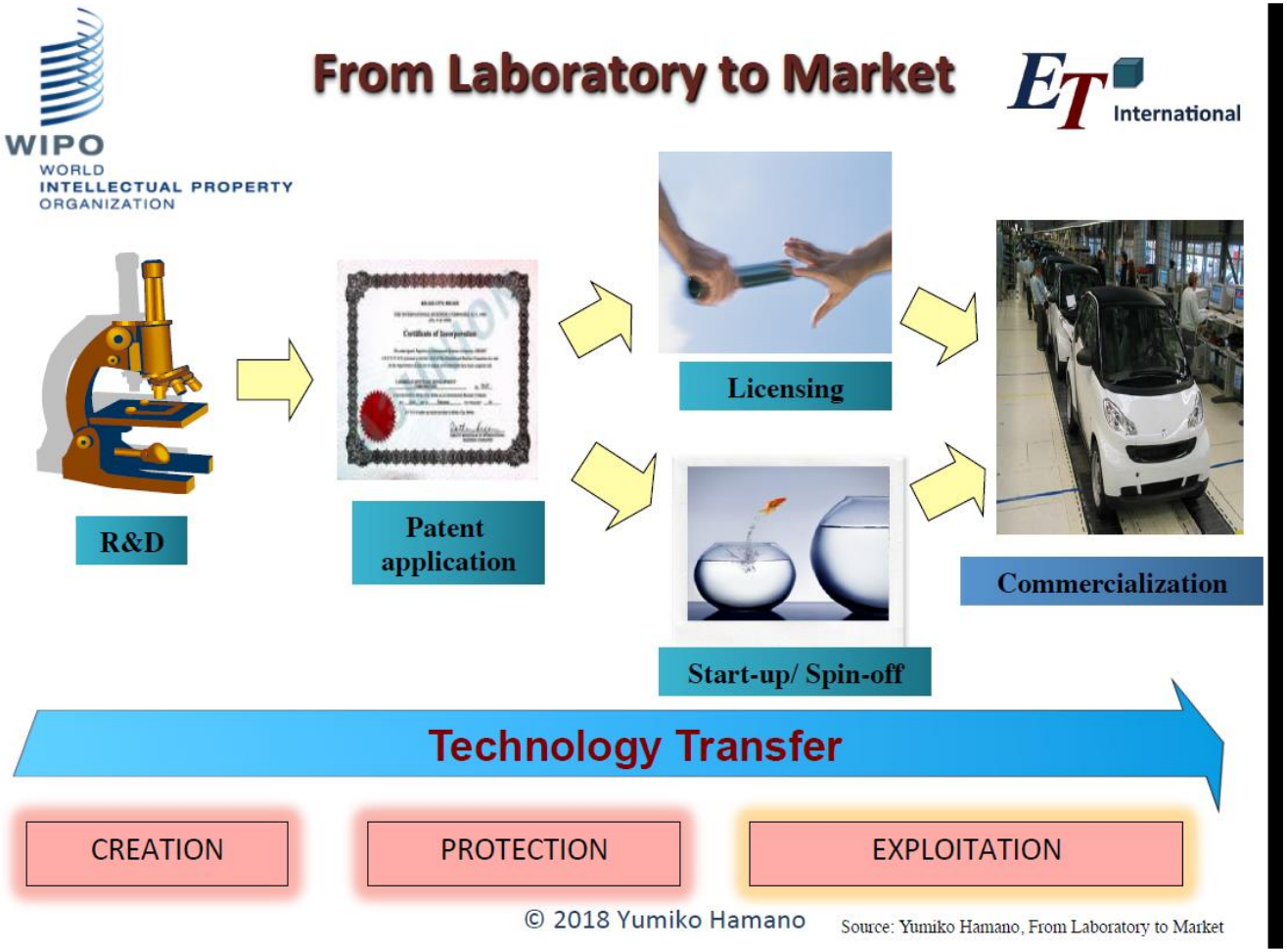
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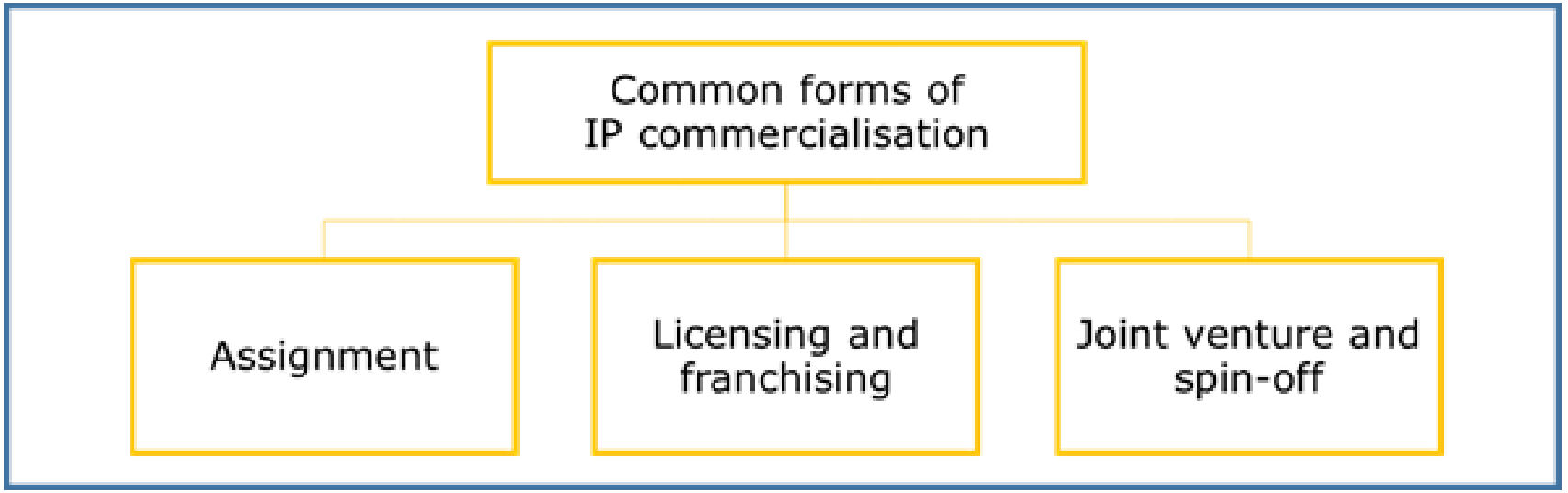
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Technolgy Transfer process



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IP COMMERCIALZIATION



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IP COMMERCIALZIATION

Licence Agreement		Assignment
No transfer of ownership. The IP ownership is kept by the licensor. Generally a long term agreement.	**DIFFERENT FROM**	Transfer (sale) of the IP ownership from one party (the assignor) to another party (the assignee). One-time agreement.

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IP COMMERCIALZIATION

Licence Agreement		Spin-off transaction
The licence agreement does not create any new legal entity. It allows another established organisation to exploit the IP and it tends to be a long-term transaction.	**DIFFERENT FROM**	A small company is created with the purpose of developing a concrete technology. The licensor often assigns the IP to the spin-off company, but the transaction can also be structured through a licence of the IP.

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Technolgy Transfer agreements

- Confidentiality and NDAs
- Exploitation agreements
- Licensing agreements

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Technolgy Transfer strategies

Exploitation Agreements

- An exploitation **Agreement** is an essential legal document that governs how the **results** (produced during the project will be used and commercially exploited, particularly after the project ends.
- It is designed to define the terms under which the consortium partners can exploit the intellectual property (IP) created in the project and to ensure the proper dissemination, protection, and use of the results

- **It should clarify some relevant aspects:**
  - **Ownership of Foreground**
  - **Exploitation Rights**
  - **Revenue Sharing**
  - **Protection of Foreground**

Technolgy Transfer strategies

Exploitation Rights

- **Right to Exploit**: Each partner's rights to exploit the foreground should be clearly stated. Partners often grant each other rights to use the results for the project's activities and for exploitation after the project ends.
- **Licensing of Foreground**: If any partner wants to grant a license to third parties, the agreement should specify the terms, including any royalty payments, territory, and exclusivity.
- **Field of Use**: The agreement may define specific fields or sectors in which the foreground can be exploited or restrict its exploitation in certain areas.
- **Commercialization and Dissemination**: Set terms for how the results can be brought to market. This can include licensing, partnerships, spin-off companies, or other commercialization methods

Technology transfer strategies

- **Revenue Sharing**

Revenue from the commercialization of the Foreground shall be distributed as follows:

- o *Partner 1: [Percentage]%*
- o *Partner 2: [Percentage]%*

- **Protection of Foreground**
- Partner xxxx is responsible for patenting the Foreground in [jurisdictions], at its own cost.
- Any costs associated with the protection of IP shall be borne as follows: *[specify]*.



Other Technolgy transfer strategies

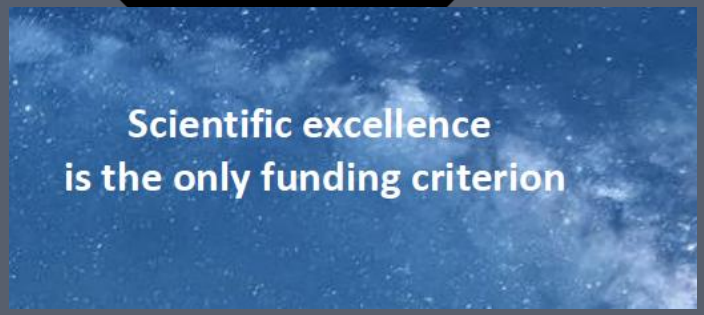
- Licensing Agreement -
- **conditions under which they will negotiate a license, for example:;**
  - **payment of an up-front license fee;**
  - **payment of a running royalty rate;**
  - **appropriate milestone payments;**
  - **diligence requirements for commercializing the Technology;**
  - **....**



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Horizonte Europe IPR and Technology Transfer

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HORIZON EUROPE AND IPR

Obligation to Disseminate vs. Obligation to Protect

Make sure you comply with the obligation to protect, …

Be aware: Sometimes early disclosure of results may undermine potential future exploitation activities.



THEN

… comply with the obligation to disseminate.

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IPR Strategy

- Project's IPR strategy is relevant to some, if not all, of the members of the project.
- Important Points to define the IPR strategy:
  - Identify which partners are providing valuable IP and on which terms,
  - Identify which partners are going to develop new IP during the project,
    - and spot any potential issues or conflicts that you may need to resolve.
- Based on it, draft the IPR strategy,
  - make sure to send it to all partners for approval (or further negotiations, as needed).

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IPR Strategy– Starts during Proposal time

- Are you bringing any IPR to this project? If Yes – what does it include?
- Are you able to provide free access rights to all project's partners during the project?
- What about future rights of use after the project is completed?
- Are there any requirements from your side with regards to the management of this IPR? If so, what are these requirements?

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IPR – Horizon Europe project

- Do you foresee that you will develop, or be involved in the development of new IP in the scope of the project?
- If you do, how would you be interested in protecting this IPR?
- In case of mutual development of IP with other project's partners, what would be your requirements in regards to protection of the developed IP?
- In case of joint ownership, how do you expect it to be treated? Do you have any specific requirements?

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IPR – Horizon Europe project

- In case the IPR developed by you during the scope of the project is linked to existing IPR that you have (prior to the project) – what are your IPR management plans / requirements?

- Is there any 3rd party (external to the said project) that is involved in any of your IP, which is relevant to the project? If so, how do you foresee the management of the IPR under these circumstances?

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IPR – Horizon Europe project –

- How will you exploit the results?
- In case you are the sole owner or a joint owner of the IPR developed in the project, will you enable free access rights to the partners once the project is through?
  - If so, for how long?
- Are there any technology licensing considerations which are relevant to this project?
- When relevant to IPR – which confidentiality measures have been and will be put in place?

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Obligation in Relation to Exploitation of Results

- • In Horizon Europe, as in H2020, the obligation to exploit remains and is a responsibility of the beneficiaries on a “best efforts” approach

- Horizon Europe encourages the use of the R&I results through third party exploitation (where appropriate) •.

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Obligation in Relation to Exploitation of Results

- If despite the best effort for exploitation no uptake happens within a specific period after the end of the project (1 year), then the project must use the Horizon Results Platform to make exploitable results visible (unless obligation is waived) •

- The Horizon Results Platform is free, is part of the F&T portal, available to all beneficiaries and is based on results, not on projects.

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RoL

- The Results Ownership List is a new requirement in Horizon Europe projects.

- The annotated model grant agreement describes it as “a template to be filled out in the final periodic report listing the owner of the results (be it a beneficiary or other legal entity). (…)
- The results ownership list provides a snapshot in time meaning that ownership changes may happen after the submission of the final periodic report”.

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RoL

- Note that failure to fill in the ROL will block the submission of the final report and hence the final payment. For this reason, it is important to keep an eye on ownership issues throughout the project – in particular to keep track of ownership claims and try to solve disputes early – in order not to block the final report's submission and the subsequent exploitation steps.

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IPR versus Open Access

- OS is supported by the fundamental right to science and, on the other hand, IPR protects the rights of the creators.
- "As open as possible as close as necessary "
- When it comes to data and IPR, it could be summarised that data and facts do not have protection under copyright, but databases do.

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Enhancing Technology Transfer at IAC Discussion a of potential

Strategies to enhance technology transfer
Spin-off and Stat ups
Strategies to strengthen collaborations within IAC and with external partners

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Strategies to enhance technology transfer



1. Identify and disclose innovation

Researchers identify promising innovations and disclose their findings to the institution's technology transfer office (TTO), initiating the K&TT process.



2. Assess and secure IP

Technology transfer organizations evaluate the invention's commercial potential and secures intellectual property (IP) rights to protect the research outcomes.



3. Develop and de-risk innovation

Innovations are refined through prototyping and testing, using input from potential users or buyers, to reduce risks and make the technology attractive to licensees or investors.

On this page



4. Develop commercialization strategy

A tailored commercialization strategy is created and implemented to bring the derisked innovation to market through licensing, partnerships, or spinouts.



5. Negotiate and finalize deals

TTO assesses the technology's market value, negotiates technology transfer agreements, and finalizes deals with partners to bring the technology to market.



6. Monitor agreements & assess impact

TTO monitors compliance with licensing or partnership agreements, oversees revenue sharing, and assesses the societal and economic impact of the innovation after it enters the market.

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Strategies to enhance technology transfer

- Identify their valuable intangible assets (IA);
- Rank IA by using different qualitative and quantitative valuation approaches;
  - WIPO toolkit
- Manage those IA which were assessed as valuable towards strategic collaborations and markets, and
- Commercialize IA with potential market value (determined by application of quantitative valuation methods).
  - WIPO toolkit

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Royalty price averages

Source WIPO

Industry	Lower Quartile	Median	Upper Quartile	Number of Agreement Observations	Number of Royalty Rate Observations	Average Rates per Agreement
Advertising	5.00%	11.11%	25.00%	155	640	4.13
Agribusiness	2.73%	5.00%	8.33%	81	340	4.20
Alcoholic Beverages & Tobacco	3.00%	5.75%	10.00%	34	59	1.74
Alternative & Renewable Energy	2.00%	4.72%	8.00%	162	483	2.98
Biotechnology	2.50%	4.93%	8.00%	1,133	4,764	4.20
Broadcast & Cable	5.25%	10.00%	24.21%	167	683	4.09
Business Services	4.00%	10.00%	20.00%	830	2,626	3.16
Chemicals	3.00%	5.00%	8.63%	271	851	3.14
Computers: Hardware & Software	5.00%	10.00%	26.50%	989	3,303	3.34
Construction	3.00%	4.48%	9.50%	114	385	3.38
Consumer Durables	3.38%	7.00%	12.50%	783	2,472	3.16
Consumer Non-Durables	4.00%	5.00%	10.00%	797	2,713	3.40
Consumer Services	3.69%	10.00%	26.00%	526	1,573	2.99
Education	5.00%	10.00%	25.00%	130	401	3.08
Electric Utilities	3.06%	5.00%	8.00%	73	228	3.12
Entertainment	5.69%	11.00%	25.00%	472	2,299	4.87
Environment & Waste	3.00%	5.00%	9.06%	162	438	2.70
Financial Services	3.33%	10.00%	19.90%	129	386	2.99
Foods & Nonalcoholic	3.08%	5.00%	10.00%	310	849	2.74
Gaming	5.00%	11.67%	30.75%	87	284	3.26
Healthcare: Facilities	4.00%	7.00%	15.00%	139	492	3.54
Healthcare: Insurance	3.31%	12.44%	15.00%	18	93	5.17
Healthcare: Pharmaceutical	2.75%	5.00%	8.75%	1,320	5,474	4.15
Healthcare: Products & Supplies	3.00%	5.00%	8.00%	1,059	5,022	4.74
Industrial Equipment	3.50%	5.50%	10.00%	391	1,164	2.98
Internet	5.27%	15.00%	30.00%	527	1,365	2.59
Metals	3.00%	7.50%	9.06%	91	233	2.56
Mining	2.13%	4.00%	8.75%	92	272	2.96
Oil & Gas	3.75%	6.25%	9.06%	167	526	3.15
Paper & Forest Products	3.83%	7.50%	7.50%	53	154	2.91
Public Safety	3.00%	5.81%	10.00%	144	369	2.56
Publishing	8.00%	20.63%	33.00%	209	771	3.69
Restaurants	2.31%	4.00%	5.00%	78	268	3.44
Retail	3.25%	5.13%	15.00%	230	593	2.58
Semiconductors	2.00%	5.00%	7.00%	112	409	3.65
Telecommunications	3.71%	9.50%	21.00%	274	797	2.91

Other examples

- Incentives in Technology Transfer - A guide to encourage, recognize and reward researchers and professionals (WIPO)
  - has an interesting list of different ways to promote the TT

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Action Plan for the Improvement of IPR and Technology Transfer

- Presentation of tools and resources available for effective IP management at IAC
- Presenting specific goals for improving IPR and technology transfer within IAC
- Actionable steps and responsibilities

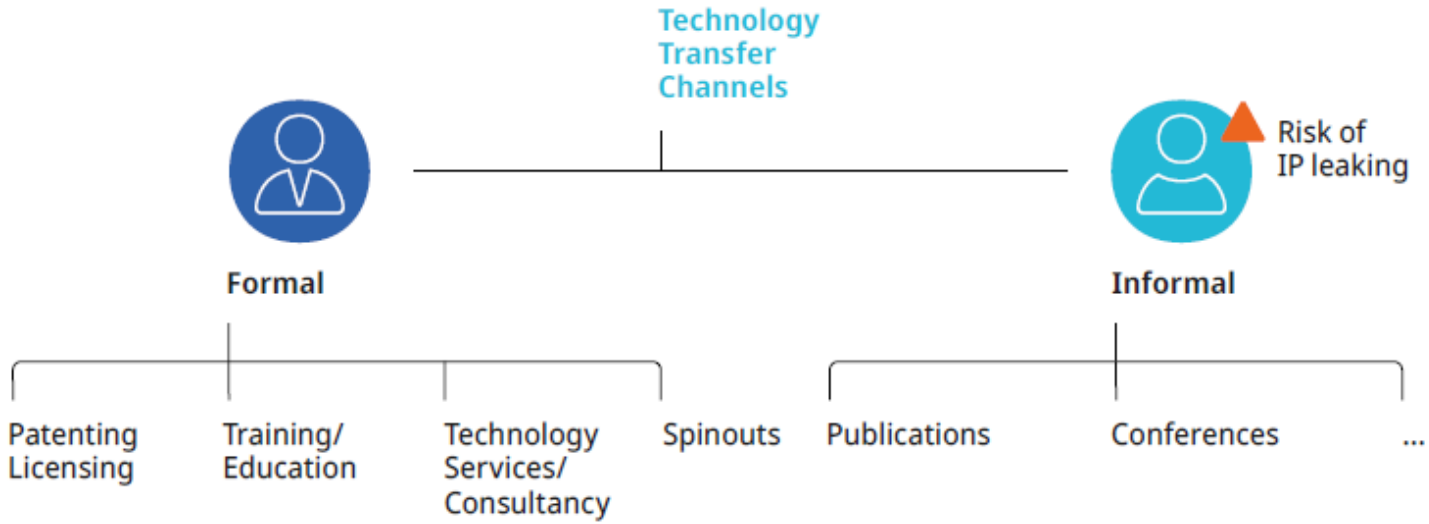
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IMPROVE TECHNOLOGY TRANSFER

Figure 1: Technology transfer channels



Source: European Patent Office (EPO)

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WIPO TOOLS

- Institutional IP Policies Database

- IP Policies for Universities and Research Institutions toolkit

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Example of action - incentives

Table 1: Incentives and effects

Metric: faculty promotion	Intended effect	Possible side effect
Researchers rewarded for increased patent applications.	Promote productivity, ensure that researchers declare their inventions and assist the TTO with the patent filing, the ultimate goal being that the patent will be at the origin of marketable inventions down the road. *This metric may be particularly useful where there are no or few patent filings, and the university has taken a strategic decision to increase TT awareness.	A large number of university patents are filed without actually generating any economic value – neither for the university nor for society as a whole. The risk can be mitigated by delaying the award of any incentives until there is a commercialization plan. Reorientation of the direction of research: overemphasis on applied, short-term, more lucrative research. Less diversity in scientific disciplines as focus on patentable outcomes increases. Other university missions such as teaching and training are neglected. Incurring cost undermining the financial viability of the TTO.

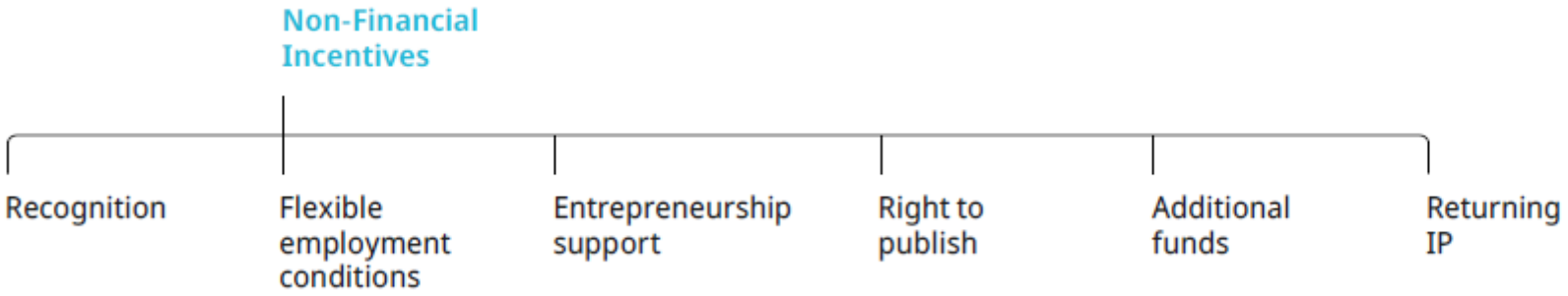
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Example of action - incentives

Researchers rewarded for increased grant funding.	Ensure that research programs are funded, promote growth, generate overhead.	Increased time writing proposals and less time gathering and thinking about novel research ideas and strategies, and actually conducting research. The prospect of income for universities or public research institutes can reduce government commitment to funding. Researchers can be diverted from working on more strategic research and placing more attention instead on the funders' priorities.
Metric – TTO performance	**Intended effect**	**Possible side effect**
TTPs rewarded for increased patent applications.	Ensure that TTO reaches out to researchers and provides support for patent applications.	Sometimes, filing a patent is not the best option. In fast moving markets especially, there can be greater value in opting for a "trade secret" route.

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Improve technology transfer



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Examples of recognitions

Formal recognition for exceptional performance:
- honorable mention on the researcher's business card;
- mention on the office name plate;
- recognition in the job title (e.g., principal, senior);
- lunch with university senior leadership such as the director, provost or dean;
- individual certificate; or
- book of honor or wall of fame.

Direct praise given by the university's senior leadership in speeches and reports or on the internet. This can apply to tasks, teams and individuals:
- "thank you" communication from the director; or
- recognition extended to direct management.

Publicizing successes to showcase the benefits of TT for academia and society:
- success stories;
- announcement of winners of award competitions on the intranet or in the media; or
- annual university brochure showcasing the achievements of researchers.

Prizes and awards to promote top achievement in TT. While the monetary value of these prizes may be modest, the value of recognition they provide is substantial:
- entrepreneurial courses, personalized training;
- major scientific conferences; or
- branded promotional item or wearable.

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Main references/Sources

- European IP Helpdesk
- EU Competence Centre on Technology Transfer
- *WIPO*
  - *https://www.wipo.int/en/web/technology-transfer*
  - Incentives in Technology Transfer - A guide to World Intellectual Property Organization (WIPO) (2024).
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ana.branco@saturntech.eu

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