



European IPR Helpdesk

Get your ticket to innovation!



A pinch of salt IP on the table:
European IPR Helpdesk

Onur EMUL

IP Advisor
European IPR Helpdesk



European IPR Helpdesk:

A project funded by Horizon 2020 and managed by EASME...

Our Aim:

- **Assist SMEs and beneficiaries** of EU-funded programs in IP matters
- **Provide first-line, high-quality support** on IP issues via different services
- **Raise awareness on IP** and on necessity to secure and manage them
- **Empower and develop capacities** to deal with IP assets and IP management
- **Build long-term partnerships** with IP initiatives to anticipate the IP challenges of tomorrow

Target Groups:

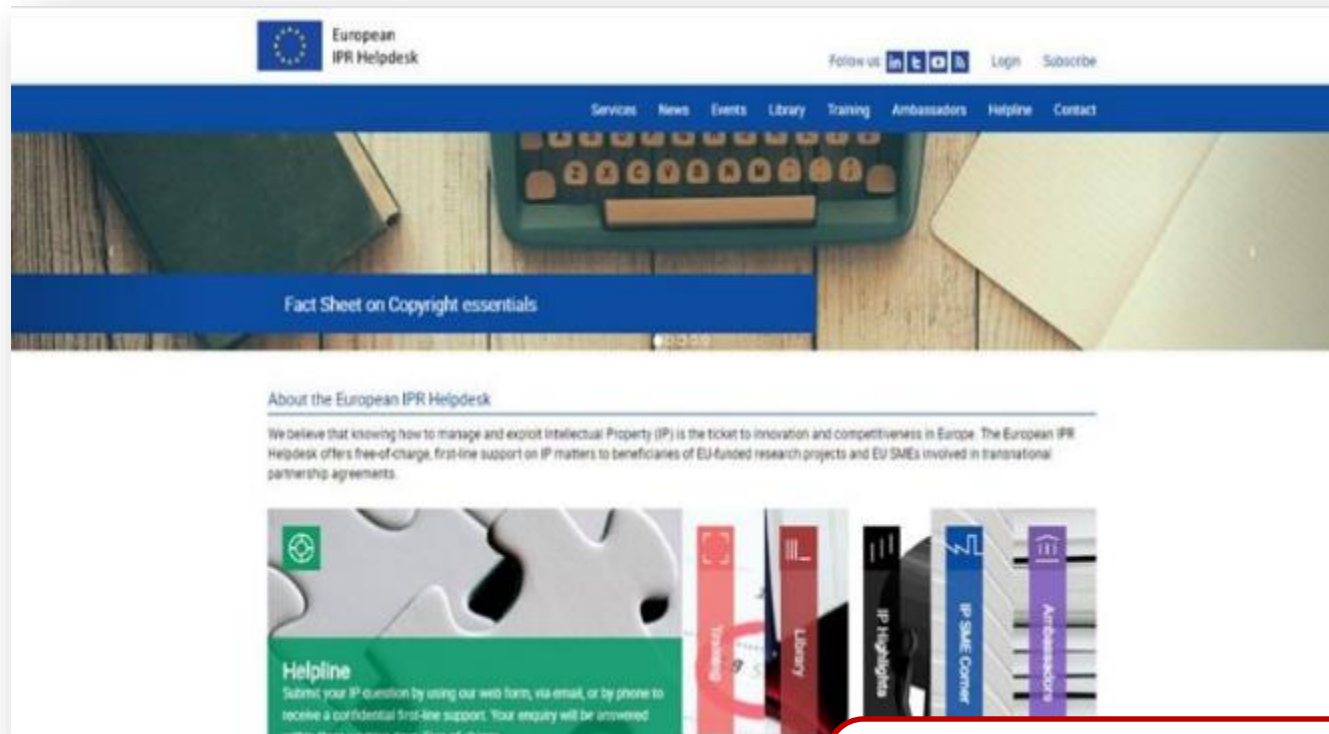
- Beneficiaries of EU-funded programmes
 - ✓ **Current and potential participants** in EU-funded projects such as Horizon 2020, COSME
 - ✓ **Companies, SMEs, universities, research organisations, individual researchers**
- **EU SMEs** involved in cross-border innovation activities within EU





Website

www.iprhelpdesk.eu



Approx. 600,000/year views
More than 12,000 users
Around 10,000 newsletter subscribers



Helpline

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service@iprhelpdesk.eu

The screenshot shows the Helpline website interface. At the top, there is a green header with a circular icon and the word 'Helpline'. Below the header, there are three featured sections, each with an image and a 'Read more' button:

- Response in 3 working days:** The image shows a red play button on a black background. The text below reads: 'Response in 3 working days. Step 1: register for a free account. Step 2: send your IP related question(s) in English.' A blue 'Read more' button is at the bottom.
- Sample cases:** The image shows several white puzzle pieces. The text below reads: 'Sample cases. Examples of answers sent by the helpline of the European IPR Helpdesk.' A blue 'Read more' button is at the bottom.
- Success stories:** The image shows a Rubik's cube. The text below reads: 'Success stories. Read some of our users' success stories.' A blue 'Read more' button is at the bottom.

- **Personalised** answers to **specific** questions
- **First-line support** (participants are advised to get professional legal support)
- Answers in **3 working days**
- Deals with a **wide range of IP topics** (e.g. IP Protection, IP Management, IP negotiation, licensing, IP exploitation, comments and revision of IP agreements...)
- **No legal terminology**, user friendly and «to the point» approach

Approx. 1,000 questions/year



Webinars

- *Regular courses*
- *Registration on our website and open to everyone*
- *Easy handling*
- *Duration: 60 minutes + 15 minutes "Q&A"*



The next programme

- 07 February: IP Commercialisation and Licensing*
- 28 February: Geographical Indications*
- 21 March: Technology Transfer*
- 11 April: IP in EU-funded Projects / Horizon 2020*

Check our event calendar at
www.iprhelpdesk.eu



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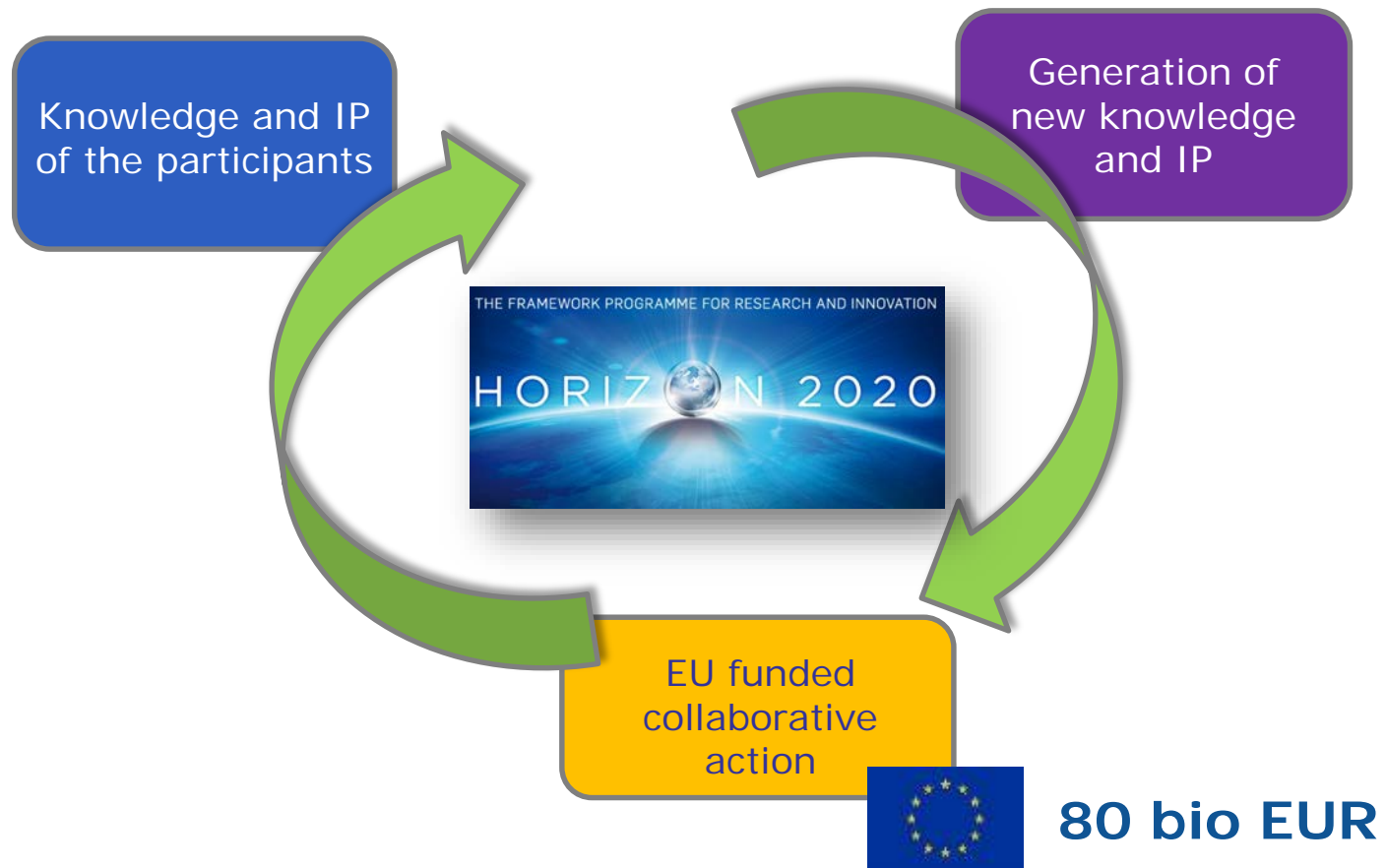
Get your ticket to innovation!



What to talk on the table:
FAQs in Horizon 2020



The basic principle underneath:



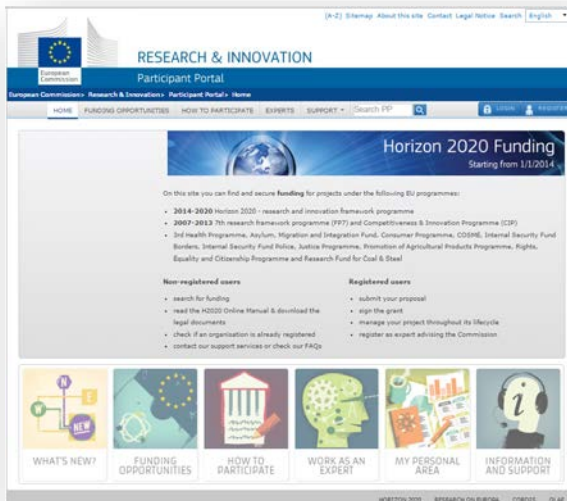


Where to find the IP rules?

The IP rules in Horizon 2020 are mentioned in:

- ✓ the **Rules for Participation** (*RfP, Art.41 ff.*)
- ✓ the model **Grant Agreement** and its **Annotated Model** (*Section 3 Art.23a ff.*)
- ✓ the applicable **work programme**

How to find: **Participant Portal / Online Manual**





What is on the table?

Things that you need to discuss and decide:



Background	...what is in your pocket?
Results	...what will be generated during the project?
Access rights	... to your pocket (background) and to the results (<i>foreground</i>)
Exploitation	... how to effectively make use of the results
Dissemination	...public disclosure



FAQs in Horizon 2020:

1. Who is the owner of my background?

→ simple principle: who brings it owns it!

IMPORTANT → Project partners must identify their background in writing (*RfP, Art.45*)
Can be in any form (positive/negative list, separate agreement, in the CA...)

2. I have an invention/innovative idea, which we are going to use it with my Consortium partners during the project. As I need to disclose it during the project, how can I be sure about its security?

→ If it is registrable, register it (patent/utility model...). This will provide you “the strongest” protection.

→ However, if it is not registrable (idea/know-how) or if you do not want to register it as a patent, treat this invention/idea as « confidential information ». (No registration needed, you are responsible for its security)

→ Draw a frame for your background. Conclude NDAs and define ACCESS RIGHTS
(default rule: Free of charge for implementation -deviation possible-)

IMPORTANT → You should take care of your background during the negotiations as well: NDA, MoU



Some salt? (background information)

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European IPR Helpdesk
Fact Sheet
Trade secrets: An efficient tool for competitiveness

June 2017

Introduction..... 1
1. What is a trade secret? 2
2. How are trade secrets protected in the EU?..... 3
 2.1. The Trade Secrets EU Directive 3
 2.2. Requirements for protection 4
3. Trade secrets and IPRs 8
4. Trade secret misappropriation 9
 4.1. Remedies 10
Useful Resources 12

Introduction

The process of research and creation leads to development of significant information that might often not fall within the scope of the protection provided by traditional Intellectual Property Rights (IPRs) such as patents or copyright. In addition, some businesses might not find it appropriate for their information to be protected through IPRs. Nevertheless, that information is valuable for business innovation and competitiveness. Therefore, it is important to keep valuable information "confidential".

Broadly speaking, the information that is kept confidential in order to preserve competitive gains is referred to as "trade secrets". Business and academia sometimes use other names, such as "proprietary know-how" or "proprietary technology", to refer to trade secret information.

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European IPR Helpdesk
Fact Sheet
How to manage confidential business information

June 2015¹

Introduction..... 1
1. Confidential information and trade secrets 2
2. How to assess a trade secret 4
3. Forms of protection 4
 3.1. Remedies 5
4. Trade secrets protection management 6
 4.1. Identification of trade secrets 6
 4.2. Store confidential information safely 7
 4.3. Employee awareness 7
 4.4. Business partner commitment 9
 4.5. Limits of trade secrets 10
Useful Resources 11

Introduction

In today's competitive market, companies need to be as innovative as possible to prosper in the business environment and to keep the pace with progress. To this end, the development and acquisition of useful information is crucial to create and provide new and improved goods and services. Information about technology that makes a company's product unique, prototypes, or a list of key customers are just a few examples of business information. In the latter case, the firm has

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Fact Sheet
Non-Disclosure Agreement: a business tool

June 2015¹

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2. Which are the commonly used provisions in NDAs? 3
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 2.2. Restricting the use of the information to a specific purpose 4
 2.3. Limiting the disclosure of information 4
 2.4. Listing the information not covered by confidentiality obligations 4
 2.5. Defining the length of the obligation to keep confidence 5
 2.6. Determining the choice of law and jurisdiction 5
3. Limitations and risks 6
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Introduction

Non-disclosure agreements (NDAs), otherwise called confidentiality agreements, are private contracts whereby valuable information is kept safe. These agreements can be very useful for researchers and organisations involved in R&D projects, such as the ones under the Seventh Framework Programme (FP7). However, it is important to understand their scope of application, as well as the provisions commonly seen in these agreements. In this way, you can be sure that you are aware of the rights and obligations that you are entering into.

European IPR Helpdesk
European Commission

Non-Disclosure Agreement (Template)

Disclaimer

This sample document has been produced by the European IPR Helpdesk, based on the experiences and acknowledgments gathered during the performance of its activities, including the Helpline support service, awareness raising activities and feedback from users on publications. The European IPR Helpdesk is managed by the European Commission's Executive Agency for Small and Medium-sized Enterprises (EASME), with policy guidance provided by the European Commission's Enterprise and Industry Directorate - General. Even though the contents of this document have been provided with the financial support of the EU, the positions expressed are those of the authors and do not necessarily reflect the official opinion of EASME or the European Commission. Please see our full disclaimer at: <http://www.iprhelpdesk.eu/disclaimer>

IPR Charts Library

view edit

IPR Chart: EU Trade Mark [Read more](#)

IPR Chart: International Trade Mark (Madrid System) [Read more](#)

IPR Chart: Community Design [Read more](#)

IPR Chart: International Design (Hague System) [Read more](#)



FAQs in Horizon 2020:

3. We have developed a new technology during the project with our Consortium partners, but it is not possible to establish our respective contribution. How should we manage the ownership issues?

→ Ownership of results (foreground): simple principle: who develops it, owns it!

→ But, for the results developed jointly: Joint ownership regime

IMPORTANT → conclude a Joint Ownership Agreement (in the CA or separate) and check the default rules!


What to include in the Joint Ownership Agreement and what to discuss:

- How ownership will be divided
- How the joint results are protected (ownership, filing, renewals, infringement issues...)
- How the joint results are exploited and disseminated
- Specific conditions for granting licences (if they are different from the GA)
- Criteria, principles and conditions for “fair and reasonable compensation”
- How disputes will be settled

Fine tuning possible after the jointly-owned results are produced (e.g. division of ownership, protection, exploitation/dissemination, etc.)



Some salt? (joint ownership regime)



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Fact Sheet
IP joint ownership

October 2015¹

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Introduction

Joint ownership often arises in connection with collaborative innovation and is of particular relevance to EU-funded programmes, joint ventures and more generally to any research project involving co-development of intellectual property (IP).



FAQs in Horizon 2020:

4. What are the rules for Exploitation and Dissemination?

Plan for the exploitation and dissemination of project results (PEDR)

(formerly known as PUDF) → IMPACT (It is a MUST!)

Each beneficiary must — up to four years after project completion — take measures aiming to ensure “exploitation” of its results by:

- using them in further research activities (*outside the project*)
- developing, creating or marketing a product or process
- creating and providing a services
- using them in standardisation activities



Some salt? (Exploitation and dissemination)

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European IPR Helpdesk
Fact Sheet
The Plan for the Exploitation and Dissemination of Results in Horizon 2020

July 2015

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Introduction

Horizon 2020 is a Research and Innovation programme aiming at fostering competitiveness and growth and increasing benefits to the European Union economy and citizens. Under different funding schemes the framework programme supports research and development activities resulting in new knowledge, new products and services, and also in non-technological and social innovation. It is essential that the public investment in these activities is converted into socio-economic benefits for the society. This idea is reflected in the 'Horizon 2020 Rules for Participation' with a clear accent to the beneficiaries'

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Fact Sheet
Exploitation channels for public research results

July 2015¹

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Introduction

Public research is the activity carried out by publicly funded research centres. These can be considered institutions, universities, enterprises, whose activity is primarily funded with public resources, and that here are referred to as public research organisations (PROs).

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European IPR Helpdesk
Fact Sheet
Open Access to scientific publications and research data in Horizon 2020: Frequently Asked Questions (FAQs)

July 2015¹

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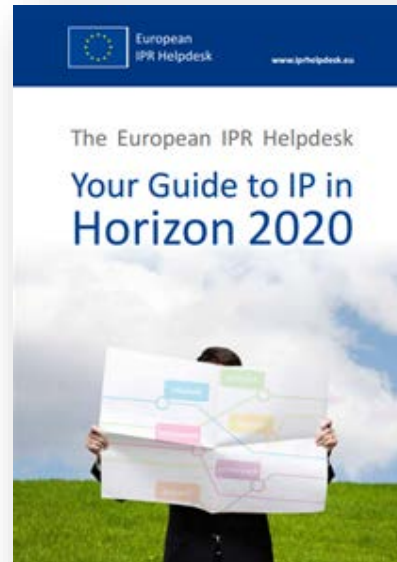
Introduction

All research builds on former work and depends on the possibilities for scientists to access and share scientific information. The Internet has fundamentally changed the world and we have also witnessed its impact on the scientific system, which is currently undergoing significant changes ("Science 2.0"/"Digital Science"). In particular, fuller and wider access to scientific publications and research data can help to:

- Accelerate innovation (faster to market = faster growth);
- Foster collaboration and avoid duplication of efforts (greater efficiency);
- Build on previous research results (improved quality of results);



Some more salt?



Even more?

The graphic is titled "Helpline" and features a green header with a telephone icon. Below the header, there are three columns of content, each with a representative image and a "Read more" button. The first column shows a red play button on a black background with the text "Response in 3 working days" and instructions to register for a free account and send questions in English. The second column shows interlocking puzzle pieces with the text "Sample cases" and "Examples of answers sent by the helpline of the European IPR Helpdesk." The third column shows a Rubik's cube with the text "Success stories" and "Read some of our users' success stories."

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(*) World Health Organisation (WHO) recommends salt intake of less than 5 g/day to reduce blood pressure and risk of cardiovascular disease, stroke and coronary heart attack. So, “a pinch” is enough. 😊

Thank you ...

bon appétit!

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