



# INTELLECTUAL PROPERTY RIGHTS (IPR) IN CIP

**CIP Coordinators  
Information Day,  
13.09.2013**

Disclaimer : legally not binding

## IPR PROVISIONS IN THE GA (1)

- **Ownership** of Foreground
  - Dealing with employees and other collaborators
  - Joint ownership
- **Protection** of Foreground
  - Choosing the most suitable protection

Subject matter	Patent	Utility Model	Industrial Design	Copyright	Trade Mark	Confidential Information
Invention	X	X				X
Software	X	X		X		
Scientific article				X		
Design of a technology			X	X	X	
Name of a technology					X	
Know-how	X	X				X
Website			X	X	X	X

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## IPR PROVISIONS IN THE GA (2)

- **Use and Dissemination**
  - Prior to dissemination
    - Consider protection of IPR and verify incompatible confidentiality obligations
    - Verify whether prior notice is needed and within which time limit
  - Unless the EC requests otherwise, all communications related to project should include: (i) European emblem; (ii) indication of EU financial support from ICT PSP; (iii) indication that it reflects only the author's view
- **Access rights to Foreground** granted royalty-free unless agreed otherwise:
  - If the Foreground is needed to enable the requesting beneficiary to carry out its own work in the project
  - If the Foreground is needed to use the requesting beneficiary's own Foreground

## IPR ISSUES AT PROPOSAL/NEGOTIATION STAGE

- IPR at the **proposal stage**
  - WP may establish further IPR rules
  - Assessing the state of the art
  - Defining Background
- IPR at the **negotiation stage**
  - Internal management of IPR
  - Issues not covered by GA: transfer of Foreground, access to Background, etc.

## IPR REQUIREMENTS IN WP 2013 (1)

- Appropriate use of standards or **open technical specifications** and open-source components (Pilots A/B/BPN):
  - The standards used within the specification are adopted and will be maintained by a not-for-profit organization, and its on-going development occurs on the basis of an open decision-making procedure available to all interested parties
  - The specification (including the interface's specification) has been published and is available for use, re-use, copying and distribution without constraints for free or a nominal charge
  - The IPR of the specification is made irrevocably available on a royalty-free basis

## IPR REQUIREMENTS IN WP 2013 (2)

- **Pilots B under Obj. 1.1 (Cloud of Public Services):**
  - Specific attention on privacy and data protection, on IPR of third parties and on security aspects
- **BNP under Obj. 2.1.b (Promoting the use of Europeana):**
  - Necessary licensing or clearing arrangements for any IPR of content, services or applications arising from the project to ensure their wider use and dissemination of the project output
- **TN under Obj. 3.3.c (Sustainability of EU wide infrastructure and collaborative governance):**
  - Maintain and further develop interoperability assets which have a European scope
  - They must be free of any IPR