

Call for expression of interest:

***"Workshops on key economic issues regarding the
enforcement of IPR in the European Union"***

Background

With *Directive 2004/48/EC on the enforcement of intellectual property rights* and the *Commission proposal for a Directive on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure* of November 2013 the European Union has set the framework for civil redress against intellectual property (IP) infringement and misappropriation within the EU. However, the constant dynamic evolution of the international markets on which technologies and innovations (goods/services/works) associated with IP are developed and traded requires careful monitoring so as to ensure that the objectives of these Directives are being achieved.

While one important part of this monitoring is the checking of the legal implementation and application of such Directives in the Member States, it is equally important to analyse the economic impacts and incentives that this legislation on IP civil enforcement has on all stakeholders in order to ensure that it meets the Commission's goal to have an IP enforcement system that stimulates welfare-enhancing innovation and growth within the Union.¹ In addition, it is essential to constantly evaluate whether markets, technology or society have developed in ways which might require adjustments to the existing legal framework.

Objective

While the European Commission disposes of procedures and tools for the monitoring of existing EU law and the in-depth analysis of potential problems, it seeks to establish closer links with experts and researchers in the field in order to proactively screen developments in the area of IP and their likely economic impacts, with a particular policy focus on enforcement and a geographical focus on the European Internal Market.

Approach

To this aim the European Commission intends to establish a list of economists, researchers and experts specialised in the economics of IP. On the basis of this list, the Commission will invite experts in the respective area to thematic workshops to discuss issues which are considered relevant for the economic context of IP. These workshops will take place at the Commission's premises in Brussels. They should bring together no more than 15 specialists per workshops. It is intended to hold up to three workshops per year. They should on the one hand provide the Commission with a better

¹ In the current context, 'economic' is to be understood in a broader sense, i.e. including, for example, social impacts of IPRs.

understanding of the issue at hand and on the other hand stimulate (further) research and exchange in the area. This way, they should support the Commission services in the design of an appropriate research programme on the enforcement of IPR in the European Union and inform the Commission's policy making in this area.

It should be stressed, however, that this group will not be an expert group with fixed membership and representing stakeholders to advise the European Commission on specific policy proposals, nor is it supposed to develop specific policy proposals. The workshops and contributions by experts are to support the Commission services; they are in no way binding for the European Commission.

Contributions expected from experts

Experts are expected to contribute actively to the discussions in the workshops to which they are invited. Some might be invited to present work they have done on the subject of the respective workshop or to prepare introductory statements or presentations to inspire the discussion in the meeting. The Commission's services will prepare minutes of each workshop and distribute them to all experts on the list. The minutes will also be published on the Commission website.

Target group

This call is addressed to individuals who apply on the basis of their own merits, not to institutions, organisations, etc. The main addressees of this call are researchers working in areas of economics associated with assessing the economic role of IP and IPR and the impacts of related policies, whether at macro, sectoral or company level. Typically these would be economists at universities or research institutes but could as well be specialists with different backgrounds, e.g. lawyers, having worked extensively on the economic effects of IPR or the economics of IP. Interdisciplinary backgrounds would be equally welcome. It should, however, be kept in mind that the discussions in the workshops will be on economics. Therefore, a considerable knowledge of economic concepts will be a requisite.

Information and documents to be provided

Interested parties should provide in their expression of interest:

- their full contact details
- a cover letter explaining the applicant's motivation for answering this call, briefly stating what contribution she or he could bring to the workshops
- a comprehensive and conclusive CV
- a list of relevant publications
- the List of fields of expertise/specialisation (in Annex) indicating the area(s) of expertise, their specific skill(s) and evidence supporting these qualifications (e.g. work experience, non-professional activities, publications)
- any further information deemed relevant.

The information provided should enable the Commission services to assess whether the party would be qualified to make substantive contribution to the debate on a given subject.

Each application must be completed in one of the official language of the European Union. However, applications in English would facilitate the evaluation procedure. As the working language of all documents and workshops will be English and no translation or interpretation will be provided, a very good command of English will be a prerequisite.

General description of the procedure

Natural persons are invited to submit an expression of interest in accordance with the rules set out in this notice. Expressions of interest should be submitted in one of the official languages of the European Union by post to the following address:

European Commission
Directorate-General Internal Market and Services
Unit D3 – Fight against Counterfeiting and Piracy
Spastraat 2, Office 06/112
1049 – Brussels
Belgium

or, preferably, by electronic means at the following address:

GROW-IPR-economics@ec.europa.eu

Inclusion on the list entails no obligation on the part of the European Commission concerning the invitation to any of the workshops and no right on the part of the applicant to participate in workshops without explicit invitation by the European Commission.

On the basis of the stated interests the European Commission services will draw up a list of experts and up-date it regularly. While there are no specific criteria to be met for the inclusion in the list, a certain 'track record' will be required for the workshops to provide added value to the Commission.

Use of the list resulting from this call

The list resulting from this call will be used exclusively for the selection of participants and invitations to attend workshops the Commission organises and to circulate information emanating from the workshops.

The European Commission will invite experts from the list of experts who have stated their interest on its own discretion to workshops on the basis of their qualification in the subject(s) to be discussed in the respective workshop. Experts will be invited on the basis of their individual capacity, not as representatives of companies, associations, trade unions or other interest groups.

It is not the intention to have the same experts present in each meeting. The composition of the participants in a particular workshop will rather depend on the specific expertise of experts available from the list of experts who have demonstrated their expertise in the subject(s) of the respective workshop. Inclusion in that list does not establish any right or entitlement to be invited to any workshop.

Experts will not be remunerated for their participation in workshops but their travel expenses shall be reimbursed and they shall be provided with daily and accommodation allowances in accordance

with the relevant guidelines of the European Commission. Note: As travel expenses would be limited they might not suffice to cover intercontinental travel.

This call for expression of interest does not commit the European Commission to actually hold such workshops. The organisation of workshops is conditional to the availability of sufficient budget.

Selection criteria for invitations for participation in workshops

Qualification and expertise in the respective field of the economics of IPR as demonstrated in the documents provided in reaction to this call, as outlined above.

Transparency

Documents presented at and a summary record of each of the workshops will be published on the Commission's website.

Protection of personal data

If processing your expression of interest involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your reply to this notice and any personal data requested are required for the purposes indicated above and will be processed solely for those purposes by the contracting authority indicated in this document, which is also acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at:

http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.

Your personal data may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

- Commission Decision 2008/969 of 16.12.2008 on the Early Warning System (for more information see the Privacy Statement on:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm),

or

- Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#BDCE).

Place of delivery

Workshops will take place at the European Commission premises in Brussels, Belgium.

Expiry date of the list resulting from this call for expressions of interest

The list resulting from this notice is valid until further notice. Interested parties may submit an application at any time. Experts are advised to keep their files up-to-date by informing the Commission about any relevant changes in a timely manner via the mail/email addresses provided above. In turn, the European Commission will publish a notice at the same website and inform experts on the list by email should it decide to discontinue this workshop series.

For any further information please contact GROW-IPR-economics@ec.europa.eu

Attachment: List of fields of expertise/specialisation

Annex:

List of fields of expertise/specialisation

Subject areas of competence	<i>please tick as appropriate*</i>
Patents	
Trade marks	
Designs	
Copyright	
Geographical indications	
Trade secrets	
IPR management	
Technology transfer	
Valuation of IP	
IPRs and consumer welfare	
Infringement/enforcement of IPR	
Piracy	
Counterfeiting	
R&D and IPRs/trade secrets	
IP and innovation	
IP and development (macroecon.)	
IP and development (microecon.)	
IP and employment (macroecon.)	
IP and employment (microecon.)	
IP and trade	
IP and competition/market structure	
IP and alternative appropriation mechanisms	
IP and taxation	
Quantitative focus	
Legal/qualitative focus	
Other (please specify)	
Other (please specify)	
Other (please specify)	

*Several ticks possible.