IP IN R&D COLLABORATIONS



Mitglied der Helmholtz-Gemeinschaft



- Overview of IP at Helmholtz Centers, central Transfer Strategy
- IP Management at Forschungszentrum Jülich
- Types of intellectual property rights
- Forms of Collaboration and IP Regulations



HELMHOLTZ ASSOCIATION

- 18 Helmholtz Centers
- Central Transfer Strategy

Key Message: We perform excellent basic research. Wherever possible, we transfer our knowledge into practice.

- Differentiation between Technology Transfer and Knowledge Transfer
- Each of the Centers sets its own priorities in transfer in line with its specialist focus





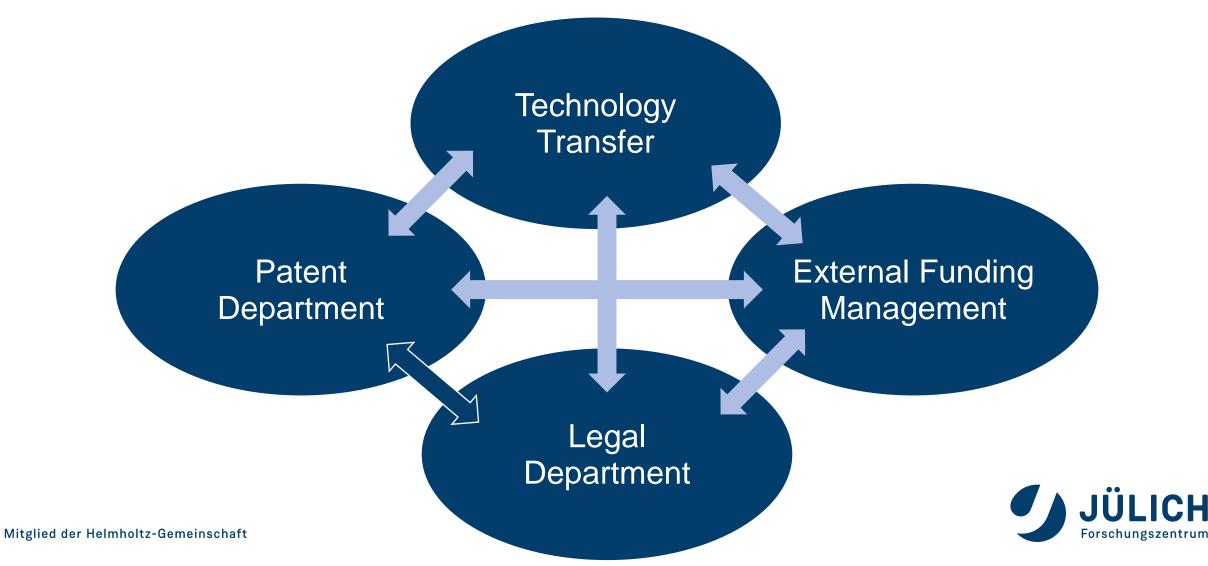
HELMHOLTZ CENTRAL TRANSFERMISSION AND –STRATEGY

The results of these activities:

- Each year, we launch about **2,000** collaborative projects with companies
- These collaborations generate annual revenues of **150** million euros
- We apply for around **400** intellectual property rights and patents each year
- We already hold a total of **13,000** property rights
- Every year we conclude around 1,400 new license, option and transfer agreements
- Around **20** new high-tech spin-offs are founded each year



IP MANAGEMENT AND IP IN COOPERATION AT FORSCHUNGSZENTRUM JÜLICH



TYPES OF INTELLECTUAL PROPERTY RIGHTS

- Patents
- Utility Model
- Design Rights
- Trademarks
- Copyright
- Know-How
- Software





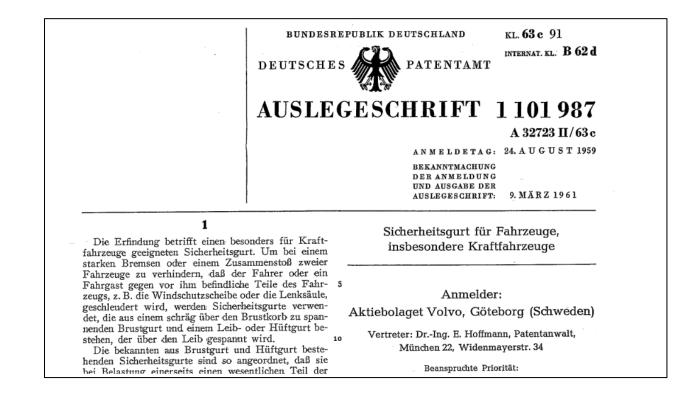
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PATENTS IN RESEARCH COLLABORATIONS

Patents:

- Background IP
- Foreground IP
- Sideground IP
- Postground IP



PATENTS IN RESEARCH COLLABORATIONS

Background IP

- Background Intellectual Property means intellectual property rights of a party that is:
 - 1. property of the relevant party which was conceived, created or developed prior to the agreement of this collaboration project or independently thereof, and
 - 2. necessary for the performance of the research, and
 - 3. which a party may lawfully use/disclose under this agreement, or
 - 4. which is **listed in an annex**.
- Background of a party shall remain the **exclusive property** of such party.
- royalty-free, non-exclusive, and non-transferable license and right of use limited to the term and purpose of the research of the collaboration project



PATENTS IN RESEARCH COLLABORATIONS

Foreground IP

- means all results, data, information, drawings, specifications, designs and inventions that are discovered, and/or created during the research of the collaboration project
- Work results produced by employees of only **one** contractual partner belong exclusively to this contractual partner.
- Work results **jointly** produced shall be jointly entitled to the contractual partners involved
- Joint IP; **good communication** between the partners is preferable
- royalty-free, non-exclusive, and non-transferable license and right of use limited to the term and purpose of the research of the collaboration project



KNOW-HOW IN RESEARCH COLLABORATIONS

Know-How:

- Contractual Know-How shall mean the confidential, essential, unpatented practical knowledge generated by experience and experiments
- Contractual Know-How shall be confidential, i.e. it shall not become generally known and not be readily available
- Contractual Know-How shall be **essential** if it is important, i.e. necessary for the implementation of the project
- Contractual Know-How shall be described in detail in Annex in such detail that it is possible to verify whether it fulfils the requirements of being confidential and essential.
- Combinations Patents and Know-How



SOFTWARE IN RESEARCH COLLABORATIONS

Software

- Definition: Software refers to all forms of program code and executable programs generated from it, which are developed, provided and passed on within the scope of activities at Forschungszentrum Jülich
- Guideline for our scientists
- Open Source vs. closed Source (Proprietary software)
- License Compatibilities (Background Software)
- Software developers which are employed at Forschungszentrum Jülich, the rights of use and exploitation automatically belong to Forschungszentrum Jülich in accordance with copyright law.
- Software Modifications
- Combination Software and Know-How



THANK YOU FOR YOUR ATTENTION

