

Terms

You should know the following terms:

Background: All data, knowledge and/or information and all intellectual property rights held by project participants before joining the project and described by the project participants in accordance with › Article 16 Grant Agreement (https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/aga_en.pdf) (GA Horizon Europe)/ › Article 24, 25 Grant Agreement (https://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/amga/h2020-amga_en.pdf) (GA H2020).

- ▶ Horizon Europe/ Horizon 2020 project participants have an obligation to indicate in advance and in writing (e.g. in a consortium agreement or other document) any background they bring to a project.
- ▶ Please contact the contact persons in your EU office if you have questions about your background in EU projects.

Results: All data, knowledge and/or information - whether or not it can be legally protected - generated within a project, and related rights, including intellectual property rights.

Ownership: Project participants who produced the results also own them. Results may be **injoint ownership** if their parts are inseparable.

"Public emergency provision": The work programme may prescribe the granting of non-exclusive access rights to third parties (if no other agreement has been made, each co-owner can issue non-exclusive licenses: 45 days in advance, the co-owners must be informed. In addition, a fair and appropriate remuneration must be provided. Co-owners can agree on an individual ownership arrangement even before results have been obtained.)

"Results ownership list" (ROL): This is a new report template in the final report, which contains a list of the institutions that are co-owners of the results. This is to ensure the transparency of the property, which is important for the exploitation/ commercialization of the project results.

Exploitation: Participants are obliged to use (exploit) their results. Basic forms of exploitation are, for example, commercial use, use for research purposes, licensing, transfer to others. Exploitation outside Europe is only possible with the consent of the Commission!

Dissemination: Refers to the dissemination and communication strategies for the project. How are the results or the project communicated?

This refers to communication with the scientific community as well as with the public, relevant political and administrative stakeholders and/or other interested parties such as companies, associations, etc.

Access Rights: Regulations on the conditions of access to background or results of a project. The conditions of access to the background or results of another project participant differ according to whether they are necessary to carry out the tasks of the project or to exploit its own results.

Basic schema/default setting for **access rights** in Horizon Europe/ Horizon 2020 projects*:

| ACCESS RIGHTS | BACKGROUND | RESULTS |
|---|---|----------------|
| Necessary for the implementation of the project | Free of charge (unless otherwise agreed, e.g. in a written background list/ GA) | Free of charge |
| | | |

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|--|---|
| For the EXPLOITATION of your own RESULTS | Individual agreement Fair, non-discriminatory conditions (also free of charge) Up to 1 year after the end of the project (unless otherwise agreed in writing) |
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***Deviations:**

The EU and related bodies will always get access rights free of charge as long as the use is not is commercial and non-competitive, because their intentions are to develop, implement and the monitoring of EU policies and programmes. In consortium agreements and background lists other conditions can be negotiated between the project partners
be! Horizon Europe/ Horizon 2020-related programmes (e.g. Joint Programming Initiatives, Public Private Partnerships, Joint Technology Initiatives (e.g. imi2)) may have different default settings!

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> More about us ...

› Your guide to IP in Horizon 2020

› Universities and Intellectual Property (WIPO: World Intellectual Property Organization)

Advice on IP

EU IP Helpdesk:

› https://intellectual-property-helpdesk.ec.europa.eu/services_en

National Contact Point Law and Finances:

› <http://www.eubuero.de/ruf.htm>

MLU:

› <http://transfer.uni-halle.de/>

OvGU - Technology Transfer:

› <https://www.ovgu.de/en/Research/Technology+Transfer.html>

Patent Agency Saxony-Anhalt:

› <http://www.esa-pva.de/>