



European Commission

**ERASMUS  
MUNDUS**

# IP-Unilink



FINAL CONFERENCE  
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HOW PROACTIVE INTELLECTUAL PROPERTY MANAGEMENT  
CAN IMPROVE RESEARCH COLLABORATIONS:  
**GOOD PRACTICES BY EU AND BRIC HIGHER  
EDUCATION INSTITUTIONS’.**

**MAIN FEATURES OF THE REPORT**



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## Aims of the phase of the project

- to create the Good Practice Guide on IP management in EU-BRIC cooperation as a tool for:
  - promoting an IP and research commercialisation culture,
  - enhancing the collaboration projects between EU and BRIC countries,
  - facilitating the transfer of IP management good practices between HEI's.

## Resources involved:

- all partners (delivery of national info)
- UJ (collection, elaboration/analysis, edition of the Guide)

# Good Practice Guide structure



- 1. Section 1. Environment for Scientific Cooperation & Intellectual Property in EU and BRIC**
  - 1. Analysis of the most important factors for an legal and regulatory framework for R&D cooperation**
  - 2. Analysis of intellectual property issues in the context of R&D cooperation**
  
- 2. Section 2. Practical Guidelines for Intellectual Property Management**
  - 1. Identification of common IP management practices**
  - 2. Recommendations for R&D cooperation projects with regard to IP management issues.**

# EU-BRIC cooperation info



## **Environment for R&D cooperation between EU and BRIC countries, including:**

- political multilateral or bilateral agreements (umbrella agreements)
- other specific agreements concerning scientific cooperation
- other important programmes for EU-BRIC cooperation

# EU-BRIC cooperation environment



- Long-standing diplomatic relations between EU and BRIC countries
- Existing regulatory framework for EU – BRIC countries R&D cooperation:
  - Agreement on scientific and technological cooperation between the EU and Brazil (2004)
  - Agreement on cooperation in science and technology between the EU and the Republic of India (2001)
  - Agreement on scientific and technological cooperation between the European Community and the Russian Federation (2000)
  - the Agreement for scientific and technological cooperation between the EU and the Government of the People's Republic of China (1998)
- Extending bilateral relations between BRIC and EU countries (e.g. India-Italy)

# Programmes and initiatives supporting EU-BRIC countries cooperation



- 7th Framework Programme for Research and Technological Development (all BRIC countries)
  - one of major mechanisms and research support schemes
- Erasmus Mundus (all BRIC countries)
  - scholarship and Academic Cooperation Programme that facilitates the mobility of students and academics and improving quality in higher education.
- ALFA projects (Brazil)
  - cooperation scheme aimed at improving the quality, relevance and accessibility of Higher Education in Latin America
- Asia-Link (China, India)
  - programme promoting regional and multilateral networking between HEI's in Europe and developing countries in Asia.

# IP basic rules/legislative environment



- Rules for IP protection set by:
  - Community IP directives and regulations (e.g. Regulations on Community trademark and Community designs)
  - International IP Treaties and Conventions (TRIPS, Paris Convention, etc.)
  - National IP regulation of BRIC countries
- Protection of research project results in EU and BRIC countries ensured by various IP rights (copyright, patents, industrial designs, utility models, know-how etc.) regulated in EU and national IP regulations

# IP rules in BRIC countries



- In principle, the IP regulation in all BRIC countries satisfy international standards of protection
  - Influence of IP worldwide conventions
  - Formal protection of industrial property rights
  - Informal protection for copyright works
- Minor differences in IP regulation framework
  - e.g. - protection of utility models, designs
- Special attention pursued to the protection of traditional knowledge
  - India, Brazil and China



# IP management at HEIs – EU picture



- Similar standards in regard to ownership of research results in all EU member states
- No uniform community rules for IP management at HEI”s adopted
  - general standards provided by “**Recommendation on the management of intellectual property in knowledge transfer activities and Code of Practice for universities and other public research organizations**” (C(2008)1329)
- Common practice of adoption of internal IP regulations at European HEI”s

# IP management at HEIs – BRIC



- **Existing national specific regulations/provisions for IP generated within HEI's in some of BRIC countries**
  - **Brazil:**
    - ✦ Law on Technological Innovation
  - **China:**
    - ✦ Law of the PRC on Promoting the Transformation of Scientific and Technological Achievements
    - ✦ Regulation on IP Protection and management within HEI's
    - ✦ Regulations on Management of IP Financed by National Projects Plan of Science and Technology
- **General regimes of IP ownership established in national IP regulation**
  - ✦ ownership of IP rights for HEI's ensure by national employee's creation regimes
  - ✦ specific rules regarding ownership/co-ownership of IP results generated in HEI's, provided by special national regulations (e.g. Brazilian Technological Innovation Act)
  - ✦ existing internal HEI's policies compatible with general standards

# Good practices



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- Education and IP awareness raising
  - Trainings and IP awareness programs (Chalmers, IIT, LETI, KUST)
- Identification and assessment of intellectual property generated
  - Technology audits (UA)
  - New technologies verification process (Chalmers)
  - IP assesment units (KUST, IIT)
- Obtaining the protection for research results
  - Strategies for patent protection (Chalmers)
  - Montoring of IP applications (KUST)

# Good practices



- Exploitation of research results
  - Linking education and entrepreneurship (Chalmers)
  - Technology incubation and Outreach Centre (IIT)
  - Promotion of research results and legal advice system (UA)
  - Commercialization and fund seeking (KUST)
  - IP support process (LETI)
- Dispute resolution system
  - IP Commission for solving problems (UJ)
- General management issues
  - IP management by specialized agency INOVA (Unicamp)

# Dos and Donts



- „Good and bad practices”
  - Common mistakes
  - Practical advices
  - Specifics of IP managment
  - Overcoming of social and cultural differences
- Ability to apply for EU-BRIC R&D projects
- All stages of international projects
  - Preparation phase
  - Negotiations phase
  - Execution phase

# Thank you for your attention!



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