

1st work stream of the CREST OMC-3% IP-Expert Group:

Models for Effective Cross-Border Collaboration on R&D. Preparation of Fact Sheets to assist potential collaborators

Introduction

In the "CREST report on the application of the open method of coordination in favour of the Barcelona research investment objective", CREST recommended that there was a need to "improve the coherence and effectiveness of IPR ownership regimes applicable in publicly funded research...by the production of clear..guidelines.." (see Recommendation 11).

The objective of this project group will build upon this recommendation. Further, the IPR and Research expert group, in its report to CREST, highlighted the existence of three different ownership regimes and recommended that these should be emphasised when developing IPR guidelines for working with other countries. Data collected during the first cycle will help inform the work of this proposed project group.

In addition, the project will also build upon other earlier works in this area such as the working paper produced by the Commission expert group on "Role and Strategic Use of IPR in International Research Collaborations" and complement existing guidelines such as the EUA/ ProTon Europe/ EARTO/ EIRMA guide to "Responsible Partnering".

Objective

Work stream 1 will produce a set of practical guidelines relating to the ownership of IP to facilitate and promote cross-border collaborations. These will be in the form of a separate fact sheet for each member state dealing with the IPR issues that arise in respect of cross-border collaboration on research projects. Wherever practical, the fact sheets will be illustrated with case studies demonstrating how particular IP problems have been encountered and overcome.

The fact sheets will be concise, practical and aimed at potential collaborators in cross-border research, particularly SMEs. The purpose of the fact sheets will be to encourage cross-border collaboration on research projects by de-mystifying the IP issues, giving practical guidance on how IP issues can be effectively dealt with.

The fact sheets will aim to cover every member state, including those that are not represented in the expert group, and could include trading partners such as the United States, Japan and China. It is intended that fact sheets for further countries can be added over the course of time. The fact sheets are intended to be published and widely disseminated at national level, and not just through the Commission web sites.

Methodology

1. The UK representation on the IP Expert Group will produce a skeleton fact sheet setting out IP ownership issues in the UK and how they can be dealt with. This skeleton fact sheet will be discussed and modified at the meeting of the group in London in September.
2. Using the agreed format as their basis, all member states represented in the group will prepare full fact sheets setting out the issues relating to IP ownership and exploitation and illustrating how these are dealt with in practice. The fact sheets will be drawn up for the benefit of potential foreign collaborators in research projects, particularly SMEs.
3. In order to ensure the practical usefulness of the fact sheets, in each participating member state stakeholders from the intended target audience for the fact sheets will be identified and invited to give feedback on the fact sheets. They will be asked for suggestions on how the fact sheets might be improved to add to their usefulness.
4. Stakeholders will also be asked about experiences of establishing collaborations despite differences in member states, with a view to sourcing case studies showing how to avoid any difficulties due to IPR. Further fact sheets for member states who are not in the group and even major trading partners should be sought or produced (principally by the rapporteur.)

Timescale and milestones

Date	Milestone
20 September 2005	Agree template for member states factsheets
15/16 November 2005	<ul style="list-style-type: none">• 1st drafts of all participating MS's fact sheets• Identify stakeholder groups to consider fact sheets
18/19 January 2006	<ul style="list-style-type: none">• Table stakeholder reaction to draft fact sheets
15/16 th March 2006	<ul style="list-style-type: none">• Filled out gaps in fact sheets for all participating MSs• Fact sheets for other EU MSs• Fact sheets for USA, Japan, China (if possible)• Table case studies
17/18 May 2006	<ul style="list-style-type: none">• Draft Report
14 June 2006	<ul style="list-style-type: none">• Adopt Final Report
July 2006 (date tba)	<ul style="list-style-type: none">• Presentation by the chair to CREST meeting in Finland on the outcomes of the IPR group's work in the second cycle