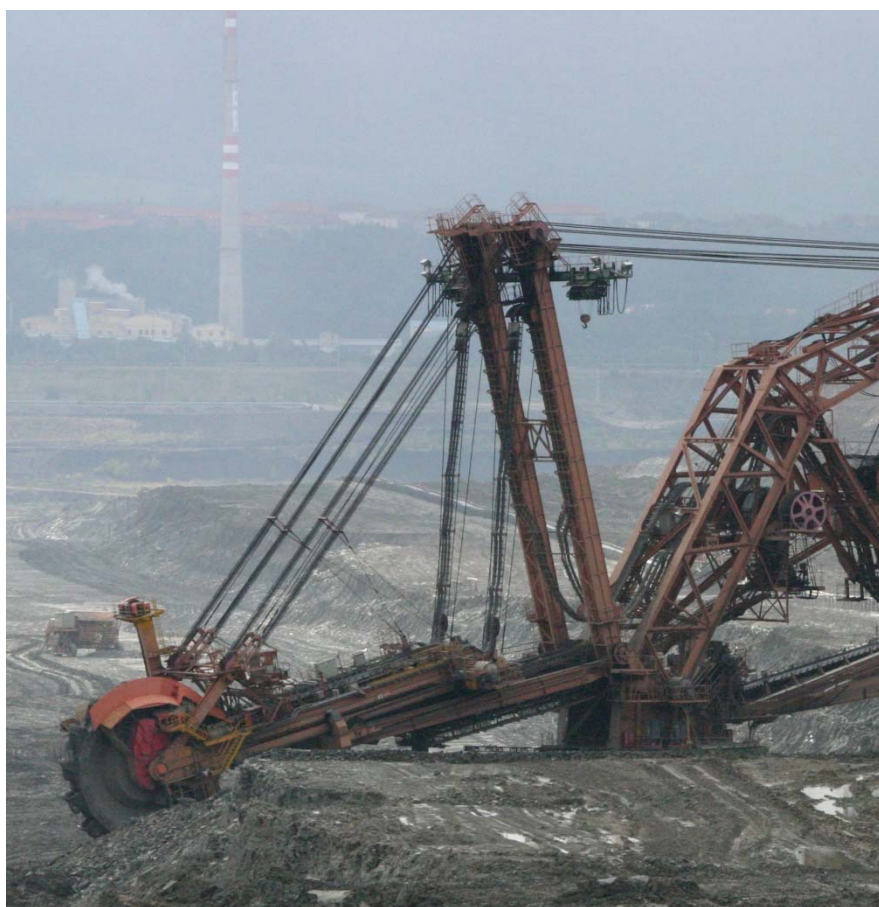




European Technology Platform
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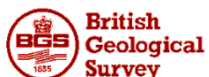


Earth Observation for Monitoring and Observing Environmental and Societal Impacts of Mineral Resources Exploration and Exploitation

Horst HEJNY
Leader WP5
MIRO, UK

*1st General assembly
Witbank, February 17, 2011*

Background, foreground issues,
IPR issues



Council for Geoscience



Sokolovská uhelná, právní nástupce, a.s.
SOKOLOV





Task 5.4: Exploitation and IPR

Task leader: MIRO

- Identification of ownership of background
 - > *done, see consortium agreement*
 - > *if more background should come up – report for amending CA*
- Drafting of preliminary plan for use and dissemination of foreground
 - > *should already be finalised, input required, inquiry will be circulated after the meeting*
- Identification of foreground developed by partners
 - > *ongoing activity until project end*
- Identification of most suitable mechanisms for commercialisation
 - > *ongoing activity until project end*
- Initiating IPR protection in case
 - > *ongoing activity until project end*
- Drafting of final plan for use and dissemination of foreground
 - > *several versions, final one at project end*



Task 5.4: Exploitation and IPR

Task leader: MIRO

Definitions:

- **Background**
 - Knowledge owned by project partners and used by the project
usually mentioned in the Consortium Agreement to ensure IP
- **Foreground**
 - The results generated by the project
Results may be matter to IP but not in any case





Task 5.4: Exploitation and IPR

Task leader: MIRO

Definitions:

- **Dissemination of foreground**

- Can be seen as the means through which research results are presented to the public
i.e. press releases, conferences, scientific publications, exhibitions, workshops, newsletters, websites, etc.
Participants are free to choose the means and ways for the dissemination of their foreground that best fit with their interests

- **Use of foreground**

- Refers to the utilisation of the foreground for further research activities or for commercial purposes (consider protection)
Defined as “the direct or indirect utilisation of foreground in further research activities other than those covered by the project, or for developing, creating and marketing a product or process, or for creating and providing a service”





Task 5.4: Exploitation and IPR

Task leader: MIRO

General comments

- Participants in FP7 projects are required to use and disseminate the results generated by the project (“*foreground*”).
- Participants are required to highlight the Community financial contribution to the project in all dissemination activities (as well as in protection activities, such as patent applications). Article II.30.4 of Annex II to the grant agreement provides a short statement fulfilling this objective.
- The consortium is free to choose the methods for dissemination and use of the foreground generated that best fit the interests of the participants
- The dissemination of foreground may hamper its protection, its commercial exploitation or even the legitimate interests of some participants.





Task 5.4: Exploitation and IPR

Task leader: MIRO

General comments (cont.)

- In principle, beneficiaries should ensure that dissemination activities are carried out with the agreement of all participants and the approval of the Commission, where relevant (see Article II.30.4 of Annex II to the grant agreement).
- Dissemination of the foreground must be carried out as swiftly as possible, but also must comply with some conditions.
- Dissemination should not hamper the protection and use of the foreground.
- If participants fail to disseminate the foreground as swiftly as possible, the Commission may take charge of such obligation at any time, without requiring any authorisation from the participants concerned.



Task 5.4: Exploitation and IPR

Task leader: MIRO

Message

As each case is different, details should be discussed on a one to one basis to identify the most appropriate way forward





Task 5.4: Exploitation and IPR

Task leader: MIRO

- Template '*Plan for use and dissemination of foreground*' -> [link](#)
- Template '*Report on wider societal implications*' -> [link](#)

