



European
IP Helpdesk



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Bulletin No. 6
**Insights: Code of Practice on the Management of
Intellectual Assets for Knowledge Valorisation**
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Editorial

In today's rapidly evolving world, knowledge is one of society's most valuable assets. Transforming intellectual assets into tangible benefits has become a core mission for research organisations and many players in the research and innovation (R&I) ecosystem, including start-ups, SMEs and the industry. Knowledge valorisation is a process of creating value from knowledge assets by linking different areas and sectors and by transforming innovative ideas, data, know-how and research results into practical applications: sustainable products, services, solutions and knowledge-based policies that benefit society in terms of economic prosperity, environmental benefits, societal progress and improved policy making.

It bridges the gap between academia and industry, facilitating knowledge transfer from research organisations to the broader society. Knowledge valorisation plays a crucial role in driving innovation and economic growth. It has thus gained significant importance as Europe strives to maintain its competitive edge in the global knowledge economy.

In December 2022, the European Union Council approved Recommendation 2022/2415, a document outlining guiding principles for knowledge valorisation. The central aim of this recommendation is to extract greater socio-economic advantages from research and innovation, benefiting society as a whole. This milestone achievement aligns with the broader context of the European Research Era (ERA). The origin of these guiding principles can be traced back to the 2020 Commission Communication, which introduced the concept of a New European Research Area for Research and Innovation (ERA for R&I). These principles were subsequently incorporated into the ERA Policy Agenda for 2022-2024.

The new Recommendation supersedes the 2008 Commission Recommendation, which dealt with the management of intellectual property in knowledge transfer activities, as well as the Code of Practice on

the Management of Intellectual Assets for Knowledge Valorisation in the European Research Area. These new Guiding Principles cover various categories of actors within the research and innovation ecosystem, including universities, higher education institutions, research and technology organisations, citizens, civil society organisations, investors, funders, researchers, innovators, students, industry, SMEs, start-ups, intermediaries, policymakers, public authorities, service providers, research and technology infrastructures, and standardisation bodies. As these Guiding Principles are non-binding, their successful application, implementation, and overall impact depend upon the active engagement of stakeholders across the R&I ecosystem, spanning national, regional, and local levels. The extent to which they are adopted and their effectiveness in fostering innovation ecosystems remain to be seen.

The Code of Practice on the Management of Intellectual Assets for Knowledge Valorisation aims to promote and facilitate the implementation of the Guiding Principles, improve the use of research results and accelerate the adoption of innovative technologies. It provides comprehensive guidance on addressing specific challenges faced by research and innovation stakeholders, particularly regarding the efficient management of intellectual assets in joint research activities and the development of research and innovation activities in open science and open innovation contexts.

With this Bulletin issue, we learn more about the European Commission's motivation and rationale for the Guiding Principles and the Code of Practice cast a glance behind the scenes at the development of the Code of Practice through a Community of Practice and spotlight specific aspects while gathering expert voices who reflect and comment on these.

Start your read with an interview with Peter Dröll, Director for Prosperity at the Directorate-General for Research

and Innovation of the European Commission (EC), who recapitulates central pillars of the EC's knowledge valorisation policy and highlights strategic novelties of the Code of Practice. Following his interview, we zoom in on the actual making of the Code of Practice, with Manon Prado, Policy Officer at the European Commission and member of Unit E2 – Valorisation Policies & IPR of DG Research & Innovation, tracing key steps of the development process, specifically reflecting on the advantages and challenges of involving multiple stakeholders in a Community of Practice.

The insights shared by Manon from the European Commission's perspective are complemented by a personal account from Dr James Walsh, National Contact Point (NCP) for Horizon Europe at Enterprise Ireland and a European IP Helpdesk Ambassador of his involvement and experiences in the development of the Code of Practice as a member and drafting chair of the Community of Practice. Plus, he shares his thoughts on some of the Code's recommendations concerning strategic intellectual assets management practices.

The Code of Practice strongly emphasises open science and open innovation practices. Aarhus University has worked with Open Innovation in Science Platforms (OISPs) for several years across different sectors and disciplines. Hence, in the subsequent article, Marie Louise Conradsen, Head of Open Innovation in Science at Aarhus University, sheds light on what an OISP is and what the open approach to IP means for knowledge valorisation in a university setting.

Open innovation means collaborating with others to share knowledge, co-create projects and ideas, and possibly align different partners' needs and challenges.

However, collaborative research and innovation settings need proficient, strategic intellectual asset management practices, as Jörg Scherer, Coordinator of the European IP Helpdesk, and Eugene Sweeney, Senior European IP Helpdesk Expert, outline in their piece.

We then turn our attention to how to bring research results from the lab to market. Hana Kosová, the Director of the Technology Transfer Office at Charles University in Prague, Czech Republic, talks about some of the Code's recommendations related to licensing practices and exchanges views on the specific challenges faced by universities and research organisations in Widening countries when it comes to knowledge valorisation.

Picking up some of the thoughts brought forward by Hana Kosová, Smiljka Vikić-Topic, Head of Research and Innovation Services-RISE & ASTP Vice President Europe, further elaborates on the benefits of implementing the Guiding Principles – with a particular focus on EU-13 countries and how novel knowledge valorisation practices may help close the innovation gap in the future.

Wishing you an insightful and inspiring read,

The European IP Helpdesk editorial team



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“It is crucial that we translate new knowledge into practical solutions for the challenges facing our societies”

Peter Dröll

Director for Prosperity at the Directorate-General for Research and Innovation of the European Commission (EC), shares his thoughts and insights on the key motivation and rationale behind the EC's guiding principles and knowledge valorisation policy and how the new Commission Recommendations on the “Code of Practice on the Management of Intellectual Assets” seek to support innovators in putting knowledge valorisation strategies into practice.

European IP Helpdesk: The new “Code of Practice on the Management of Intellectual Assets” is part of the European Commission's broader knowledge valorisation policy. Before we hone in on the details of the Code, what are the key motivations and strategic pillars of this policy? And why is it important?

Peter Dröll: The pursuit of new knowledge and understanding of life, our planet, and the universe is a deeply human endeavour that is valuable in itself. At the same time, it is crucial that we translate new knowledge into practical solutions for the challenges facing our societies. The urgency of these challenges, such as providing food and healthcare to 10 billion people on

the planet, achieving climate neutrality, and restoring biodiversity, demands that we act fast.

This is the key motivation behind the Guiding principles for knowledge valorisation and the EC's underpinning knowledge valorisation policy: to become faster and better at turning knowledge into value for society. We have identified seven strategic principles to achieve this goal: establishing a policy framework, providing incentives, developing skills and capacities, designing funding schemes, promoting peer learning and monitoring, and, of course, managing intellectual property.

These seven principles are supported by 24 concrete recommendations, reflecting our 24/7 commitment to knowledge valorisation. But you are also asking why this is important. When we compare the 2008 recommendation on knowledge transfer, we now have a better understanding but also a new ecosystem of actors. Universities, academia, and industry have been and remain our key players. Now, we also recognise

more and more the important roles of new, strong actors, such as investors, public authorities, and civil society. The guiding principles address the entire ecosystem and all players working to turn knowledge into value.

With the need for novel approaches to create value from scientific findings and inventions, scientists and inventors must reflect on a broader understanding of valorisation and its different pathways, including open science and open innovation practices. How do the Code and its practical recommendations help innovators gain a broader understanding of valorisation?

You rightly mentioned open science and open innovation, which the Code emphasises a lot. It is not entirely obvious how to balance openness and sharing with protecting and valorising assets. This can be challenging. This is why the Code explicitly states the need to develop a strategy that considers open science and open innovation practices in line with the mission of your organisation.

The Code also includes a section on relevant practices, covering the entire – let's call it lifecycle – from publications to data generation, databases, and software. It is important to consider what can be shared at each stage and under what conditions as part of an overall exploitation strategy.

In this context, co-creation between industry and academia, participation in open innovation platforms is important. The Code is quite explicit in saying that it is important to establish sharing and compensation models.

These novel approaches are essentially about an entrepreneurial spirit, viewing intellectual assets not as something to fix but as an asset that can be built upon. The basic insight of open innovation is that it is not

necessary to own or be the first to develop a property in order to benefit from it.

Nor is it necessary to exploit it yourself if you developed it or if you are the owner. So, a broader sharing approach can maximise opportunities to create value with these assets for all involved.

The Code has been widely acknowledged and welcomed by the community of practitioners as a bottom-up initiative, resulting from a co-creation process with a wide range of researchers and stakeholders from the innovation ecosystem rather than being top-down driven by the European Commission Directorate. What was the rationale behind this approach, and how do you assess the process, looking back on how it was done?

The rationale behind the co-creation approach used for the Code was, in a way, based on the entire philosophy of Horizon Europe, which emphasises co-creation, co-creating strategic and investment priorities – also in the different clusters or investment sections of Horizon Europe – in order to achieve maximum impact. We applied this same approach to the development of the Code, engaging a community of practice to work on different aspects of the document.

But frankly, we were uncertain at first whether there would be a sufficient commitment to this process, as we had nothing to offer, such as reimbursement. It was just work for the greater benefit of European integration. When my colleague Kirsii Haavisto proposed to set up drafting teams which would work on different paths, I thought this idea to be fairly ambitious.

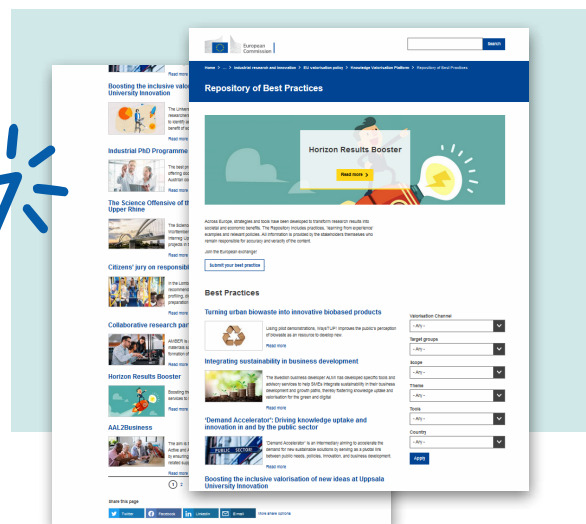
However, the response was overwhelmingly positive, with a high level of engagement and ownership from participants – much more than we expected or hoped for.



Knowledge Valorisation Week 2023

[Watch Peter Dröll's conversation with Špela Stres \(Assistant Director, Jožef Stefan Institute\) and Imelda Lambkin \(Manager Disruptive Technologies, Innovation and Knowledge Transfer, Enterprise Ireland\) in the “Valorisation talk: New code of practice on intellectual assets management” during this year's Knowledge Valorisation Week](#)

The benefits of this bold approach were twofold: firstly, the collective intelligence of the group resulted in a higher quality document, and secondly, the sense of ownership and responsibility among participants increased the chances of successful implementation. Overall, I view this process very positively.



The Code has been presented during various events, such as the European Knowledge Valorisation Week and the dedicated awareness campaign “Tour des Capitales”, and has been promoted by several organisations from the IP cosmos. From your personal experience and discussions with the community of practice and different stakeholder groups, what has been the response and feedback from the community so far? Can you share any insights with us?

The feedback on the Code has been very positive. Many have praised its broad scope, which includes all actors, and that we achieved the right balance between precision, openness, and flexibility. So, the Code is future-proof, with recommendations that are not overly prescriptive but provide helpful guidance across the entire field, inspiring action from different institutions and organisations.

This positive response is partly due to the Code's recognition of the value of knowledge assets beyond traditional intellectual property protection, such as data sets and know-how in today's data economy. The Code also tackles these new aspects where there is less routine.

The other part is that it is a Code from practitioners for practitioners while also raising awareness and bringing attention to other stakeholders in the IP and innovation ecosystems. In terms of implementation, it is important to be aware of what works and what does not and to share good practices. We try to encourage and facilitate this with the [Knowledge Valorisation Platform](#). However, it is important to note that this is not only a platform but also a forum where these practices can be

shared, especially in relation to the Code.

Plus, for successful implementation, training is essential. And here I want to congratulate the European IP Helpdesk for the training modules you have set up, which have been highly praised as valuable resources. Overall, we do see what is needed, and we need this broader awareness engagement throughout the EU alongside training and capacity building. While we are still at the beginning of the implementation process, there is a consensual solid basis and a warm welcome for the new Code.

There is a need to place greater emphasis on encouraging scientists and innovators from the EU 13 or so-called “Widening Countries” to engage with the principles of knowledge valorisation.

Do you believe that the guiding principles and Code of Practice could help empower research and innovation stakeholders in these countries to contribute to closing existing innovation gaps, as indicated by the innovation scoreboard and other statistics?

Very much so. The guiding principles have been adopted by the Council, which represents all Member States, for all Member States. There is a reasonable alignment between the cultures and national and regional systems in terms of organisation and adherence to these principles. And that is a good starting point for any Member State.

Then, these guiding principles were adopted under the

Czech Presidency, which organised the first awareness-raising event in the Czech capital, kicking off the already-mentioned “Tour des Capitales”. This was very successful and showed the demand and interest in the Czech Republic.

Many of the countries that have since had or will have similar events in the near future, such as Lithuania, Slovenia, Portugal, and Greece, are from the Widening countries, indicating a strong level of engagement there. The last point I want to make here is about cooperation and sharing of best practices across stakeholders from all Member States. This is key to connecting the dots and ensuring that the principles are known and applied in the best possible way everywhere.

That is exactly what we did with the recent stakeholder event “Making research results work for society”,

Making research results work for society
[Rewatch the EU Knowledge Valorisation Stakeholder Event from 26 October 2023](#)



contribute to closing existing innovation gaps.

Let's look into the future together. Currently, there are two new Codes in the making. Can you give us a sneak peek into what these particular Codes of Practice will be about?

Yes, thank you for asking. The process for developing the two new Codes of Practice is similar to the one on managing intellectual assets, with a bottom-up approach driven by practitioners and communities of practice. These communities have already provided rich insights, ideas, and first principles for the new Codes.

And now, there will be two additional Codes: One of the new codes focuses on citizen engagement in science – an aspect that is not very obvious.

This is why some clarity upfront about the purpose, expectations, and potential impact of citizen engagement is required.

Our community of practice already has identified several key factors for successful citizen engagement. For example, there is a need to have an identified problem owner. And that could be a public authority, could be an NGO, another business, academia or the community of citizens itself.

It is also important to be inclusive and not capture only the mainstream. So, we look at diversity in this and try to think about how to include difficult-to-reach communities. In this context, I think it is important to make the best use of digital tools, which again is linked to open science. Overall, transparency and regular feedback loops are important to build the trust that is needed for this process. Additionally, the community of practice has looked into monitoring options and how to scale up citizen engagement practices to have spontaneous engagement possibilities and, ultimately, to have it more widely used.

The second Code addresses a more classic topic: industry-academia cooperation.

This is a well-established field – much better known compared to citizen engagement – and there are very strong existing practices. However, it is very interesting what the community of practice has identified as areas for improvement.

These include the need for explicit strategies endorsed by top management on both sides, a good understanding of existing collaboration tools and digital platforms, sound processes in Parliament, and recognition incentives for industry-academia cooperation. And, of course, intellectual property and asset management are crucial factors in such cooperation.

What I can already say is that these Codes will be rich, thanks to the bottom-up process. Right now, we still have a bit of work ahead of us to generate a proper Commission Recommendation. Both Codes are still in development and will undergo internal processes before being released, but we anticipate that they will be fully available early next year.



From the Community for the Community: Insights into the Making of the Code of Practice on the Management of Intellectual Assets

The Code of Practice in the Management of Intellectual Assets for Knowledge Valorisation is, to a large extent, the outcome of a dynamic co-creation process with stakeholders from the European research and innovation ecosystem. To this end, a community of practice composed of initially nine subgroups corresponding to the areas to be addressed by the Code was launched on 28 January 2022. Interested stakeholders with relevant experience in intellectual assets management were invited to take part in a call for expression of interest to join the virtual community.

In the end, the community comprised 180 members, the majority of which were representatives from universities, technology and knowledge transfer offices, public research organisations and private companies. It also counted representatives from private research organisations, multi-stakeholder partnerships and national authorities. Members of the European IP Helpdesk team and Ambassador network contributed to the process, too.

Coming together in regular online meetings, the community of practice offered a forum to discuss ideas

and recommendations concerning the topics to be included in the Code of Practice. Moreover, the group carried out an in-depth analysis of existing evidence to identify best practices that can effectively boost intellectual assets management along the knowledge generation chain.

Led by the Unit E2 – Valorisation Policies & IPR of DG Research & Innovation the team at the European Commission was supported by a drafting group consisting of community members who had volunteered to assist in collecting and consolidating comments and analysing the necessary data from practitioners. The inputs gathered from the community of practice formed the basis for the first draft of the Code of Practice, which DG Research & Innovation and other EC services further elaborated.

Tracing the journey of the Code's development, we had the chance to sit down with Manon Prado, Policy Officer at the European Commission and member of Unit E2 – Valorisation Policies & IPR of DG Research & Innovation, which was in charge of the overall creation process.

European IP Helpdesk: Could you briefly describe your role in the co-creation process of this new Code of Practice?

Manon Prado: Absolutely. I was the central contact point for the overall initiative. Hence, I coordinated the entire development process of the Code of Practice, which was partly a co-creation process. So, the first part of the development was with stakeholders, and then we took over and shaped it into the official Commission Recommendation.

I was also the coordinator of the community of practice and part of a small team together with my colleagues Kirsi Haavisto (Head of Unit) and Ioannis Sagias (Deputy Head of Unit), who were helping me steer the process and make strategic decisions on priorities and next steps. Moreover, my colleague Ana Serban helped with all the technicalities of setting up the community. In principle, my role entailed designing the co-creation process. Thus, we decided how to roll out this process, how we would engage with stakeholders and practitioners, and then deciding which platform to use. After this, we started the adventure and set up the community of practice and the drafting team. In total, we had 18 members, all volunteers from the community of practice, including Jörg Scherer from the European IP Helpdesk team. Hence, we had to set up a smaller group within the bigger group, which brought together around 180 people.

That is an impressive number of people!

Yes, indeed. We split them into smaller groups, which was easier to manage. We ran the community of practice for about six months. Here I was, coordinating with the members, organising meetings with the entire community and having biweekly discussions with the smaller group of the drafting team.

Once we shared and exchanged with stakeholders and heard their views, we gathered what they had proposed as recommendations; then, I analysed the contributions and drafted the code of practice with my colleague Federica Baldan. That was the part that involved all



the writing, drafting, and restructuring, so this was an essential step in the process.

The entire process was a journey with different milestones. So, coming back to the question of how to design such a co-creation process: Did you have a big master plan sketched out from the beginning? Did you know, for instance, that you would have these smaller groups, or were there adjustments along the way? How flexible was this whole construct of the community of practice? Because as said, exchanging and managing 180 people is quite a task. How did you experience that personally?

I guess I had an advantage because I had already been involved in such a co-creation process in my previous position. I was working with DG Grow before, and we developed a similar initiative. Thus, I was more or less aware of how this can quickly become big and that you must be flexible.

Personally, it was exciting because this exercise kicked off right after I joined DG R&I. It was nice to have a fresh outlook and for the team to see my views on the process. It was an amazing opportunity for me because I learned everything with the actual experts and with the practitioners, of the community of practice.

And then, looking at the challenges we faced, of course, the biggest challenge was number of people engaged in the community of practice. With 180 members, we thought from the start that we could not manage such a group by organising only plenary meetings. We needed to split them into smaller groups and made some adjustments. For instance, the timeline had to be adjusted several times before reaching the last step, the adoption by the Commission.

At first, our objective was to schedule the adoption by the end of 2022. Then we quickly realised that if you gather people in a community, they give up their free time to participate in this initiative, and they need a little more time. Hence, we adjusted our timeline along the

way. You cannot do this sort of process without having a margin of flexibility.

Looking back at this process, what was the most rewarding for you?

The networking element was terrific because there was no better way for me to meet everyone, understand what is at stake for each R&I actor, and see the different approaches between an SME and a university. Some have more advanced IP strategies; some have less advanced IP strategies. It was fascinating to see that. Plus, I liked this way of exploring something new, a new way of policy-making, and seeing that it works because we received a lot of excellent feedback from the members of the community of practice, who appreciated that they could express their views.

But, of course, there are also some limitations. If you have a group of 180 people, you can imagine it was difficult for everyone to make their voices heard, but everyone had a chance. And what we could take on board in the Code of Practice, we did. I think that was the best part, to see that people were happy and felt they were heard. I believe we have built more trust with our stakeholder base, which is always good, also in view of future initiatives.

Absolutely, and the whole approach and process underscores the fact that this is a Code made – to a certain extent – by the community, for the community. As you said, it needed shaping into the official Commission Recommendation. However, the actual involvement of the community of practice still added a lot of credibility and trust in the process and its outcome.

Are there any major lessons learned? Is there a magic formula to make it work?

Well, I wish this magic formula existed (laughing). But I think the process is always different. In the R&I community, we are lucky to have a very forward-looking stakeholder base. Everyone is aware of what is at stake, and the knowledge valorisation policy is a policy on which everyone agrees in the sense that we need to

do more with research results and make them work for society.

Everyone is looking in the same direction. As for lessons learned, there were many. As already mentioned, having such a high number of people was a limitation; although it gives more credibility, as you said, and lends more weight to the co-creation process, it is also a challenge. Also, with such a big group, the commitment and time people can dedicate to the process differs, which is not a problem per se, but you have to factor this in, too. However, we benefitted from many lessons learned when envisaging the new communities of practice for the two new Codes on citizen engagement and industry-academia collaboration, which are currently in the making. For example, we made the process way shorter and less burdensome. We did not have a drafting team because we realised this was a lot of work for people. Thus, we tried to make it a bit leaner and lighter. But in any case, I believe this is the right way to go, and we need to go for this kind of process.

Now that this process has been finished and the Code is out, what are your hopes and expectations for it? What effect and impact do you wish for it to have?

Firstly, I hope that we will manage to disseminate it as much as we can and want to and that it reaches not only universities and the usual stakeholders that come to mind when thinking of research but also a broader audience. Because this Code follows a very comprehensive approach. We want to reach out to intermediaries, SMEs, innovators and researchers—individuals, not only institutions. So, I hope that we manage to achieve that. This is something that we do all together with the member states and stakeholders. Secondly, a hope from my side and the Commission's side is that we manage to shift the perspective: the vision and fundamental approach of this Code of Practice is to provide recommendations for organisations to develop an intellectual assets management strategy, not just an intellectual property strategy. I hope we can flip this switch in the mindsets of those who write these strategies and for them to think not only of formal IP (rights) but also of know-how, trade secrets and other intellectual assets,

which we should try to leverage. Let's see, time will tell.

Speaking of dissemination, what have been key activities so far?

We launched an awareness-raising campaign on knowledge valorisation in April in Prague, and you, the European IP Helpdesk, are also a part of it, which is excellent! As part of this campaign, we have two types of events. First, we have a series of Member States events, the so-called “Tour des Capitales”, where we partner with the national authorities and organise local events and workshops. And then we have central stakeholder events organised in Brussels.

As for the Member States events, we already had a run of events starting with the event in Prague, followed by events in Estonia, Spain, Slovenia, Austria, Portugal and Greece, and we have many more lined up for 2024 already. Here we try to reach out to target audiences on the ground, to go to the Member States and hear more about what they need and what they do, and then explain to them how the Code might be useful and how they can incorporate it in their national guidance documents.

In addition to these national events, we organise stakeholder events in Brussels. And here we have again this co-creation spirit. We had the first stakeholder event just recently at the end of October, where we brought together many stakeholders and offered a varied programme of panel discussions, presentations and many opportunities to exchange.



In June this year, the “Tour des Capitales” stopped in Madrid, Spain



The European IP Helpdesk team joining the “Tour des Capitales” event in Vilnius, Lithuania.

As you said earlier, the Code has been around for a little while, and you already mentioned some initial, very positive feedback. What have been additional thoughts and

opinions shared with you so far?

The feedback on the whole initiative is indeed positive. In particular, the fact that we did it in this co-creation process already puts everyone in a forward-looking position because it's not been a top-down activity leading us to say: “Now, here you have a Code, and you can use it.”

We really tried to develop something useful for those who need it. Of course, you always have different levels of granularity, and it is not easy to address all. So, in some cases, we hear that more detailed guidance would be helpful. However, it is also challenging in this type of document at the European level to give detailed guidance. It will always depend on the type of organisation, the mission of the organisation, and the objectives that they have. It would have been less

inclusive if we had done it this way. And when we explain it, it's very clear, and the feedback is positive.

Now, I am excited to see what will actually happen. How will organisations take it up? Which recommendations are most useful on an operational level? We try to gather all the feedback, evaluate the

questions we get, and try to better understand which aspects we need to address more in our training or communication activities. So, we are very eager to continue the conversation and hear from the community.

Do you want to share your views on the Code with the DG R&I Valorisation Policies & IPR team?

Send an email at:
RTD-VALORISATION-POLICIES-IPR@ec.europa.eu.



My motivation for joining the community of practice was to be a voice for European small and medium-sized enterprises during the process

Dr James Walsh, National Contact Point (NCP) for Horizon Europe Pillar 3 “Innovative Europe” at Enterprise Ireland and a European IP Helpdesk Ambassador gives a very personal account of his involvement and experiences in the development of the Code of Practice. Plus, he shares his thoughts on some of the Code’s recommendations concerning strategic intellectual assets management practices.

In December 2021, I was thinking of wrapping up work activities for the year in my home office at Enterprise Ireland (during the height of the COVID-19 pandemic in Europe) and realised that I had yet to do my holiday shopping. Just then, I came across the “Call for applications: join the European Commission’s community of practice to co-create a code of practice to manage Intellectual Property”. Intrigued, I did just that and joined the community – and deferred the holiday shopping just a little longer. Little did I realise that the next 6 months would be involved.

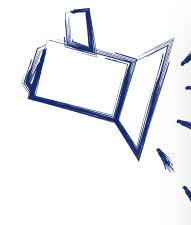
My motivation for joining the community of practice was to be a voice for European small and medium-sized enterprises (SMEs) during the process. Excellent intellectual assets management is critical for organisations to improve their ability to collaborate effectively and is key to accelerating the uptake of innovative solutions for the benefit of society. This is especially true for SMEs who often have limited internal capacity to manage effectively their intellectual assets – especially in open innovation activities with other private enterprises and the academic research community. Indeed, I have a long-standing interest in IP and innovation policy and

its implementation, so I did not take too much motivation to get involved.

To give you a flavour of our activities: the 170 members of the community of practice started our work in January 2022 and delivered our final set of recommendations on 24 June 2022. We met at least on a bi-weekly basis. We were very expertly supported and encouraged (kept on track!) by the EC “Knowledge Valorisation & IPR” unit – a big shout out to Manon Prado and Yiannis Sagias. For this exercise, the community of practice was subdivided into nine subgroups, which corresponded to the areas addressed by the code of practice.

I was most fortunate to be a joint “pen holder” or drafting chair with Dr Christophe Haunold on the subgroup on “Intellectual Assets Management”. Christophe is both a very passionate and committed knowledge valorisation professional with many decades of experience. Christophe and I complemented each other very well; I suspect that we were paired, given our quite different experiences and perspectives.

Through my involvement in the Code of Practice, we considered the significant challenges many of my international colleagues faced in intellectual asset management and increasing knowledge valorisation. The range of stakeholders and nationalities was very broad, including academics, IP consultants, knowledge transfer professionals and representatives of national economic development agencies along with industry and knowledge transfer associations.



Code of Practice: Spot on!

”2.1. It is recommended to define and adopt strategic intellectual assets management practices by the following: (...)

(8) ensuring that there is a strategy at the organisation level which covers creation, management, and utilisation of all types of intellectual assets (including data, know-how, standards) in line with the mission of the organisation and that open

science practices and open innovation are considered in R&I activities;

(...)

(18) increasing awareness and taking advantage of available funding schemes for intellectual assets management including at national level or at the level of the Union;

(19) ensuring and exploring necessary resources and funding for maturing the intellectual assets developed in research and innovation activities by participating in programmes such as ERC Proof of Concept and EIC Transition;

Our interactions on the co-creation process over the six-month period with our very committed community of practice members ultimately came to fruition. We were delighted to see it adopted and published on 1 March 2023. However, we are most keen for the recommendations to be widely deployed (especially to the SME and Start-up community), so we ask for your help in making all relevant stakeholders aware. We worked hard to make them clear and practical. Hopefully, you will agree.

And yes, I eventually managed to complete that last-minute holiday shopping in December 2021.

European IP Helpdesk: James, what was your role in the co-creation process, and how did you experience it?

In this co-creation process, I was a co-chair and a co-drafter, along with Christophe Haunold, who is the president of ASTP and was with me on one of the subgroups, the “Intellectual Asset Management” subgroup. This was one of several subgroups that were predefined when we got involved with the team at the European Commission.

Like so many, I volunteered to be part of this process. I act as Ireland’s European IP Helpdesk ambassador

and am based in Enterprise Ireland. Hence, this aligned very closely with that role. What caught my eye in particular was the idea of expanding the stakeholder base, particularly the voice of small and medium-sized enterprises. Traditionally, it was kind of dominated by the academic sector for logical reasons at the time. Thus, I was hoping to help strengthen the SME voice in this whole endeavour.

We worked very closely with Manon Prado from the European Commission, especially in defining our approach. And then, over a period of weeks and months, I actually worked with several other subgroups to provide the list of recommendations for the Code of Practice.

What did you find rewarding in the process? And also, on the other hand, maybe challenging?

Well, first of all, I very much enjoyed the exchange and intellectual stimulation. Since the last set of recommendations was published, a lot has happened and changed in terms of the funding ecosystem, technology, development, and economics. What I found rewarding was the engagement across Europe with many different stakeholders, with many differing views on the approach to intellectual asset management and the idea of ownership. For example, the “professors’ privilege” is a very strong point in the Nordic countries, but it is not the

case in many other countries. I found it quite interesting working through issues and viewpoints like that.

The biggest challenge, I think, was the overall process, although it was incredibly well run and very well supported by the European Commission. However, one challenge I felt was that I was probably one of the only voices representing SMEs in this whole co-creation process. And this has probably to do with organisation and means of representation. The academic community has very strong associations, and there are also strong Technology Transfer associations. The SMEs have associations, but they are not necessarily close to this area. So, from an SME perspective, the community of practise probably lacked somewhat a sufficient level of SME representation. More economic development agency representation helped mitigate this issue though.

From an operational perspective, you have the usual challenges: This was voluntary, it was quite time-consuming, and it went on for a long time. You need to be diligent to ensure getting a continuous buy-in from people over such a significant period of time.

There are a number of recommendations that should help define and adapt the teaching intellectual assessment management practices. In your opinion, what are the essential first steps that organisations and SMEs, in particular, should take and consider?

From a larger organisation perspective, in particular academia, they tend to have good IP management policies in place. Hence, adopting the updated segment set of recommendations means reviewing them in view of what is already in place. That's the bedrock that organisations work on, and then operationally, everything flows from there. But from an SME perspective, it's a much more challenging set of recommendations, in particular as it relates to intellectual asset management in collaboration in open innovation scenarios. How do they work with larger organisations? What expertise to have in-house?

Thus, for them, it's a different set of recommendations. What I referenced during the Code of Practice Development was the report [„Building stronger intellectual property strategy capabilities Supporting SMEs to succeed with open innovation“](#) published by the European Commission in 2021. There were four high-level recommendations in terms of how SMEs could be supported and could support themselves in terms of IP management. I still highly recommend this report.

I think the challenge with the Code of Practice for SMEs is that you have to see where most of the SMEs currently stand. When SMEs were assessed as a group in Europe, it was found that SMEs hardly thought strategically about IP in the first place. They understand the IP essentials, but they don't have the expertise or experience in managing IP strategically. And it's the strategic management we're talking about here. Awareness raising and capacity building are critically important in both enterprises/SMEs and academic settings but for SMEs in particular.

The ways organisations can do that differ obviously; larger organisations are usually more straightforward in terms of communication channels and resources, but also smaller organisations can do a number of things. For me, and from my experience, a lot of successful IP awareness-raising and management has to do with internal champions. Clearly, SMEs are a diverse group; they can range from very small startups to much larger organisations in terms of turnover, employment, etc. But for those mid-sized SMEs, a lead researcher, technologist, or entrepreneurial scientist who has an excellent track record and is respected in the organisation can be a real game-changer in terms of IP management. They can be appointed to be that lead in terms of championing the nature of IP and strategic management and importance, especially when it comes to collaborative endeavours.

I really like this idea of an internal IP champion; that is quite a hands-on recommendation.

Yes, and I can tell you a little bit more about it by giving you an Irish example. We have a particular grant scheme called the "IP strategy grant". It was created several years ago because we recognised this gap in SMEs and the need for them to get help in dealing with IP. The grant amounts up to €50,000 to do two things: One is to hire an outside consultant to have a broader holistic review of intellectual property within the company and its plans. So, they are not just IP specialists in terms of patent attorneys; these are more strategic people. Second, the grant provides funding to either hire or set aside resources for one person in the company, an employee, to be funded on either a part-time or full-time basis to be that IP champion within the SME. I believe this concept could potentially be expanded more broadly across Europe.

There is another recommendation in the Code referencing additional EU funding schemes, such as the European Innovation Council (EIC) or European Institute of Innovation & Technology (ET), which should be explored to further mature the IP. What is your view on this?

I am very familiar with the EIC, so allow me to focus on that for a moment. What I like about the EIC is that it has a number of instruments, but right from the application stage, it asks applicants, both the collaborative and mono beneficiary, to set out their IP management strategy. Hence, applicants, right from the off, have to start thinking about how they manage it. And what you tend to see (because we advise SMEs on that application) is that they don't even understand the question. Very often, they think about patents and prosecution, but they do not really consider management and IP management the in the consortium in particular.

Therefore, at the application stage, they learn and start to think and plan. Moreover, the EIC, in particular, focuses on freedom to operate considerations, which is a slightly different consideration with regard to IP, but very important at this early stage in the product development cycle. Thus, the EIC do a great job at setting those strategic IP thinking out and setting it forward right from concept. This is crucial because the programme has the aim of maturing scientific breakthroughs and early-stage technologies.

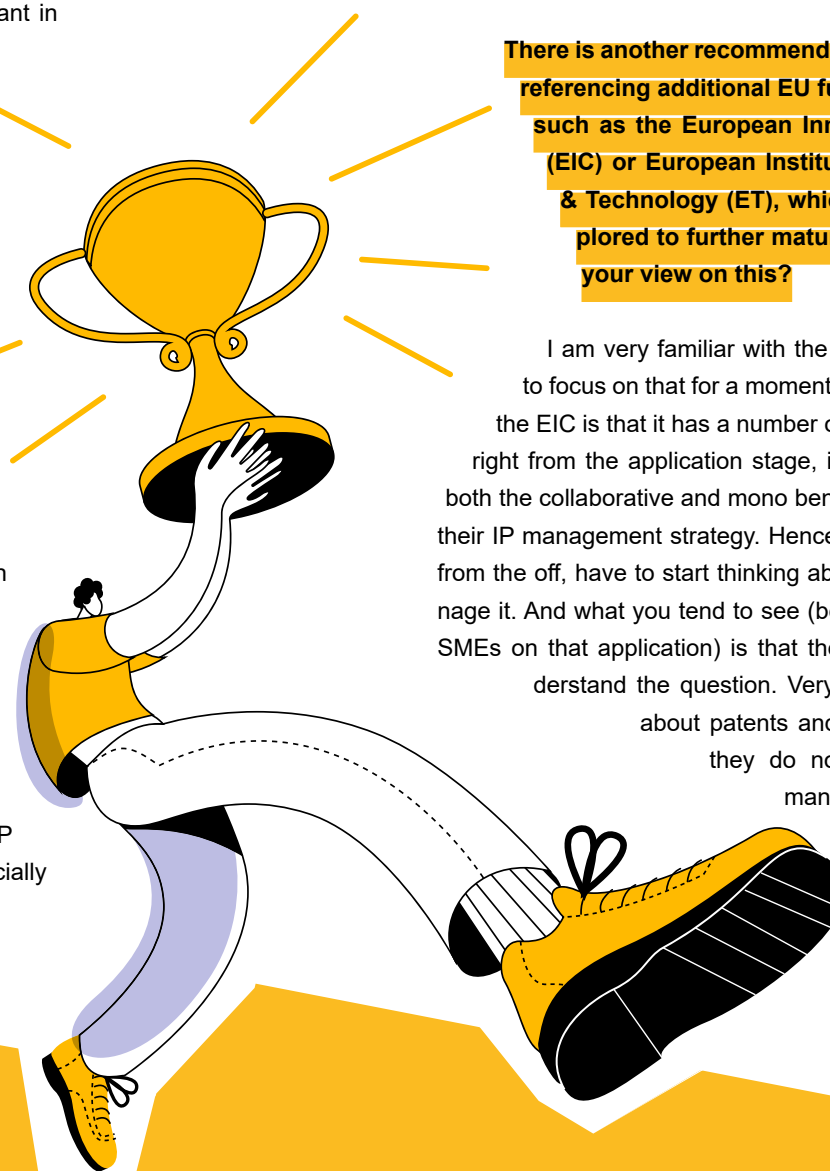
The good thing about the EIT is that it is an ecosystem. They've great resources. There's expertise to avail of; they have good links with the other stakeholders, including the EIC and the various other initiatives out there, like the European IP Helpdesk. For instance, in my role, I work as National Contact Point for the EIC; my boss is the National Contact Point for EIT. Synergistically, both programmes are very close, and it is easy to provide guidance in terms of IP management.

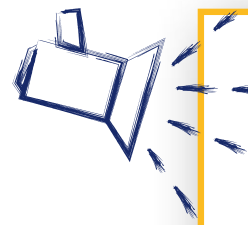
Do you think the programmes deliver what they aim for and set out to deliver?

Essentially, they are for excellent science. As such, they are one tool in a broader ecosystem of support providing excellent resources in terms of budget and expertise. It's the best of the best in Europe.

Thinking of room for improvement, I believe more could be done to smoothen the transition from the ERC to the EIC. I am referring to the training capability and belief building of these excellent scientists to enable and encourage them to move their technology to market.

Also, a positive development which I would like to see followed up on in the future, is the expansion of the eligibility criteria for the EIC Transition action. The latter used to be restricted to previous Pathfinder and ERC grantees. You needed to have either of these in order to apply, but for the so-called EIC Challenges calls the European Commission opened them to any appropriate Horizon project to increase the number of good quality projects. For 2024, I am glad to see that extended for the regular EIC Transition Open Calls, too.





Code of Practice: Spot on!

"2.2. It is encouraged that intellectual assets are managed in a way to enable open science and open innovation. In that context, it is recommended to: (...)

(24) engage in open industry-academia co-creation of project ideas to further align scientific and industry needs and challenges;
(25) participate in open innovation platforms which offer opportunities of open precompetitive public-private partnerships for cross-sectoral collaborations and knowledge exchange;
(26) establish fair and flexible sharing and compensation models for partners in open collaborations before the start of the collaboration."

Introducing ODIN: An Example of an Open Innovation in Science Platform

By Marie Louise Conradsen, Head of Open Innovation in Science, Aarhus University

Aarhus University has for a number of years worked with Open Innovation in Science Platforms (OISPs) across different sectors and disciplines, such as materials, drug discovery, clean tech and agri-food. In this article, we use one of our OISPs, ODIN, to explain what an OISP is and what the open approach to IP means for knowledge valorisation in a university setting.

OISPs inherently believe that many minds are better than one and that open sharing of ideas and results across universities and industries will accelerate discoveries and ultimately scale knowledge valorisation.

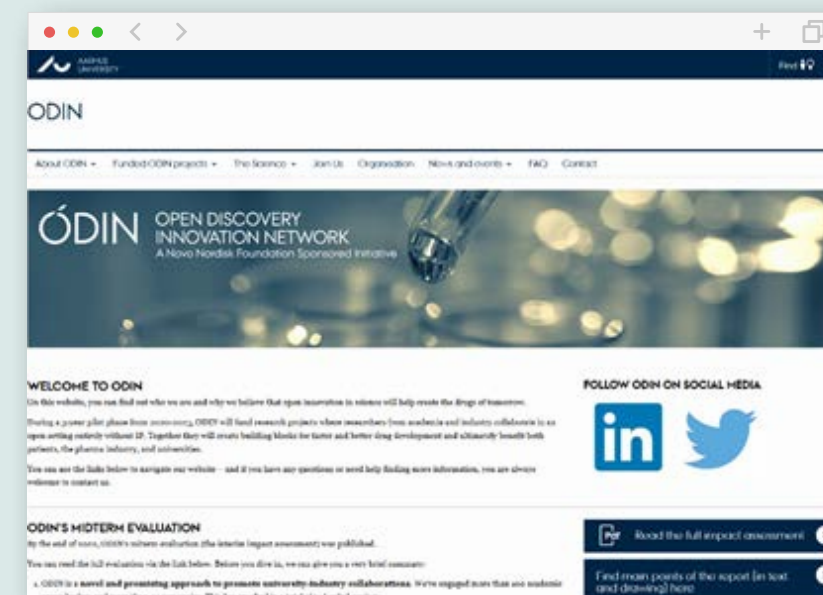
ODIN: An Open Collaboration Machine

The project [Open Discovery Innovation Network, ODIN](#), rests on exactly this premise. The scientific focus of ODIN is precompetitive drug discovery with special attention to the themes "biomarkers" and "target validation".

ODIN is a 3-year project (2020-2023) run by Aarhus University and financed by the Novo Nordisk Foundation with more than 7 million EUR. In ODIN, as in other OISPs, academia and industry collaborate on precompetitive projects in an open setting. The projects are created through a structured ideation and match-making process – and the ideas can originate from both private companies (in the form of research challenges) and from academic researchers with "wild" ideas for high-risk/high-reward projects and platform technologies.

The results and output (foreground knowledge) from the funded projects must be shared openly with the public with universal use rights. Anyone can use the results for commercial or non-commercial purposes. The open set-up creates a better public knowledge foundation for downstream innovation – as it offers building blocks for faster and better drug development for the benefit of patients, the pharmaceutical industry and research institutions alike.

In short, ODIN aims to break down barriers for industry-academia collaboration and accelerate drug discovery through collective problem-solving, open sharing of results and an open approach to Intellectual Property (IP).



Organisation and Legal Framework

In practice, ODIN offers companies and university researchers a platform to share ideas and co-create projects. A dedicated secretariat even offers participants help to source the right partners and/or input from the ODIN community if they are not able to find them on their own.

Moreover, ODIN offers funding for the co-created research projects that are selected on a competitive basis. While ODIN can only provide funding for the academic partners in these projects, industry partners fund their own participation through in-kind contributions.

All ODIN projects are regulated by an **overall collaboration framework** that has been designed in collaboration between the Aarhus University Technology Transfer Office and the core company partners.

- The legal framework includes both a framework agreement between Aarhus University and the participating companies as well as a project agreement template for use in all ODIN-funded research projects. This agreement is non-negotiable, which means that the **terms and conditions are the same across all ODIN projects** and that projects can be initiated without lengthy negotiation processes. The central principles of the framework are: All research within ODIN occurs at the pre-competitive stages of drug discovery and is entirely without IP.

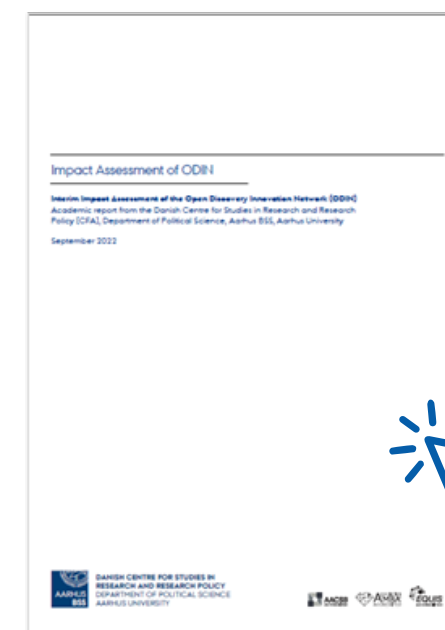
- Research data and results must be openly and freely shared with the public. Industry parties in an ODIN project get to assess outputs before they are shared to prevent accidental publication of confidential information (they have 45 days to assess this) but they cannot prevent publication of foreground knowledge from the projects.
- Participants also share (proprietary) materials and technologies within the projects but these are not shared with the public and contributors remain in charge of the ownership of the assets. Any data and results produced through the use of these assets are considered foreground knowledge and must be openly shared.
- Participants are required to share their research outputs in accordance with FAIR principles and GDPR. Data are shared, e.g. via Zenodo or specialised open databases, through scientific publications and through events. Participants, as well as any other interested parties, are free to access, use or re-purpose outputs from ODIN-funded research and to develop projects that can be commercially protected.

During its initial pilot phase, ODIN carried out two call rounds with an international peer review process, including both academia and industry reviewers. Throughout the call rounds, the ODIN Secretariat and university business developers have aided university participants to make sure that the proposed ideas were pre-competitive and did not violate historic IP.

ODIN Results: A Novel and Promising Approach to Promoting University-Industry Collaboration

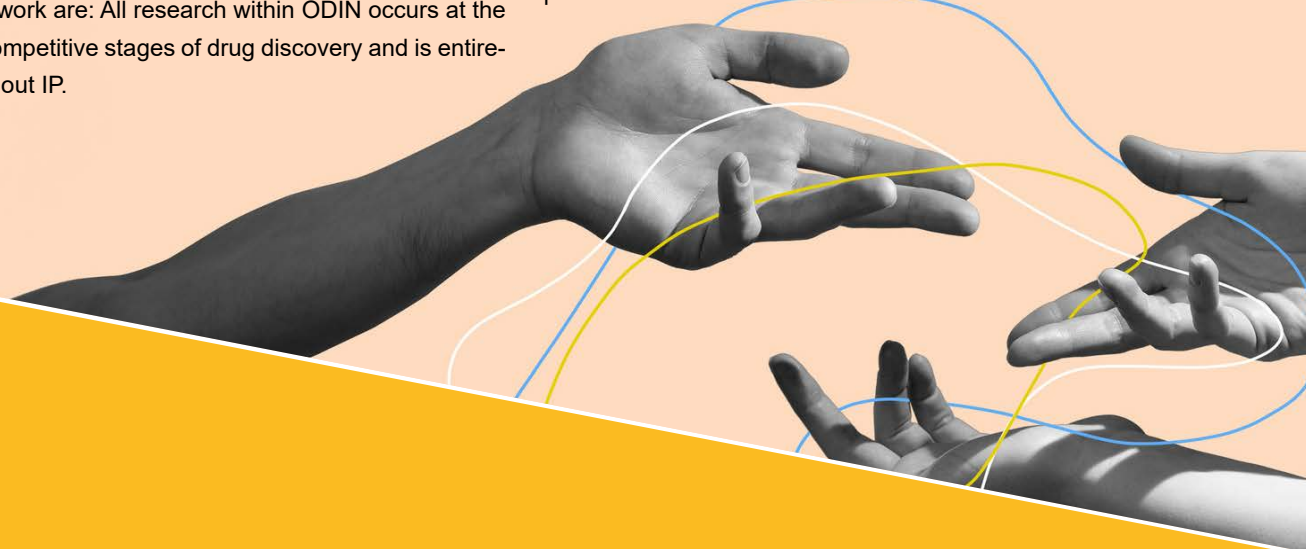
An independent [ODIN midterm evaluation](#) has been carried out, and the main conclusions are:

- Both industry and academia involved find ODIN a novel and **promising approach for university-industry collaboration**. More than 100 academic group leaders and more than 40 companies of all sizes have been involved in ODIN.
- ODIN has funded [11 projects](#).
- The open legal framework of ODIN clearly **reduces barriers** for industry and academia to enter into new research collaborations (no IP negotiations).
- ODIN generates **research projects of high risk/high reward** with a focus on industry needs within R&D and thus have increased potential to be in-licensed and translated into new products. Industry participants are able to pursue more high-risk, high-gain projects in ODIN than they would normally be able to pursue.
- ODIN provides industry participants with easy **access to valuable clinical material** through academic partners, while university researchers get exclusive access to industry expertise.
- Industry and academia perceive ODIN participation as a **long-term investment** in changing organisational cultures towards more collaborative openness, but also knowledge building, talent attraction and project sourcing.
- The **ideation and matchmaking efforts** in ODIN lead to novel collaborations on projects that hold the potential to make both an industry contribution and a scientific contribution. Company partners, in particular, highlighted the value of this process and suggested further expanding the range of researchers involved in ODIN, ideally to include multiple universities and subfields.



- ODIN's requirement that **companies make a substantial and active contribution to project development and execution** increases industry commitment to projects and, thereby, the relevance and potential impact of the projects for the industry.

Furthermore, it has been of interest to observe that ODIN has not led to a drop in IP registrations within the fields of ODIN rather, it seems that ODIN and other OISPs create a pipeline for future IP and, in either case, secure a much closer and better understanding between academia and industry which in itself not only creates better uptake of knowledge from the universities in the companies involved but also increases the level of trust with regards to other types of knowledge valorisation.





Managing Intellectual Assets in Collaborative Horizon Europe Projects

By Jörg Scherer, Coordinator of the European IP Helpdesk & Eugene Sweeney, Senior European IP Helpdesk Expert

The Code of Practice explicitly highlights the importance of efficient intellectual assets management to accelerate the uptake of innovative solutions. The objective of an intellectual assets management strategy is to build a portfolio of valuable intellectual assets that can be strategically managed for use across multiple value creation paths. The creation of an environment where intellectual assets management practices are clearly defined, communicated, and implemented is the first step to facilitating their valorisation in the research and innovation (R&I) ecosystem.

Joint research activities constitute an ideal environment for partners to bring together knowledge and ideas and cooperatively develop new technologies, products, and services. Nonetheless, these collaborative projects present challenges and require proper knowledge valorisation strategies, plans, activities, and tools, as addressed in this article.

Navigating Complexity

Collaborative R&I projects can be complex and involve multiple partners, each with their own intellectual assets. This can make it difficult to manage those assets effectively. However, effective management of intellectual assets is crucial to ensuring that all partners benefit from the project and that the results are exploited to the fullest. Collaborative projects bring together partners with different company cultures, business mindsets, interests, and strategic objectives. Different partners also bring different background intellectual assets for use during the project and, if needed, for commercial exploitation after the project ends under agreed terms and conditions.

Results from collaborative projects are often built on the combined intellectual assets of several partners and, hence, are jointly created and jointly owned; therefore,

it is important for the partners to agree on appropriate and shared strategies for the management, protection, and exploitation of these results.

Effective management of all of these intellectual assets is crucial, particularly those results which are developed collaboratively, and thus jointly owned. Equally important is the need to consider the strategic value of protecting these results in order to support their commercial exploitation, potentially by several partners, as well as external third parties.

Leveraging Teamwork

Participating in collaborative work requires acceptance of the need to share, and may require a cultural shift in the collaborating organisations to achieve this. But collaborating is about more than just sharing. The nature of collaboration means there are also interdependencies between partners, and long-standing ties can be built between the partners and other stakeholders. These interdependencies and new relationships may lead to other benefits, such as future commercial collaborations and access to new markets or fields of use. Defining an appropriate framework to organise and manage intel-

lectual assets in R&I collaborations, whilst at the same time maintaining control over the dissemination and commercial use of the assets, can be very challenging for Horizon beneficiaries.

Coordinators of R&I collaborations are challenged to create a collaborative and supportive work environment where team members can work together, leverage their complementary skills, and solve problems creatively. Empower partners to make decisions, take ownership, and innovate within their scope of work.

Matching Expectations

Knowing and matching expectations among consortium partners is a pre-requisite for developing the trust and credibility necessary for the management and exploitation of collaborative project results. Expectations, needs, contributions, benefits, risks, etc., need to be discussed and understood alongside a clear shared and individual purpose, vision, and a concrete picture concerning expected outcomes. Joint ownership is a particular challenge when addressing management, dissemination, protection, transfer/licensing, and exploitation of research results.

Code of Practice: Spot on!

"3. Managing Intellectual Assets in Joint Research and Innovation Activities

3.1. It is recommended to clarify ownership of intellectual assets as early as possible by the following:

- (33)** defining clear ownership provisions as early as possible at organisation level for efficient identification, transfer, and use of intellectual assets, including a conflict resolution procedure;
- (34)** ensuring a good understanding of programme specific ownership and access rules among the participants, in the context of publicly funded R&I activities;
- (35)** agreeing with partners on ownership issues

early on including access and use rights (for example, for research, education, or commercial exploitation purposes), background, results and relevant third-party intellectual assets (for example, to facilitate investments and other financial arrangements);

(...)

3.2. It is recommended to establish clear collaboration conditions by the following:

- (42)** identifying the potential of R&I projects results to reach the market from the onset and discuss the possibility to grant participants options to negotiate licences to future project results;
- (43)** ensuring that a clear framework for collaboration and agreements is in place within the organisation including applicable rules regarding intellectual assets;
- (...)



Looking at the Different Stages of Intellectual Assets Management

At each stage of a project, the IP issues which need to be addressed are different. For example, at the start of a project, it is important to agree on which existing knowledge is to be shared and under what terms and conditions, both for use during the project and after it ends. As the project progresses and results are produced, the results need to be captured and assessed before decisions can be made about ownership, management and protection. Only then can dissemination and exploitation begin. Towards the end of the project, as all the expected results become available, planning the future exploitation pathways becomes even more important.

In collaborative projects, the main exploitable outputs usually consist of a bundle of results, each developed by the partners individually or jointly. These "bundles of IP", their management and protection, may vary for different territories or fields of use. For SMEs, whose objective is commercial exploitation of the results to build or grow their business, the ongoing management and protection of the IP they need must continue beyond the end of the project. This is illustrated by the so-called

"Five Pillars of IP Management" as shown below, which reflect the different stages of a collaborative project, at which different challenges related to IP management may arise.

Defining Key Exploitable Results

IP and innovation management measures should ensure that exploitable results will be captured, assessed and appropriately protected in order to support their commercial exploitation, both at the individual partner level, as a group of partners, or collectively for the consortium as a whole. In order to achieve the impacts of the project most efficiently, exploitation activities combine established work processes for anticipatory innovation planning to capture, protect and assess Key Exploitable Results (KERs), including strategic support and very concrete measures to support further valorisation pathways in accordance with the innovation readiness level and fields of use (e.g., "Go-To-Application/Market/Policy"). A systematic follow-up of impact pathways for KERS should be implemented to maximise the understanding of specific IP topics relevant to the consortium, develop concrete exploitation plans based on the IP status, legal and other issues, as well as plan concrete steps of your valorisation strategy.

Protecting Intellectual Assets vs Open Science

Intellectual assets in R&I collaborations need to be managed in a way that enables open science and open innovation. From an early stage, proper measures must be included to foster an understanding of the complementarity of open science and open innovation with intellectual property protection when intellectual assets are adequately managed. Thus, proper intellectual as-

sets management strategies address the benefits of practising open science and open innovation during the different phases of the R&I project lifecycle after assessing whether the results should be first protected through IP rights.

Moreover, appropriate means to ensure that all potential barriers to the sharing of research results are thoroughly assessed need to be defined – in particular, considering collaboration, transfer and licensing agreements with third parties. This also includes establishing a publication and exploitation strategy early from the beginning of the collaboration to allow publishing while protecting confidential information and potential patent application filings.

Managing Ownership of Results

Joint ownership is a particular challenge when addressing management, dissemination, protection, transfer/licensing, and exploitation of research results. It is important that these issues are appropriately addressed, taking into account the different interests and objectives of all partners. The Results Ownership List requested by the European Commission will help identify the relevant contributions (background and results) of specific consortium partners to jointly owned intellectual assets.

Generic ownership rules in the Grant Agreement need to be complemented by further agreements on joint ownership management and revenue sharing in the Consortium Agreement – including the management of agreed access rights of project partners.

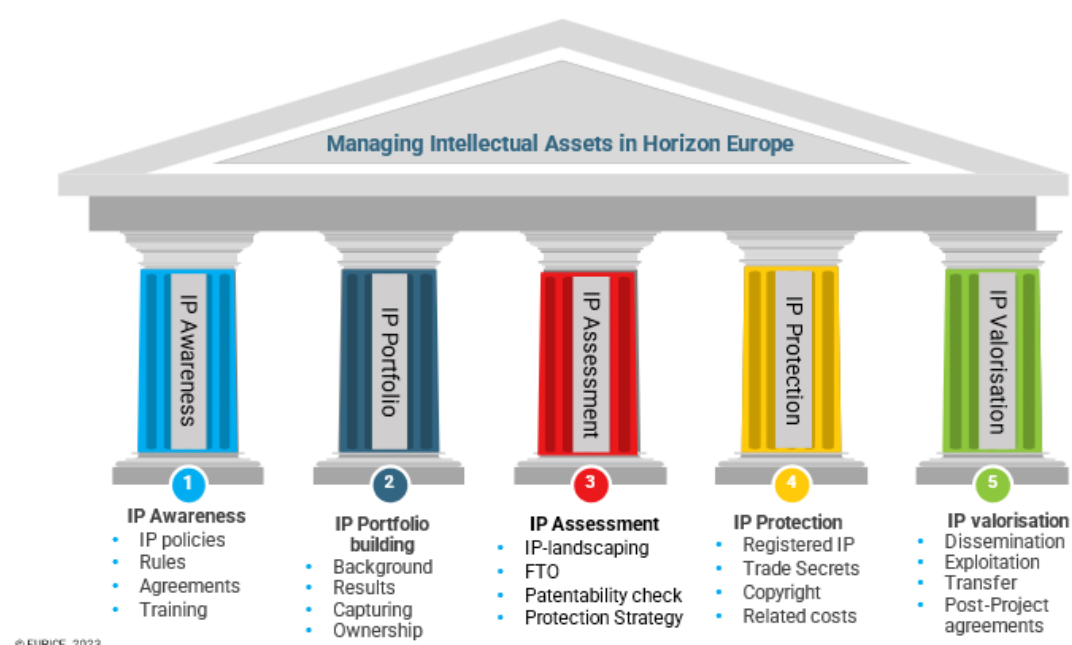
Insights

Major weaknesses of IP management capabilities in R&I collaborations

Experiences from the [Horizon IP Scan](#), an EU-funded service initiative to support SMEs managing and valorising intellectual assets in R&I collaborations, demonstrate shortcomings in the management of intellectual assets, such as:

- Responsibilities for IP management are usually not efficiently shared. Segmenting those responsibilities between too many partners usually causes inconvenience and complications.
- Possibilities to shape IP provisions in the Consortium Agreement according to the specificities of the collaborative project are not being fully explored.
- Lack of appropriate systems and processes for managing knowledge flows between partners and related mutually agreed strategies for intellectual assets protection and valorisation.
- There are no clear guidelines on the open science approach (e.g., pre-publication procedures) on the one hand and its relationship with IP protection on the other hand.
- Insufficient identification and protection of knowledge and intellectual assets brought into the collaboration, also known as „background“ IP.
- Lack of knowledge and understanding of the value of IP management tools and databases.

Check out the European IP Helpdesk Guides on ["IP Management in Horizon Europe"](#) and ["Successful Valorisation of Knowledge and Research Results in Horizon Europe"](#) to dive deeper into the topic.



“Some level of flexibility, innovative thinking and risk-taking from everyone involved is crucial to finding new knowledge valorisation pathways and making them work”



Hana Kosová is the Director of the Technology Transfer Office at Charles University in Prague, Czech Republic. We sat down with the well-versed knowledge and technology transfer expert to talk about some of the Code's recommendations related to licensing practices and exchange views on the specific challenges faced by universities and research organisations in Widening countries when it comes to knowledge valorisation.

European IP Helpdesk: What is your view on this Code of Practice? What do you think are strengths, and where do you possibly see weaknesses?

Hana Kosová: I think, in general, the concept of knowledge valorisation is very useful because it widens the approach to intellectual property. This Code of Practice is one of the documents that should support the idea of working with knowledge as a whole instead of only focusing on patents. For example, from the perspective of

a director of a Knowledge Transfer Office (KTO) of a university, which covers

quite a widerange of topics and types of intellectual assets, it's a very welcome document to tell everyone, written in black and white, that we should be working with knowledge and know-how, which is hidden among our academic researchers and also to cooperate more with other stakeholders in the whole ecosystem.

I also appreciate that the fundamental idea behind this code is more about managing than protecting IP, and I think it is helpful to take stock of that approach and have it in writing. On the other hand, there is not much new in the code, but I guess you cannot come up with anything more radical in such a document. I wouldn't expect it.

What is currently still missing is a better understanding by the broader community of what is actually meant by the knowledge valorisation concept and the Codes of Practice. There is still a lot of work to be done with

regard to awareness raising and explanation and the general acceptance of the new paradigm, as one could probably call it.

One of the key challenges and gaps that we hear from many experts is awareness raising. Do you see other challenges? Specifically, if we look at research organisations and universities, what are the significant issues they struggle with regarding knowledge valorisation?

Again, from the perspective of a university, which covers topics ranging from medicine and life sciences to social sciences and humanities, we, as KTO, see it as a great opportunity that we eventually have something to show to our management and our researchers and tell them that this is now the current trend in the entire EU and that we should be following this and try to work more with the unprotected know-how which is floating around somewhere.

But before people actually understand it, accept it and put it into practice in their daily work, both on the management side and the research side, it will take a while. It is also our task to promote it, also to the public sector or civil society and make them understand that they can benefit from this knowledge.

But at the same time, they can help us co-create and glue everything together much better. The original approach to knowledge valorisation was simply two-sided; you had academics on the one side, and there was the industry on the other side, and the knowledge was supposed to flow from research to industry for them to put it to use in a tangible way, something that you could touch and see. However, the new approach is more about social innovations and soft IP, which is much

more challenging to identify and sell. Consequently, finding the right partners to use this knowledge and make it visible is much more difficult. I think it is a great challenge to show the results and benefits to both the producers of knowledge and the users of this knowledge.

Do you also see specific challenges in bridging the innovation gap? What tasks and issues do universities and organisations in Widening countries face in particular? And how do they tackle those?

Currently, we are also involved in a project which is about public governance and how some of the widening countries, like public sectors, should be using knowledge streaming from academia. There are a lot of technical obstacles apart from the general mentality that the officers do not like to be helped in general. For them, it is rather difficult to accept that they might need to seek some external expertise or special know-how that is unavailable in-house in the ministry or some governmental agency. Alongside this, it's a lot about public procurement and the rules of how to access individual people's knowledge. In most countries, apart from very few exceptions, the knowledge generated is the property of the institution where the person works, such as universities, academies of science or other organisations in the science field. Still, the public sector tends to reach out to individual people and not to institutions.

Thus, what is missing and what we are trying to work on and clarify are rules of cooperation between the different institutions. We need more transparency here. Yet, in many Widening countries, governments still consider themselves untouchable, and no one should tell them what to do or advise them. That needs to change.

It requires changes in the mindsets of everyone involved, both universities and other academic institutions, as well as the public sector. In the private sector, this works much better, where companies can negotiate and sign contracts, and this is the normal part of the operations, but not in the public sector.

“The new approach to knowledge valorisation is more about social innovations and soft IP, which is much more challenging to identify and sell. Consequently, finding the right partners to use this knowledge and make it visible is much more difficult.”



Shifting our focus to the Code of Practice, in Chapter 4.3, a number of concrete recommendations are listed, also addressing practices more directed towards social impact, such as patent pools and collaborative licensing mechanisms. Where do you think we stand with that today?

I hope we are heading in the right direction, but again, we need to understand better what impact actually is. Often, when you talk to researchers, for example, they say we would like to achieve an impact with what we do. Still, when you ask them what exactly this could be, it is often difficult to define, and of course, it differs according to the scientific field we are discussing. In medicine, for instance, people would like to see more people cured or saved or having better, longer lives.

We must find plausible and credible ways to measure this because it's not only about implementing a patent. It is also about who gets the licence or gets hold of the rights. Again, we need to have a good understanding of the interests of every stakeholder involved in the process because the motivation can be very different, and it shouldn't be only about money, the larger societal impact should be considered too.

So, we need to seek novel and more flexible arrangements from a licensing point of view, too, and again, it needs more understanding and awareness raising on the management side of things, both in the private and public academic sectors.

Do you have a concrete example from your institution?

Recently, we dealt with a case of a large international consortium related to life sciences and medical topics. The consortium, stemming from some Horizon projects and Framework projects, has been working together for more than 15 years. They decided they would put all the IP created by the consortium into one shared pool, so

Code of Practice: Spot on!

"4.3. It is recommended to establish monitoring, transfer, and licensing practices by the following:

- (61) identifying relevant stakeholders to be involved in the dissemination and exploitation of results, including possible users where appropriate, and involve them accordingly in negotiations;
- (62) considering engaging in collaborative license mechanisms such as patent pools and clearing houses;
- (...)
- (65) committing to sustainable socially responsible licensing practices

basically, it is like joint Indivisible IP, which they transformed into a foundation. That foundation is now licensing the IP and receiving some nice money from this.

Based on the income, they have established a scheme of internal grants to fund basic research on novel diagnostics for leukaemia, accelerating research in this field. It only works because the institutions involved give something up; they agree to give up the individual ownership of IP because they realise, they are not as strong as the big group. Some institutions, however, did not agree to this and left the consortium because they still wanted the very traditional way of having a licence agreement, writing down on paper that they would get this and that percentage of the share of the income. Hence, this novel approach also requires some level of risk-taking and conviction to defend it to the management and say the money is part of the foundation, which is funding further research, but we don't have it in our account. In sum, some level of flexibility, innovative thinking and risk-taking from everyone involved is crucial to finding new knowledge valorisation pathways and making them work.

The Code of Practice also emphasises the need to monitor intellectual assets continuously. Practically

speaking, this requires time and human resources. How can organisations manage that?

It isn't easy. For example, my institution is quite large. We have around 50,000 students and more than 5,000 research staff. You can imagine the volume of know-how generated by this amount of people across many fields. Thus, we need to prioritise quite a lot. Of course, it would be great to monitor everything happening across the university, but that is almost impossible. We cannot talk to every one of those 55,000 people we should be taking care of. Yet, we try to address that with an organisational structure set up so that we have contacts in the different faculties, usually younger researchers who try to talk to their colleagues and capture what is going on. It is a kind of pyramidal structure with which we try to cover as much as possible, and so far, it has worked for us. But I admit we might be missing something somewhere at the far end of our research teams, specifically those not so well connected to some of our colleagues who work with us. I have been talking to many colleagues in similar roles and positions across Europe or even beyond, and this is a challenge to all of us.

In the future, increasing the individual motivation of our researchers to help us monitor, assess and disclose new IP more systematically would be very helpful. But we are not there yet. This has also to do with the way we evaluate researchers. Currently, many evaluation schemes are set up in a way that the number of publications, not IP disclosures, is still the top priority. Hence, if we managed to change these evaluation criteria, maybe researchers would be more motivated and more cooperative when it comes to monitoring IP. However, they only have limited capacities; they cannot manage everything.

Yes, and certainly, there are differences between different scientific fields. There are scientific areas that are more application-oriented, where you have greater IP awareness and thus better-established IP monitoring practices, and then there are others where there are not.

Time has been flying. Last question: what are the key ingredients for successful licensing practices?

First, the willingness of all parties involved. You have to balance both the giving and receiving parties, which is not always easy. In my experience, it is much easier when working with the private sector compared to the public sector, for example, or civil society organisations. Second, the need and the offer have to match well. This can also be tricky. Sometimes, we have something we think is useful, but then it becomes challenging to find the right partner to take up this knowledge and turn it into something useful. We try to talk to everyone to learn about their needs well in advance and try to push our researchers a little to see if they would be able and willing to adjust their research to the needs of an external cooperation entity. Still, researchers often perceive this as a clash with their academic freedom and are reluctant to accommodate anyone's needs. They want to follow their own curiosity.

However, I see slight changes in this regard, especially with the younger researchers. They often feel more strongly about their research making as much impact as possible. Hence, they are more open to listening to what is needed and adjusting their research so that external partners can better use their results.

Thus, I think it is all about relationships: knowing the people, knowing the institutions you work with and finding out what their needs are to possibly shape future research and collaborations in such a way that they benefit all parties involved.

Helping Bridge the Gap: The Benefits of Implementing the Guiding Principles for Knowledge Valorisation in the European Research Area – with a Particular Focus on EU-13 Countries

By Smiljka Vikić-Topic, Head of Research and Innovation Services-RISE & ASTP Vice President Europe

Knowledge valorisation is a powerful tool for research organisations in EU-13 countries to leverage to drive innovation, economic growth, and societal impact. By adhering to the Guiding Principles and the Code of Practice for managing intellectual assets, these organisations can unlock the full potential of their research.

As Europe continues to navigate the challenges of the knowledge economy, knowledge valorisation emerges as a critical strategy for success, particularly in EU-13 countries. However, knowledge valorisation represents a paradigm shift to traditional research and innovation (R&I) ecosystems, bringing forward new aspects that maximise the value of existing and future intellectual assets, including tacit knowledge, which cannot be codified or transmitted through traditional means. This transformation will benefit policymaking and new ways of monitoring and evaluating R&I, ultimately impacting research funding and the value of science and research outcomes. It is expected to contribute to the United Nations Sustainable Development Goals and the European Green Deal.

Nationally tailored guidelines for technology and knowledge transfer, such as „National Guidelines for Technology and Knowledge Transfer“ in Croatia (January 2023), emphasise the importance of technology transfer (TT) offices as vital intermediaries in this new knowledge valorisation policy.

However, it's crucial for EU-13 member states, and even beyond, all Widening countries to adopt the new knowledge valorisation paradigm shift and implement national reforms in research assessment to maximise value for their economies and societies. This shift also enables the retention and attraction of top researchers, reversing brain drain into brain circulation, which is crucial for emerging societies and less-performing economies.

To achieve this, the whole culture and mindset should change, bottom-up and top-down. Researchers should think about and put more focus on the use of their research results, standards and regulations to make their research more attractive to industry partners, but also

to European funding. Institutional management should recognise and incentivise researchers involved in knowledge valorisation who are impacting science, the economy, and society. They should also invest in capacity building of their knowledge/technology transfer offices to professionalise research management and support since they are the main intermediaries between the scientists and technology users (industry and society). Policymakers should invest more in scientific research and develop a system of funding and assessment of institutions and individuals with the highest impact. Without strong basic science, state-of-the-art infrastructure and excellent research, there is no successful technology transfer. Moreover, investing in people is crucial to building sustainable technology transfer offices.

For successful participation in the European ecosystem (the EU's Horizon programme, membership in research infrastructures), more researchers and professionals are needed, especially research support managers, TT specialists and others. In small countries, all possible synergies should be exploited, and collaboration needs to be facilitated at all levels.

Although the landscape is changing, there is a lot of room for improvement and narrowing the gap between old and new EU member states. EU Widening programmes through targeted calls, ASTP (Association of European TT professionals), EU Structural funds, and many other EU initiatives (European IP Helpdesk, Horizon IP Booster, etc.) could and already are, contributing to capacity building and raising awareness in the important third mission of academic and other research institutions in Widening countries.

The mentioned policy documents are welcome, but their implementation is crucial to improving the innovation ecosystem in less-performing countries of the EU and beyond. Initiatives such as the Mutual Learning Exercise (MLE) are a good move in that direction, building on inter-sectoral mobility and developing needed skills that play an essential role in the knowledge valorisation process. Intermediaries are vital in this process. In addition to the already mentioned knowledge and technology transfer offices, there are innovation agencies, incuba-

tors, science parks, IP experts, consultants, and innovation support professionals who can notably contribute to supporting dissemination and exploitation activities in Horizon Europe projects in Widening countries.

The implementation of the Guiding Principles for Knowledge Valorisation and the Code of Practice for managing intellectual assets within European research organisations can yield numerous benefits:

- 1. Economic Growth:** Knowledge valorisation can contribute to economic growth by creating new industries, generating jobs, and boosting exports. Successful commercialisation of intellectual assets can lead to substantial revenue flows for research organisations.
- 2. Innovation Ecosystem:** A robust knowledge valorisation ecosystem fosters innovation by connecting researchers, entrepreneurs, and investors. This synergy can lead to the development of cutting-edge technologies and solutions.
- 3. Global Competitiveness:** Europe can enhance its global competitiveness by effectively harnessing its intellectual assets, allowing European research organisations to compete on a global scale and attract international partnerships.
- 4. Societal Impact:** The practical applications of research can have a profound impact on society, addressing critical societal challenges, from healthcare breakthroughs to sustainable technologies.
- 5. Sustainable Funding:** Commercialisation of intellectual assets can provide research organisations with sustainable funding sources, reducing reliance on public funding and enhancing financial stability.

Monitoring the implementation of the recommendations through a credible set of qualitative and quantitative indicators relies a lot on the capabilities and willingness of member states, especially Widening countries. Looking ahead, more data and research on the adoption and impact of the Guiding Principles and the Code of Practice in EU-13 countries will be instrumental in assessing their effectiveness and identifying areas for further enhancement.

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The European IP Helpdesk provides free-of-charge first-line support on IP-related issues aiming to help current and potential beneficiaries of EU-funded projects, as well as EU SMEs, manage their Intellectual Property assets.

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