Exploitation Plan

Blue-Action: Arctic Impact on Weather and Climate is a Research and Innovation action (RIA) funded by the Horizon 2020 Work programme topics addressed: BG-10-2016 Impact of Arctic changes on the weather and climate of the Northern Hemisphere. Start date: 1 December 2016. End date: 1 March 2021.

About this document

Deliverable: D8.12 Exploitation Plan
Work package in charge: WP8 Communication, Dissemination, Engagement and Exploitation
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Summary for publication

The current Plan summarises the beneficiaries' strategy and concrete actions related to the exploitation of the project results.

Horizon 2020 is a Research and Innovation programme aiming at fostering competitiveness and growth and increasing benefits to the European Union economy and citizens. Public investment in projects are to be converted into socio-economic benefits for the society, as clearly indicated in the Horizon 2020 Rules for Participation[1], with a clear accent to the beneficiaries' obligations to exploit the outcomes of the funded activities. The Horizon 2020 work programme explicitly specifies that project proposals shall include a draft Plan for the Exploitation of Results.

This Plan is a strategic document indicating how the partnership establishes the basis for the intellectual property strategy and exploitation activities, and summarises the beneficiaries' strategy and concrete actions related to the protection, dissemination and exploitation of the project results.

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[1] See Article 43 Horizon 2020 Rules for Participation
http://ec.europa.eu/research/participants/data/ref/h2020/legal_basis/rules_participation/h2020-rules-participation_en.pdf

Work carried out

In these first months of the project, we have set up an innovation management system, agreed on a common terminology among the partners in the consortium, and set up a system for tracking dissemination and exploitation activities implemented by the partners.

The consortium has agreed on so far on the following:
- A short plan for dissemination activities for the upcoming reporting period (Deliverables D8.1 Communication and dissemination plan: Matrix update available in Zenodo)
- A long-term plan for activities D8.4 Communication and Dissemination Plan (confidential)

Both documents set out how we plan to disseminate the results of our project.

Additionally, this document (D8.12) indicates how we will deal with intellectual property in terms of responsibilities and procedures.

Terminology adopted by the consortium

The terms "exploitation", "dissemination" are defined under the Horizon 2020 Rules for Participation as follows and have been adopted by our project.

- **Exploitation** means the use of results in further research activities other than those covered by the action concerned, or in developing, creating and marketing a product or process, or in creating and providing a service, or in standardisation activities;
- **Dissemination** means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including scientific publications in any medium.
- **Innovation Management** (EC Definition) is the "overall management of all activities related to understanding needs, with the objective of successfully identifying new ideas, and managing them, in order to develop new products and services which satisfy these needs."
- **Results** generated under the project could be any tangible or intangible output, more particularly data, knowledge or information whatever its form or nature, whether it can be protected or not.
- **Intellectual Property (IP)** includes:
    o Products of the mind

    o Products of research & experimentation

    o Products of creativity

    o Intellectual Property, like Physical Property can be a valuable asset.

    o Like physical property, intellectual property is an asset which can be traded (sold, bought, leased, used as collateral, or given away)
- **Intellectual Property Rights (IPR):** The law provides legal "rights" to protect your Intellectual Property, known as Intellectual Property Rights (IPRs).
    o •Patents (technical inventions)
    o •Copyright (Software, Written works, Engineering drawings, Semiconductor Topologies, etc)
    o •Design Rights (appearance)
    o •Database Rights (creation and arrangement of data)
    o •Trade marks
    o •Plant Breeders Rights
    o •Utility Models/petty patents etc

Why do we need IPR in Blue-Action

IPRs provide a framework for exploiting intellectual property and underpin how we promote innovation, encourage invention and creativity, and thereby help society to benefit from IP generated in Blue-Action. In Blue-Action, the consortium is granted a limited monopoly in return for publishing the invention. The partners in the consortium have an initial opportunity to prevent unauthorised use of IP by others, unless a specific agreement is reached.

However, individuals outside the consortium are also able to benefit from our results, given our requirement to share Blue-Action's outcomes in 'open access' formats (further details below). This approach stimulates wider innovation, and thus enriching society.

Blue-Action set up for exploitation

In Blue-Action, **exploitation (or use)** will be done through research activities, commercial exploitation activities, skills and educational training, and policy making. It has been agreed that each partner takes measures to ensure 'exploitation' of its results by:

- using them in further research activities (outside the action);
- developing, creating or marketing a product or process.

This activity will be pursued up to four years after the project's end.

Exploitation of their results will be performed either by single partners directly (e.g. for further research or for commercial or industrial exploitation in its own activities) or by others (other beneficiaries or third parties, e.g. through licensing or by transferring the ownership of results).

The consortium has agreed on an innovation management system relying on the **following pillars:**

Phases	Responsibilities	Description
1. Securing the foundations	Top level management: Coordination and WP leads and co-leads, representatives of the partners in the General Assembly	In the Consortium Agreement each partner has identified the background brought into the project and agreed on rules for the IP and innovation management. Additional rules have been set for: • Joint ownership • Transfer of Results • Dissemination of own Results • Cooperation obligations • Exclusive licenses • Access Rights: Background, accessing rights for implementation, accessing rights for exploitation
2. Proactive monitoring of project outputs	**WP leads and co-leads**, supported by the project office	Proactive monitoring of research outputs - regular reviews within the work packages. Identifying all relevant IP such as software, papers, know-how, etc.
3. Management and protect the project outputs	**Legal advisors of the project partners** in collaboration with the project office	• Clarify ownership in compliance with the clauses of the consortium agreement. • Check for "hidden traps" (publications, posters, etc), which might affect potential patentability.
4. Dissemination of the project outputs according to the timeline	**Coordination and WP** leads and co-leads, single scientists involved, in collaboration with the project office	• Regular dissemination activity. • Regular record keeping at project level.

Open access and IP

Peer-reviewed scientific publications

We are open, i.e. we support full open access: Scientists ensure that electronic copies of peer-reviewed scientific publications become freely available to anyone as soon as possible and in all cases **no later than six months after publication.**

As a general rule, we will strive to use Open Access Journals for publishing our articles. A comprehensive list of these journals is provided by the Directory of Open Access Journals http://www.doaj.org. Authors will avoid signing any copyright agreements with publishers that do not allow them to fulfil the EC Open Access requirement. If, for any reason, our scientists prefer to publish their articles in journals which are not Open Access Journals, authors pay the extra fee for fulfilling the EC Open Access requirement, opting thus for the so called **Golden OA option**. The publisher will then provide open access to the article and the authors should deposit it immediately in open repositories. The authors must also send a copy of the publication to the project office, for publication on Zenodo, OpenAire and for dissemination within the consortium.

 If the Golden OA is considered too expensive for the budget of the partner, or if it is not offered by the chosen publisher, the **Green OA option** will be applied. In this case, authors deposit their final manuscript or the published article in an institutional or subject-based repository. In this case, the publisher's policy allows the author to archive the final manuscript in a repository, before peer review (pre-print version) or after peer-review (post-print version). In order to apply this option, authors first retain their copyright and provide the publisher with a license to publish, instead of signing a simple copyright transfer agreement (CTA).

Peer-reviewed articles will be are made available:

1) in the **institutional repository** of the institutes where the authors work. Scientists will provide communication to the project office with indication of the open repository used;

2) in the **subject repository for the specific topic of the article**, if available;

3) on **OpenAIRE** http://www.openaire.eu and **Zenodo** http://www.zenodo.org

Other publications and dissemination materials including deliverables

These will be made available in **Zenodo** http://www.zenodo.org to ensure a long-term life and accessibility.

If we see that deliverables might disclose preliminary IP; we will ask the EC to change their status from public (PU) to confidential (CO). Deposit in public repositories such as Zenodo will be done after checking that the potential IP can be protected.

These rules have been published in the project intranet too:
https://code.mpimet.mpg.de/projects/bg10/wiki/Rules_for_open_access?parent=Blue-Action_publications_and_other_publications

Main results achieved

The main results achieved so far with respect to exploitation procedures are summarised here below.

Phase	Description	Status	Lead	Partners involved
Consortium Agreement Definition	The consortium agreement (CA) was set up in 2016 for regulating the ownership and access to key knowledge and scientific results. The CA defines the following: • Access rights • Results ownership • Joint Ownership • Transfer of results • Protection of results	**Completed.** The CA was signed by all the partners before the signature of the Grant Agreement with the European Commission.	DMI	All
Consortium Agreement Implementation	This is monitored by the legal advisors of the partner institutions in collaboration with the project office.	**Ongoing.**	All	All
Compliance with Open Access Definition of requirements	Blue-Action provides open access to peer-reviewed scientific publications through a combination of golden open access and green open access, and it is voluntarily taking part in the European Commission Open Access Data Pilot for Research Data (see Part B of the Description of the Action.): the Data Management Plan has been delivered in project- month 6 and is fully compliant with the guidelines given on data management in the Horizon 2020 Online Manual.	**Completed.**	DMI	All
Compliance with Open Access Implementation	This is monitored by the project office and the WP leaders.	**Ongoing**	All partners	All

Innovation management system Definition	It is based on principles explained extensively in Part B of the Description of the Action, it consists of the phases /responsibilities indicated in table 1.	**Completed**	SRSL and DMI	All
Innovation management system Implementation	The innovation management starts at the point of capturing the creative works and finishes when a product or service is deployable. The innovation management is well integrated in the management structure of the Project, and rooted in the Consortium Agreement.	**Ongoing**	All partners	All

Long-term planning of dissemination and exploitation

In the long-term, we plan to pursue the following activities:

Regular updates of the Plan for Dissemination and the Plan for Exploitation: The Plan for Dissemination will be regularly updated during the entire project. Updates will be submitted to the EC as an integral part of the Project Periodic Reports, as stipulated in the Grant Agreement. Updates of the present plan for Exploitation will be also highlighted in the Project Periodic Reports.

Updates of the Data Management: The Data Management Plan evolves during the lifetime of the project and represents faithfully the status of the project reflections on data management. Updates of the data management plan are thus planned and will be submitted to the EC as an integral part of the Project Periodic Reports.

Actions at the end of the project (months 48-51): best practices in capturing and assessing the Intellectual Property and providing measures for exploitation will be provided to the consortium at the end of the project.

Actions after the conclusion of the project (after month 51): IPR provisions will remain in force, such as the obligations regarding confidentiality, exploitation and dissemination.

Progress beyond the state of the art

During the last meetings of the consortium we have been pushing all the colleagues involved in the project in "Securing the foundations" (pillar 1), by raising awareness on IP and IPR. It is important to keep a canal open between the scientific groups and the coordination, to make sure that confidential information stays within the consortium and the legal advisors of the partners are involved timely as soon as the need arise.

Impact

How has this work contributed to the expected impacts of Blue-Action?
Impact on the business sector
IPRs provide a framework for exploiting intellectual property and underpin how we promote innovation, encourage invention and encourage primarily the business partners in the consortium to use the IP in the project for enhancing their business and increase the competitiveness.

Individuals outside the consortium are also able to benefit from our results, given our requirement to share Blue-Action's outcomes in 'open access' formats. This approach stimulates wider innovation, and thus enriching society.

Lessons learned and Links built

There are two essential positive outcomes from this deliverable.
On the one hand, we are aware that we will create IP during the implementation of the project and this IP will require action, both in terms of ownership, protection and enforcement.

On the other hand, it is more likely we will have **soft IP generated in Blue-Action**: The terms "Soft IP" can be used to **describe the intellectual assets which are not included in industrial property or in literary and artistic works, but have an important value for the organisations**. Usually, this refers to

know-how, trade secrets, confidential information. Soft IP is very common, but it is more difficult to protect: Soft IP protection is not achieved by registration, it normally falls under the category of intangible rights – associated with other IPR, it is free of charge and does not involve long or complex registration processes, BUT requires appropriate internal management. The role of the Blue-Action coordination and project management cannot be an active one in the protection of Soft IP because the Soft IP needs to be directly protected by the organisations where the Principal Investigators generating the IP belong to. The role of the coordination/management will be limited to raising the awareness of the PI and making sure they timely talk to their respective legal departments in their institutions to get them directly to work on the protection of the Soft IP.

Contribution to the top level objectives of Blue-Action

This deliverable contributes to the achievement of the following objectives and specific goals indicated in the Description of the Action[2]:
Objective 8 Transferring knowledge to a wide range of interested key stakeholders by setting clear rules in the consortium to raise issues on IP, IPR and exploitation strategies.

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[2] part B, Section 1.1: http://blue-action.eu/index.php?id=4019

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