



European Academy
for Taxes, Economics & Law

**Including practical
workshop sessions**

European Contract Practice for R&D Projects

European Seminar
19th – 20th April 2012, Berlin

With Experts from:

- **DG Research and Innovation, European Commission**
- **Research and Innovation Services (LURIS), Leiden University, The Netherlands**
- **Bavarian Research Alliance, Germany**

Brochure

European Contract Practice for R&D Projects

Secure your R&D project by a safe and sound contract

R&D projects and cooperation whether with or without European or national funding need a safe and sound legal contract design. In most cases, the legal framework decides about the success of a project and lays the groundwork for a smooth pursuit of research activities.

The exchange of knowledge is another central factor for success. Most R&D projects are so complex that external know-how is needed to complete the research. Technology transfer broadens the horizon of a project. However, the contracts for those cooperation and R&D activities need to be safe and have to have clear strategies. Proper contract design can avoid financial risk or loss of intellectual property, protect research results, preserve their economic value and avoid unnecessary disputes.

**“Informative and useful for better understanding
EU R&D projects”**

**Anton Ussi, Business Development Manager, Technology Transfer Office,
VU University Medical Centre, The Netherlands**

Who is this seminar for?

- Business Development Departments
- Management and Members of R&D Departments/IP Departments
- Technology Transfer Managers
- Programme and Project Managers
- Research Services
- Legal Counsel and Legal Services
- Patents and Licensing Managers
- Finance & Business Development Managers
- International Projects Management Departments

from

- Universities and Research Institutes
- Research and Technology Centres
- Intellectual Property and Patent Agencies, Business Development Agencies
- Ministries
- Industry and Private Companies, Spin-off Companies
- Associations and Foundations

involved and working in scientific research, with R&D projects and dealing with cooperations and intellectual property, wanting to acquire in-depth knowledge of R&D contracts and the surrounding IPR issues.

This seminar may also be interesting for lawyers and consultants specialising in intellectual property, license agreements and R&D cooperations.



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What will you learn at this seminar?

- How to handle R&D contract aspects such as ancillary agreements, access rights, confidentiality, ownership or licensing?
- What are the current developments and future trends at EU level?
- How can a sample agreement help you with your R&D project?
- How to structure licensing and technology transfer deals?
- How to negotiate contracts in a way that later disputes can be avoided?
- What is the impact of EU funding through the European Commission and FP7 on R&D consortium agreements?
- What is the industrial point of view when having R&D cooperations?
- How to deal with Intellectual Property Rights (IPR)?
- How does competition law influence the success of R&D projects?

“Very good training for people who manage cooperation activities. I will recommend the European Academy for Taxes, Economics & Law to my colleagues”

Francisco Carranza, Manager European Funding & Strategic Collaborations, External Affairs, Nissan European Office, Belgium

Your benefits

- Secure your research by means of a safe and sound contract for your activity
- Avoid compromising your entire project
- Learn how to negotiate contracts and which issues you have to pay particular attention to
- Gain insights into how to avoid and solve disputes
- Understand how to make the most out of licensing contracts and technology transfer
- Profit from practical workshop sessions



PROGRAMME DAY 1

European Contract Practice for R&D Projects

8.30-9.00

Registration and Hand-out of Seminar Material

9.00-9.05

Opening Remarks from the European Academy for Taxes, Economics & Law

9.05-9.20

Welcome Note from the Chair and Introduction Round

Ivo de Nooijer, Head of IP Legal Team, Research and Innovation Services (LURIS), Leiden University, The Netherlands

9.20-10.00

Current Developments and Future Trends at EU Level

- Innovation Union actions related to technology and knowledge transfer
- Current review of the technology transfer block exemption regulation
- IPR provisions in the Framework Programme and Horizon 2020
- Knowledge markets
- The European Research Area Committee (ERAC) working group on knowledge transfer

Patrick McCutcheon, Policy Officer – Knowledge Transfer, Industrial Research Monitoring & Public Procurement, DG Research and Innovation, European Commission

10.00-10.15

Discussion Round

10.15-10.45

Coffee Break

10.45-11.30

Ancillary Agreements and R&D Contracts I

- The nature of a contract
- The key terms in an R&D contract
- Liability

Ivo de Nooijer, Head of IP Legal Team, Research and Innovation Services (LURIS), Leiden University, The Netherlands

11.30-11.45

Discussion Round

11.45-12.30

R&D Contracts II

- Intellectual property rights and commercialisation
- Negotiation of an R&D contract
- The project annex
- The international dimension

Ivo de Nooijer, Head of IP Legal Team, Research and Innovation Services (LURIS), Leiden University, The Netherlands

12.30-12.45

Discussion Round

12.45-14.00

Lunch Break



PATRICK MCCUTCHEON
Policy Officer – Knowledge Transfer, Industrial Research Monitoring & Public Procurement, DG Research and Innovation, European Commission

Patrick McCutcheon is responsible for policy on knowledge transfer in research and innovation at the Directorate General of Research and Innovation of the European Commission. He has also been responsible for policy on state aid, procurement of innovation and R&D tax incentives as well as monitoring business investments in R&D. Earlier in his career, he represented the Commission in various international bodies on the topics of chemical control and environmental protection and was project manager for information systems on pharmaceuticals and manager of the regulatory programme on existing substances. Patrick is a graduate chemist. In addition, he studied law and business administration in Dublin, Edinburgh and London.



IVO DE NOOIJER, MSC AND LL.M.
Head of IP Legal Team, Research and Innovation Services (LURIS), Leiden University, The Netherlands

Ivo de Nooijer is Head of the IP Legal Team at the Leiden University Technology Transfer Office. He joined the Technology Transfer Office over five years ago. His work focuses on contracts in public private partnerships and technology transfer. Moreover, he was involved in a number of large national and international consortia with diverse partners and funding agencies. Recently he represented all of the Dutch universities and university hospitals in negotiations with the industry in a large long term public private partnership. Prior, Mr de Nooijer worked at Unilever and as a lawyer at several Dutch law firms. During his time in private practice he worked in IP law, mostly patents. Ivo de Nooijer studied biopharmaceutical sciences and law at Leiden University.

“Useful insights, tips & tricks”

Stephan Adriaenssens, Chief Financial Officer, Management Department, Traficon International N.V., Belgium



European Academy
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Workshop

14.00-14.45

Interactive Workshop Session on R&D Contracts

- Contract negotiations – what to look out for
- Most important issues when facing a cooperation in research
- Discussion of open questions and comments

Through interaction with your peers and expert advice, you receive practical insights on how to create your R&D contract

Alexander Mouret, IP Executive, Research and Innovation Services (LURIS), Leiden University, The Netherlands

14.45-15.15

Reporting and Discussion Round

15.15-15.45

Coffee Break

15.45-16.30

EU Funding through the European Commission – FP7 and its Impact on R&D Consortium Agreements

- Introduction to the European Funding System, in particular FP7
- Cooperation and sharing of knowledge
- Access rights: background, sideground and foreground in the context of FP7
- Ownership and protection of foreground – general principles
- Consortium agreements
- Eligibility of IPR costs in FP7
- Horizon 2020

Martin Reichel, CEO, Bavarian Research Alliance, Germany

16.30-16.45

Discussion Round

16.45

End of Day One



ALEXANDER MOURET, LLM
IP Executive, Research and Innovation Services (LURIS), Leiden University, The Netherlands

Alexander Mouret is Intellectual Property Executive at the Leiden University Technology Transfer Office. He is specialised in intellectual property law and focuses on contract issues in technology transfer of the Leiden University Medical Centre and IP issues in EU projects. He was involved in many national and international consortia with diverse industry and public partners. Before joining Leiden University he worked as intellectual law specialist in broadcasting, film and telecom industries in companies such as T-Mobile, Endemol and Fortissimo Films.



MARTIN REICHEL
CEO, Bavarian Research Alliance, Germany

On 1st October 2011, jurist and attorney-at-law Martin Reichel was appointed as Managing Director of the Bavarian Research Alliance. Together with Professor Dr Harun Parlar, he assists Bavarian universities, research organisations and stakeholders from the private sector (in particular SMEs) in the competition for European research funding. Before joining the Bavarian Research Alliance, Mr Reichel has worked at the Helmholtz Centre Munich – a member of the Helmholtz Association, the largest scientific organization in Germany – for eleven years. Latterly he was an authorised signatory and member of the extended management team as well as head of the Legal & Technology Transfer Department. Martin Reichel studied law from 1992 to 1997 at the University of Tübingen and completed his legal training at the Ravensburg Regional Court with the Second State Examination. He subsequently worked as an attorney-at-law from 1999 to 2000 within a Munich-based law-firm focusing on company law and intellectual property protection.

PROGRAMME DAY 2

European Contract Practice for R&D Projects

9.00-9.05

Welcome Note from the Chair

Sabine Fehringer, Attorney-at-Law and Partner, DLA Piper, Austria

9.05-9.50

Joint University/Industry R&D Cooperation in Europe – The Legal Framework

- Types of collaborative R&D agreements
- Model agreements for industry-university cooperation
- Harmonisation efforts in Europe
- Exploitation of intellectual property

Bart Goddyn, Independent Legal Counsel IP/IT, Belgium

9.50-10.00

Discussion Round

10.00-10.30

Coffee Break

10.30-11.15

R&D Contracts – The Industry Perspective

- Types of collaborative R&D agreements – the industry perspective
- Ownership of rights
- Confidentiality
- Commercialization

Bart Goddyn, Independent Legal Counsel IP/IT, Belgium

11.15-12.00

Discussion Round

12.00-12.45

Licensing Contracts and Technology Transfer

- IP strategies
- Legal framework
- Structuring licensing and technology transfer deals
- Contracts with international partners

Sabine Fehringer, Attorney-at-Law and Partner, DLA Piper, Austria

12.45-13.00

Discussion Round

13.00-14.15

Lunch Break



SABINE FEHRINGER
Attorney-at-Law and Partner,
DLA Piper, Austria

Sabine Fehringer is a specialist in the areas of intellectual technology (IT) and intellectual property (IP), research and development, licensing, new media and advertising, including IT and IP related M&A and corporate transactions. She advises in major national and EU research projects, IT, licensing and technology transfer projects, but also M&A transactions with a strong IT and IP focus. She also deals with research promotion and State aid related issues. She regularly advises or defends clients with regard to media and advertising campaigns. Among Sabine Fehringer's clients are private and public research companies, universities, IT and telecom companies as well as trading and industrial companies. Sabine Fehringer regularly publishes in her areas of practice. In 2010, she published her new book on intellectual property rights related contracts.



BART GODDYN
Independent Legal Counsel IP/
IT, Belgium

Bart Goddyn is an independent legal counsel, currently working as a consultant for Johnson & Johnson. From 2008 until 2011, Mr Goddyn was the Intellectual Property lawyer for EMEA at Cargill, Incorporated. Prior, he worked as an associate in IP/IT departments of Brussels based law firms and as an independent consultant for software and asset management companies. Mr Goddyn is a lecturer in Media and Intellectual Property law at the Hogeschool-Universiteit Brussels and an official arbitrator in .eu domain name disputes (coordinated by the Czech Arbitration Court in Prague). Bart Goddyn obtained his J.D. and LL.M. in Intellectual Property at the Catholic University of Leuven and the Catholic University of Brussels.



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14.15-15.00

Workshop on Technology Transfer and Research Cooperation

- Tools for cooperation
- Building successful partnerships
- Where do you need to pay special attention to in technology transfer
- Technology transfer and university/industry R&D cooperation: Tips and common pitfalls

Sabine Fehringer, Attorney-at-Law and Partner, DLA Piper, Austria

15.00-15.15

Discussion Round

15.15-15.45

Coffee Break

15.45-16.30

Competition Law from an R&D Perspective

- Anti-trust issues
- Collaboration between universities and industry – how to deal with co-financing?
- When do universities grant State aid to the industry? How can it be avoided?
- State aid block exemptions for R&D

Sabine Fehringer, Attorney-at-Law and Partner, DLA Piper, Austria

16.30-16.45

Discussion Round

16.45

End of Seminar and Hand-out of Certificates

“A great opportunity to receive precise information from experts that understand the engagement between universities and industry”

Sofia Vairinho, Lawyer and IP and IT Manager, University of Algarve, Portugal

ORGANISATIONAL MATTERS

European Contract Practice for R&D Projects

Date of Event

19th - 20th April 2012

Booking Number

S-431

Event Language

The event language will be English.

Event Price

1289,- Euro, excl. German VAT (19%)

The above price covers the following:

- Admission to the seminar
- Hand-out documents
- Soft drinks and coffee/tea on both event days
- Lunch on both event days

Booking Modalities

It is recommended to book soon as seats are limited. For organisational matters, we kindly ask you to complete the booking form in capital letters.



BOOKING

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Phone: +49 (0)30 80 20 80 230

For online booking please visit our website: www.euroacad.eu

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(Programme is subject to alterations)

Event Location

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Fax: +49 30 2389 4551

Email: reservations.berlin@rezidorparkinn.com

Please contact the hotel directly and refer to the "European Academy for Taxes, Economics & Law" in order to benefit from a limited room contingent at a special price. Please book as soon as possible. Of course you can always look for an alternative hotel accommodation.



NOTE

Please note, you can register as many delegates as you wish (except, the seminar is fully booked). You only need to copy this formular for as many persons you wish.



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BOOKING

BOOKING NUMBER: S-431(DM)

19th - 20th APRIL 2012, BERLIN

Herewith we register the following persons for the Seminar: "European Contract Practice for R&D Projects"

Delegate 1
 Ms. Mr.

First name _____ Last name _____ Phone _____
 Department _____ Fax _____
 Job position _____ E-mail _____
 Your organisation _____
 Street _____
 Postcode / City _____
 Country _____

Delegate 2
 Ms. Mr.

First name _____ Last name _____ Phone _____
 Department _____ Fax _____
 Job position _____ E-mail _____
 Your organisation _____
 Street _____
 Postcode / City _____
 Country _____

Delegate 3
 Ms. Mr.

First name _____ Last name _____ Phone _____
 Department _____ Fax _____
 Job position _____ E-mail _____
 Your organisation _____
 Street _____
 Postcode / City _____
 Country _____

Invoice organisation

To the attention of _____
 Street _____ Phone _____
 Postcode / City _____ Fax _____
 Country _____ E-mail _____

In case of registration of more than one delegate - do you prefer: single invoice? collective invoice?

With my signature I confirm my registration and accept the General Terms and Conditions as legally binding.

I herewith agree to receive further information from the
European Academy for Taxes, Economics & Law

NOTE

Only Valid with Signature and Stamp.

Place, Date

Authorised Signature and Stamp



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The following terms and conditions settle the contractual relationship between conference participants and the European Academy for Taxes, Economics & Law Brauner Klingenberg GmbH [referred to as "European Academy for Taxes, Economics & Law" in the following]. Differing terms and conditions, as well as, other settlements and/or regulations have no validity.

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3. Service

The course fee covers the fee per participant and course in € net, subject to current German VAT. It includes training course documents as per course description, a lunch meal/ snack and refreshments during breaks, as well as, a participation certificate.

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- two (2) weeks to 30 days prior to commencement of the course: 50% of course fee net, subject to current German VAT, payable immediately,
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