

ICT - BIOCHAIN

Deliverable 7.4. IPR Policy Implementation

Acronym: ICT-BIOCHAIN
 Project title: ICT-BIOCHAIN - ICT Tools in Efficient Biomass Supply Chains for Sustainable Chemical Production
 Contract N°: 792221
 Start date: June 1st 2018
 Duration: 24 months

Deliverable number	D6.10
Deliverable title	Definition of ICT-BIOCHAIN platform business model strategies
Submission due date	M12 – May 2019
Actual submission date	23/05/2019
Work Package	WP6
WP Lead Beneficiary	SIE
Dissemination Level	Public
Version	03
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1. Executive Summary

The objective of this document Deliverable 7.4 IPR policy Implementation due at month 6 along with the Deliverable D7.5 Report of the IPR Management Activities due at month 24 in the ICT-BIOCHAIN project aim to ensure the consortium partners can effectively exploit the project results after the end of the project freely without infringing the intellectual property rights of the others.

The contents to be included in this document and the future version (D7.5, due month 24) range from the intellectual property management for both the access right and ownership of the background IP that partners bring to the project to the proper IP protection strategy and ownership allocation of the project results that will be generated within the project lifetime. Besides, a patent mapping will be also included to analyze if there are any similar patents already existed and showing potential IPR overlapping issues.

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2. List of Tables

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- DiH Digital Innovation Hubs
- IP Intellectual Property
- IPR Intellectual Property Rights
- KER Key Exploitable Results

3. Acronyms and Abbreviations

4. Introduction

The creation of the Digital Innovation Hubs (DiH) for bio-based economy as well as the methodology of DiH implementation and all the knowledge/data to be provided on the DiH and the platform partially rely on knowledge that was generated by certain partners prior to the ICT-BIOCHAIN project. Hence, proper intellectual property rights (IPR) management of these background intellectual property (IP) is as important as the optimal IP protection strategy for the project results for the consortium partners to effectively and successfully exploit the key exploitable results (KERs) in the ICT-BIOCHAIN project without violating the IPR of others.

5. Background IP Access and Ownership

In the ICT-BIOCHAIN Project, partners CTA and ITT have brought their know-how gained through other projects they have participated previously. The detailed information has been provided in the Consortium Agreement. For convenience purpose, the description of the background, specific limitation and/or conditions for implementation and exploitation are shown in the Table 1 below.

Table 1 Background Included In the ICT-BIOCHAIN Project

Background description	Ownership	Specific limitation and/or conditions for implementation	Specific limitation and/or conditions for exploitation
Know-how gained through the SUPERBIO project	CTA	N/A	Fair and reasonable condition
Know-how gained through the Freshbox project	ITT	N/A	Fair and reasonable condition

6. Foreground IP

7.1. IP Strategy

At current stage, it is still too early to design a concrete and detailed IP strategy while the project results are still under development. In later version (D7.5 Report of the IPR Management Activities, due month 24), the need for protection of the KERs generated in the project will be assessed and the proposition of optimal IPR protection options will be provided and chosen accordingly or as soon as the involved partners define the strategy for the given IP, in accordance with the Exploitation strategy and the KERs' business models.

7.2 Ownership Allocation

Basic rules to allocate the ownership of the project results have been set out in the article 26 in the Grant Agreement and in the section 8 in the Consortium Agreement which have been signed by all the partners participating in the ICT-BIOCHAIN project. In brief:

- Partner who generates the project results shall have the ownership
- In case of the results are co-generated by multiple partners and it is impossible to establish the respective contribution of each partner or separate for the applications, obtaining or maintaining of the protection, those partners who have participated in generating the results shall have joint ownership and a separate written agreement shall be signed to decide the allocation and terms of exercising ownership, and all relevant issues.

The ownership allocation will be further confirmed in later stages of the project.

7.3 IPR Risk

For the consortium partners to freely and successfully exploit the project results after the end of the project, it is essential to ensure the patentability and the freedom to operate of those results.

The assessment will be conducted and updated in the future version of the IPR Management Activities Report (Deliverable 7.5, due M24), using the grid (as shown in Table 2) to identify if any conflict exists among the background IP owners and the partners who are responsible for the exploitation.

Table 2 IPR Risk Matrix

	Foreground/Owner(s)	Foreground/Owner(s)	Foreground/Owner(s)
Background/Owner(s)	- Low risk: if same partner(s) owns both the background and foreground		
Background/Owner(s)	- High risk: if different partners own the background and foreground		
Background/Owner(s)	individually		

7. Mapping of Existing Patents

An initial patent search has been conducted on the European Patent Database and on Lens.org using the following keywords in various combinations:

- Biomass
- supply chain
- RFID
- digit*
- platform
- ICT

- innovation hub
- raw material
- management platform, manag*
- resource platform
- IoT
- industry 4.0
- bioeconomy

No risk of patent infringement has been identified for the ICT-BIOCHAIN platform by November 14th, 2018 when the search was carried out.

Patents will be monitored through the project, and new keywords and combinations will be added as the technology is developed.

Potentially overlapping and existing patents for the DiH, especially for its operations and business models, will be monitored once the KER is further developed.

The patent mapping will be conducted and updated in the future version in the Deliverable 7.5 Report of the IPR Management Activities, due at month 24.