



European Academy
for Taxes, Economics & Law

Interactive Seminar

How to Design Research & Development Contracts in Practice

20th – 21st May 2015, Berlin

With Experts from following Institutions:

- Swiss Federal Institute of Technology in Zurich (ETHZ)
- Lancaster University, Research and Enterprise Services Division, United Kingdom
- Leiden University and Leiden University Medical Center, the Netherlands
- Politecnico di Torino, Italy

With Focus on:

- Horizon 2020
- Essential Terms in R&D Contracts
- Contract Negotiation
- Intellectual Property Rights
- Model Consortium Agreements (MCARD2020)
- Confidentiality Agreements
- Material Transfer Agreements
- License Agreements



INTERACTIVE SEMINAR

How to Design Research & Development Contracts in Practice

Secure the success of your R&D project through a safe and sound contract design!

With the recent launch of Horizon 2020 and its first calls, European Research, Development and Innovation have entered a very exciting period indeed. 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 foundation for a smooth pursuit of research activities.

If 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 require 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.

Learn about how to best negotiate your position in research agreements, how to make use of confidential disclosure and material transfer agreements and exchange with colleagues from other institutions at our Seminar

“Truly insightful and professional.”

Who is this seminar for?

Directors, Heads of Departments or Units, Managers, Lawyers and other members of staff involved and working in scientific research, with R&D projects and dealing with cooperation and intellectual property,

from departments such as:

- Research and Development Services
- Legal Services
- Intellectual Property
- Technology and Knowledge Transfer
- Patents and Licensing
- Business Development
- Programme and Project Management
- International Projects Management

from

- Universities
- Research and technology institutes, centres and clusters
- Business & innovation centres and Networks
- National and regional ministries and agencies responsible for Research & Development
- Intellectual Property and Patent Agencies, Business Development Agencies
- Industry and private companies, Spin-off companies
- Associations and Foundations.

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





European Academy
for Taxes, Economics & Law

What will you learn at this seminar?

- How to handle R&D contract aspects such as ancillary agreements, access rights, confidentiality, ownership or licensing
- How can a sample agreement help you with your R&D project?
- What needs to be taken into account when using CDAs and MTAs?
- How to structure licensing and technology transfer deals
- How can you negotiate contracts so that later disputes can be avoided?
- What is the industry's point of view when having R&D cooperation?
- How to deal with Intellectual Property Rights (IPR)
- What needs to be considered when using DESCA?

Interactive Seminar
**Financial Accounting and Audit in
European Research & Development Funding (S-988)**

18th – 19th May 2015, Berlin

For detailed information please [click here](#).

Your benefits

- Secure your research by means of a safe and sound contract for your activity
- Avoid compromising your entire project
- Learn best practices from various member states and bodies
- Learn how to effectively negotiate research and development contracts
- Gain insights into how to avoid and solve disputes
- Learn how to optimally deal with confidential information
- Network with possible partners from national agencies, research institutes
- Understand how to make the most of licensing contracts and technology transfer
- Profit from practical workshop sessions on R&D contracts and technology transfer



“A great inspiration for my daily tasks.”

PROGRAMME DAY 1

How to Design Research & Development Contracts in Practice

8.30-9.00

Registration and Handout of Seminar Material

9.00-9.05

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

9.05-9.30

Welcome Note from the Chair and Round of Introductions

Máire Nolan, Contracts Manager, Research and Enterprise Services Division, Lancaster University, United Kingdom

9.30-10.15

Research and Development Contracts (Part 1)

- What is an R&D contract and when should you use one?
- The essential terms of a research contract
- Risk and liability

Máire Nolan, Contracts Manager, Research and Enterprise Services Division, Lancaster University, United Kingdom

10.15-10.30

Discussion Round

10.30-11.00

Coffee Break and Networking Opportunity

11.00-11.45

Research and Development Contracts (Part 2)

- Academic freedom and publication rights
- The project annex
- Key issues for research contracts with international partners
- What does each party want to achieve in the contract?
- Contract negotiation advice

Máire Nolan, Contracts Manager, Research and Enterprise Services Division, Lancaster University, United Kingdom

11.45-12.00

Discussion Round

MÁIRE NOLAN

Contracts Manager, Research and Enterprise Services Division, Lancaster University, United Kingdom

Máire Nolan created and leads the Contracts Team at Lancaster University. This team is responsible for all research and educational contracts entered into by Lancaster University. Prior to joining the University Máire held similar roles in other universities in the UK and the NHS, but in her earlier career she held management roles in large UK based manufacturing companies.

“Very useful information from practitioners.”



Workshop

12.00-13.15

Interactive Workshop Session: Consortium Agreements – DESCA

Introduction to contents

Benefits of using DESCA

Key points to consider when drafting and reviewing an agreement based on DESCA

Participants work in groups on practical examples to improve their negotiation-skills.

Máire Nolan, Contracts Manager, Research and Enterprise Services Division, Lancaster University, United Kingdom

13.15-14.30

Lunch Break and Networking Opportunity

14.30-15.15

Intellectual Property Rights (IPR) in Horizon2020

- IPR in DESCA and MCARD2020 models
- Background and Foreground
- Access rights for implementation
- Access rights for use
- Dissemination of results

Valentina Romano, Head of Collaborative Project Office, Research Fund Raising Division, Politecnico di Torino

15.15-15.30

Discussion Round

15.30-16.00

Coffee Break and Networking Opportunity

16.00-16.45

What are the Other H2020 Model Contracts ?

- When should you use one?
- Definition of confidential information
- Main issues related to a memorandum of understanding
- Main issues related to a non-disclosure agreement

Valentina Romano, Head of Collaborative Project Office, Research Fund Raising Division, Politecnico di Torino

16.45-17.00

Discussion Round

17.00

End of Day One



VALENTINA ROMANO

Head of Collaborative Project Office, Research Fund Raising Division, Politecnico di Torino

Valentina Romano is Head of Collaborative Project Office at the Research Fundraising Division of Politecnico di Torino, a central administration office that supports national, international and EU funded research activities. She has 10 years' experience in EU contracts and funds management. She has been in charge of FP7 consortia agreement analysis and drafting for Politecnico, that funded 222 projects during the whole FP7. Valentina Romano is currently working at the analysis of model contracts recommended by IPR helpdesk and used in Horizon2020 projects within a national working that involves the most important universities in Italy.

PROGRAMME DAY 2

How to Design Research & Development Contracts in Practice

9.00-9.05

Welcome Note from the Chair

Isabel Wijffels, IP Executive, Research and Innovation Services (LURIS), Leiden University and Leiden University Medical Center, the Netherlands

9.05-10.00

Intellectual Property (IP) in Practice

- Different types of IP
- Basics of IP rights in research context
- Common terminology
 - Background
 - Foreground

Isabel Wijffels, IP Executive, Research and Innovation Services (LURIS), Leiden University and Leiden University Medical Center, the Netherlands

10.00-10.15

Discussion Round

10.15-10.45

Coffee Break and Networking Opportunity

10.45-11.45

Intellectual Property Rights (IPR) in the Research Cycle

- IPR in research cycle
- Role of 'background', materials/etc.
- Licensing/technology transfer basics
- Access conditions for research institutions
- State aid issues

Isabel Wijffels, IP Executive, Research and Innovation Services (LURIS), Leiden University and Leiden University Medical Center, the Netherlands

11.45-12.00

Discussion Round

12.00-13.15

Lunch Break and Networking Opportunity



ISABEL WIJFFELS

IP Executive, Research and Innovation Services (LURIS), Leiden University and Leiden University Medical Center, the Netherlands

Isabel Wijffels LLM is an IP Executive at the Technology Transfer Office of Leiden

University and Leiden University Medical Center. She joined the Technology Transfer Office in 2007. Her work focuses on contracts in public private partnerships and technology transfer such as research collaboration agreements and license agreements, often involving large national and international consortia. Prior, Isabel Wijffels worked as a lawyer for two different international law firms where she has always had a strong focus on intellectual property law and contract law in general, in litigation as well as in corporate and financial security transactions.

Interactive Workshop Session

13.15-14.45

University and Industry Interaction – Technology Transfer in Practice

Building successful partnerships and negotiating license agreements

License agreements

Specific issues and common pitfalls

Discussion of open questions

Participants work on a real-life example and receive practical advice

Isabel Wijffels, IP Executive, Research and Innovation Services (LURIS), Leiden University and Leiden University Medical Center, the Netherlands

A short coffee break will take place during the workshop.



14.45-15.00

Coffee Break and Networking Opportunity

15.00-15.45

Challenges in Consortium Agreements for Research Projects

- DESCA 2020 template vs. other templates
- Decision making within the consortium
- How to identify background
- How to deal with IP as joint results in consortia

Karl Kerschbaum, Legal Counsel – Research Manager, EU GrantsAccess, International Research Programmes, University of Zurich, ETH Zurich

KARL KERSCHBAUM

Legal Counsel, Research Manager, EU GrantsAccess, International Research Programmes, University of Zurich, ETH Zurich

Karl Kerschbaum is Legal Counsel and Research Manager at EU GrantAccess, a joint office of ETH Zürich and University of Zürich supporting International and EU-Grants. After obtaining his law degree at the LMU University of Munich he spent several years as Contracts manager in private IT industry and consulting. Before joining EU GrantsAccess he worked as Legal Counsel for ETH Transfer. Next to consulting researchers and industry in participating in international collaborations he is also coordinating the internal Competence Group “Contracts”, part of the EURESEARCH network and a member of the LERU Legal expert community.

Case Study

15.45-16.30

Negotiate and Consolidate a Consortium Agreement

Popular pitfalls in negotiating multiparty agreements

Gaps between academic and industry interests

From the first draft to the final version

Telcon against email feedback rounds

During this session, the participants will work in small groups who play certain partners/roles in H2020 consortium negotiating three popular fields of disagreement between industry and academics.

Karl Kerschbaum, Legal Counsel – Research Manager, EU GrantsAccess, International Research Programmes, University of Zurich, ETH Zurich

16.30-16.45

Final Discussion Round

16.45

End of Seminar and Handout of Certificates

ORGANISATIONAL MATTERS

How to Design Research & Development Contracts in Practice

Date of Event

20th – 21st May 2015

Booking Number

S-1048

Event Language

The event language is English.

Event Price

Early booking price valid until the 1st of April 2015:

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

Normal price from the 2nd of April 2015:

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

The above price covers the following:

- Admission to the seminar
- Hand-out documents
- Seminar certificate, if seminar fully attended
- Soft drinks and coffee/tea on both event days
- Lunch on both event days

Upon request you can receive a **digital version** of the seminar documents after the event for **60,- Euro excl. German VAT (19%)** in addition to the seminar.



BOOKING

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Phone: +49 (0)30 802080-230

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 (0)30 68 31 55 555

E-mail: reservierung@ellington-hotel.com

Internet: www.ellington-hotel.com

Please contact the hotel directly and refer to the "European Academy for Taxes, Economics & Law" if you wish to benefit from a limited room availability-contingent. Of course you can always look for an alternative hotel accommodation.



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BOOKING

BOOKING NUMBER: S-1048 (DM)

20th – 21st MAY 2015

Herewith we register the following persons for the European Seminar: "How to Design Research & Development Contracts in Practice".

Delegate 1 Ms. Mr.

First name _____ Last name _____
 Your organisation _____ Phone _____
 Department _____ Fax _____
 Unit _____ E-mail _____
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Invoice Organisation Ms. Mr.

First name _____ Last name _____ Street _____
 Your Organisation _____ Postcode / City _____
 Department _____ Country _____
 Unit _____ Phone _____
 Job Position _____ Fax _____
 E-mail _____

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

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

NOTE
 Only Valid with Signature and Stamp.

Place, Date

Authorised Signature and Stamp



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1. Area of Application

The following terms and conditions settle the contractual relationship between conference participants and the European Academy for Taxes, Economics & Law Brauner Klinenberg 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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A registration can be made via internet, mail, fax, or email. The registration is considered granted and legally binding if not rejected by the European Academy for Taxes, Economics & Law in writing within seven (7) days after receipt of registration. The registration will be supplemented by a booking confirmation via email. Partial bookings are only valid for seminars designed in modules.

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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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4. Payment Date and Payment, Default of Payment

Payment of the course fee is payable immediately upon receipt of invoice. Where payment is not received or lacking clear assignment to a participant prior to commencement of the course, the European Academy for Taxes, Economics & Law may refuse the relevant participant's participation in that course. The course fee, however, is still due immediately and can be claimed as part of a dunning procedure or legal action. In accordance with BGB §247 (1), in case of default of payment within the stipulated time period, default interest on arrears of at least 5% above the ECB base rate is due and payable. The European Academy for Taxes, Economics & Law can claim higher damage for delay if and where proven. Equally, the participant may prove that a damage has not occurred or has had less effect than estimated by the European Academy for Taxes, Economics & Law.

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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,
- non-attendance or cancellation less than two (2) weeks prior to commencement of the course: 100% of course fee net, subject to current Germany VAT, payable immediately

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