Exploitation Tool Guidelines

# Introduction to Background IP for Horizon Projects

In Horizon projects, **Background Intellectual Property (Background IP)** refers to any pre-existing knowledge, data, technologies, or intellectual property rights that partners bring into the project. These assets are crucial as they form the foundation for new research, innovations, and solutions. Background IP can include patents, copyrights, software, databases, trademarks, and know-how each partner already owns before the project starts.

Documenting background IP in Horizon projects ensures transparency and clarity about the ownership and use of these preexisting assets. It helps establish clear boundaries on how the background IP can be utilized within the project and ensures that any restrictions or conditions on its use are known to all partners. This also safeguards the interests of the IP owners while enabling collaborative research and innovation.

Partners must carefully list any Background IP they contribute, along with relevant details about ownership, usage conditions, and restrictions on exploitation. The information provided ensures that all parties know how these assets will be used during the project and if any limitations exist on their further commercialization or exploitation.

By completing the **Background IP** sheet, partners can effectively manage intellectual property, avoid future conflicts, and ensure compliance with Horizon project guidelines regarding intellectual property rights.

## Background IP instructions

The "Background IP" sheet collects the following information from the partners. Here’s a guide for each column to help partners correctly fill it in:

**1. Background number (BG#):**

* **Description**: A unique identifier for each background IP asset. This number (e.g., BG1, BG2) is assigned to distinguish between different pieces of intellectual property that partners contribute to the project.
* **Instructions**: Partners should assign consecutive numbers to the background IP items they list, starting from BG1.

**2. Name:**

* **Description**: The name or title of the background IP.
* **Instructions**: Enter a clear, descriptive name for the listed intellectual property. This could be a trademark, patent, software name, or any identifiable title of the asset.

**3. Owner:**

* **Description**: The entity (person or organization) that owns the background IP.
* **Instructions**: Specify the legal owner of the background IP. This could be the organization or an individual partner. Ensure that ownership is clear to avoid future disputes.

**4. Description of the background:**

* **Description**: A brief explanation or description of what the background IP entails.
* **Instructions**: Provide a concise description of the asset, outlining what it is and how it functions. Mention whether it is a patent, software, database, or other forms of intellectual property.

**5. How will it be utilised within the project?:**

* **Description**: Explanation of how the background IP will be used in the project context.
* **Instructions**: Partners should detail the specific role the background IP will play in the project, such as supporting research, technology development, or commercialization efforts.

**6. Specific restrictions and/or conditions for use during project implementation:**

* **Description**: Any legal or practical restrictions on how the background IP can be used during the project.
* **Instructions**: Any licensing agreements, limitations, or conditions for using the IP during the project must be clearly outlined here. For instance, mention it if certain parts of the background IP cannot be shared or must be used under a specific agreement.

**7. Specific restrictions and/or conditions for exploitation as part of a project's ER (Exploitable Results):**

* **Description**: Any restrictions or conditions related to exploiting the background IP as part of the project's exploitable results.
* **Instructions**: If the IP is to be part of the project's commercial or technological outputs, partners should list any restrictions, such as licenses, agreements, or intellectual property limitations, that may apply to its future use.

**8. Comments:**

* **Description**: Any additional information relevant to the background IP.
* **Instructions**: Partners can add any clarifications, further explanations, or relevant notes that might help them understand the IP’s role or limitations within the project.

# Introduction to Exploitable Results for Horizon Projects

In Horizon projects, **exploitable results (ERs)** are the tangible outcomes generated during the project that have potential commercial, social, or scientific value. These results can be new products, services, processes, data, or technologies arising from the project partners' collaborative research and innovation efforts. Exploitable Results are key to the project's long-term impact, as they can be leveraged for further development, commercialization, or societal benefit.

Documenting Exploitable Results ensures these outcomes are recognized, protected, and effectively utilized. By doing so, partners can outline how the results will be exploited after the project’s conclusion, ensuring they contribute to advancing science, industry, and policy or provide solutions to societal challenges.

Each partner is responsible for identifying and reporting any exploitable results stemming from their project activities. These results must be categorized, described, and evaluated in terms of their potential for further use. The data collected for each exploitable result helps inform decisions on intellectual property (IP) protection, technology readiness levels (TRLs), market potential, and revenue generation strategies.

Filling out the **Exploitable Results** sheet ensures all partners are aligned on the next steps for utilizing the project’s outputs. This process also supports Horizon project goals of fostering innovation, enhancing competitiveness, and maximizing the societal impact of research. By clearly defining the path to exploitation, partners can better manage risks, secure IP rights, and plan for successful commercialization or broader application of the results.

## Instructions on Exploitable Results

The "Exploitable Results" sheet collects detailed information about the exploitable outputs of the Horizon project. Below is a guide for each column to help partners accurately fill in the required information:

**1. ER# (Exploitable Result Number)**

* **Description**: A unique identifier for each exploitable result (ER).
* **Instructions**: Assign a sequential number for each ER, such as ER1, ER2, etc., for easy reference throughout the project.

**2. ER Name**

* **Description**: The name or title of the exploitable result.
* **Instructions**: Provide a clear, descriptive name for the result that captures its essence.

**3. ER Category (select from dropdown list)**

* **Description**: The type or category of the exploitable result.
* **Instructions**: Choose the appropriate category from the dropdown list, such as Product, Service, Software, Process, Methodology, or Data.

**4. ER Short Description**

* **Description**: A summary of the exploitable result.
* **Instructions**: Provide a short, concise description (1-2 sentences) outlining the key features and purpose of the result.

**5. Suggested by (Name of Partner/s)**

* **Description**: The partner(s) who suggested or identified the exploitable result.
* **Instructions**: Enter the names of the partner(s) responsible for proposing the ER.

**6. Name(s) of Owner(s) of this ER**

* **Description**: The legal owner(s) of the exploitable result.
* **Instructions**: List the organizations or individuals who own the ER, ensuring clarity on ownership for future exploitation.

**7. Other Contributors to this ER**

* **Description**: Other partners or collaborators contributed to the ER’s development.
* **Instructions**: Name any additional partners involved in creating the result.

**8. Related Task(s) (from GA)**

* **Description**: The tasks from the Grant Agreement (GA) that relate to the ER.
* **Instructions**: Mention the relevant tasks or work packages from the GA document that are linked to the ER.

**9. Technology Readiness Level (TRL) at the start of the project (select from dropdown list)**

* **Description**: The initial TRL at the beginning of the project.
* **Instructions**: Select the appropriate TRL (1 to 9) that indicates the maturity level of the technology or result at the project's start.

**10. TRL at the end of the project (select from dropdown list)**

* **Description**: The anticipated or achieved TRL at the end of the project.
* **Instructions**: Select the TRL reflecting the expected or actual readiness of the result for exploitation at the project’s conclusion.

**11. Type of Commercial/Business Exploitation**

* **Description**: The form of commercialization planned for the result.
* **Instructions**: Specify the type of exploitation, such as licensing, selling, internal use, or collaboration with external partners.

**12. Exploitation Potential**

* **Description**: The potential of the result to be successfully exploited.
* **Instructions**: Rate or describe how promising the result is for commercial or societal impact, considering its market appeal and relevance.

**13. Strengths (What we do well)**

* **Description**: Key strengths or advantages of the result.
* **Instructions**: Outline the result's strengths, such as technological superiority, innovative features, or strong market positioning.

**14. Weaknesses (Are we competitive?)**

* **Description**: Areas where the result might face challenges or limitations.
* **Instructions**: Identify potential weaknesses, such as high costs, limited functionality, or competition, and address whether the result can be competitive.

**15. Opportunities (New stakeholders, Market trends)**

* **Description**: New opportunities that the result could seize.
* **Instructions**: Highlight emerging trends, new stakeholders, or market niches that could enhance the result’s exploitation potential.

**16. Threats (What are the risks)**

* **Description**: Possible risks or challenges that could hinder the exploitation of the result.
* **Instructions**: Detail any risks, such as market saturation, regulatory barriers, or technological obstacles.

**17. Competition (Other competitive technologies/products/solutions)**

* **Description**: Existing or potential competition for the result.
* **Instructions**: Identify competing technologies, products, or solutions that could challenge the ER’s success in the market.

**18. Targeted Market (Who are the customers?)**

* **Description**: The primary market or customer base for the result.
* **Instructions**: Describe the target market segments, industries, or end-users the result aims at.

**19. Time to Market Estimate**

* **Description**: An estimate of how long it will take to bring the result to market.
* **Instructions**: Provide a realistic time frame, considering development, regulatory approval, and market entry, from months to years.

**20. Expected Return on Investment (ROI) – Initial estimations**

* **Description**: The projected return on investment for exploiting the result.
* **Instructions**: Provide an initial estimate of the ROI, outlining expected financial returns and payback periods.

**21. Path to Market (How do you plan to embed results in your organizations)**

* **Description**: The strategy for integrating the result into the market or the organization’s operations.
* **Instructions**: Explain how the result will be used, such as expanding the company’s product portfolio, developing new products, or forming commercial partnerships.

**22. Do you consider this a Key Exploitable Result (KER)?**

* **Description**: Whether the partner considers this ER as a Key Exploitable Result.
* **Instructions**: Indicate ‘Yes’ or ‘No’ depending on whether this result is critical for the project’s exploitation objectives.

**23. Comments (please add your name/organization after each comment)**

* **Description**: Any additional information or comments related to the ER.
* **Instructions**: Partners should add any clarifications or further details about the ER, including their name and organization for context.

# ER Evaluation

The "ER Evaluation" sheet is designed to assess the exploitable results (ERs) from multiple perspectives involving various partners. Each ER is evaluated based on criteria, with partners providing their scores. Here’s a guide for each column to ensure a standardized approach to filling in the data:

**1. # (ER Number)**

* **Description**: The unique identifier for each exploitable result.
* **Instructions**: Enter the corresponding ER number (e.g., ER1, ER2) that matches the ER being evaluated.

**2. ER (Exploitable Result)**

* **Description**: The name of the exploitable result.
* **Instructions**: Write the name or title of the ER, matching the one listed in the Exploitable Results sheet.

**3. ER Description**

* **Description**: A brief description of the exploitable result.
* **Instructions**: Provide a short ER summary to give the evaluators context. This can be copied from the Exploitable Results sheet.

**4. PARTNER (Partner Names)**

* **Description**: The names of the project partners involved in evaluating the ER.
* **Instructions**: Each column represents a project partner. Partners should be listed at the top of the sheet to indicate who will provide the evaluation.

**5. Criteria**

* **Description**: The evaluation criteria to be used for scoring each ER.
* **Instructions**: The sheet includes specific criteria for evaluation. Partners are expected to rate each ER based on these criteria using a scale from 1 to 10 (where 1 is the lowest score and 10 is the highest). The criteria typically include:
	1. **Innovation**: How innovative is the ER compared to existing solutions?
	2. **Exploitability**: The potential of the ER to be exploited commercially or for societal impact.
	3. **Impact**: The potential for the ER to generate significant benefits, such as economic growth, technological advancement, or addressing societal challenges.

**6. Criteria (1-10 grade)**

* **Description**: The grade each partner assigns to the ER for each criterion.
* **Instructions**: Each partner should provide a score from 1 to 10 for each criterion (Innovation, Exploitability, and Impact) to assess the potential of the ER. These scores should reflect the partner's expert judgment of the ER.

**7. Assessement (Average score)**

* **Description**: The average score for each ER across all partners.
* **Instructions**: Calculate the average score for each criterion by summing the partners' grades and dividing by the number of partners who provided a score. This will give an overall assessment for each ER based on the partner evaluations.

**8. Final Score**

* **Description**: The final evaluation score for the ER.
* **Instructions**: After partners have provided their evaluations, the final score is calculated based on the weighted importance of each criterion (if applicable). This final score reflects the overall potential of the ER for exploitation.

This evaluation process ensures that all exploitable results are assessed thoroughly and objectively, considering multiple project partners' perspectives. It helps identify which results have the highest potential for future development and exploitation.

# Exploitation Plans (individual and Joint)

The "Exploitation Plans" sheet focuses on **individual** and **joint exploitation plans** for project partners. Below is a guide for completing this sheet, outlining what partners must provide for their exploitation strategies.

**1. Partner**

* **Description**: The name of the partner organization.
* **Instructions**: Each partner should list their organization’s name in the corresponding row to indicate who is submitting the exploitation plan.

**2. Individual Exploitation Plan**

* **Description**: The exploitation plan specific to the individual partner.
* **Instructions**: Each partner should detail their **individual strategy** for exploiting the results generated from the project. This includes how they will use the project outcomes to benefit their organization, such as:
	+ Incorporating results into their product or service portfolio.
	+ Developing new products or services based on the project’s outcomes.
	+ Enhancing their existing operations or technologies.
	+ Monetizing the results through sales, licensing, or partnerships.

The plan should also mention any specific resources, such as human, technical, or financial resources, the partner will dedicate to exploitation.

**3. Joint Exploitation Plan**

* **Description**: The joint exploitation strategy involving collaboration between multiple partners.
* **Instructions**: If partners plan to jointly exploit any of the project’s results, they should describe their **joint strategy** here. This could include:
	+ Collaborative commercialization efforts.
	+ Joint ventures or partnerships to bring products or services to market.
	+ Shared research and development activities that will continue beyond the project.

The joint exploitation plan should outline each partner's roles and contributions to the collaboration and any agreements regarding the division of intellectual property (IP) rights, revenues, or responsibilities.

**4. Instructions**

* **Description**: Provides instructions for filling out the sheet.
* **Instructions**: Partners should refer to these instructions to ensure they provide the correct and necessary information for individual and joint exploitation planning.
* **Key Elements for Both Plans**
* **Target Markets**: The specific market segments or customer groups that will benefit from exploiting the project results.
* **Business Model**: The approach the partner or partners will take to generate revenue, such as direct sales, licensing, or service models.
* **Time to Market**: An estimate of how long it will take to bring the results to market.
* **Resources**: The resources needed to exploit the results successfully, including financial investments, workforce, or technological infrastructure.

# IPR Management

In Horizon projects, **Intellectual Property Rights (IPR) Management** is crucial to protecting and maximizing the value of the results generated during the project. Effective IPR management ensures that the project's intellectual property (IP) created, used, or shared is properly identified, protected, and exploited. This process safeguards all project partners' interests and clarifies how the results can be used during and after the project.

Each Horizon project involves multiple partners contributing background IP (pre-existing knowledge, technologies, or assets) and generating new results, referred to as **Exploitable Results (ERs)**. These results can include inventions, software, methodologies, processes, or data, all of which have potential for further development or commercialization. To ensure smooth collaboration and protect the rights of all partners, it is essential to document and manage the ownership, licensing, and protection strategies for each exploitable result.

The **IPR Management** process involves:

1. **Defining Ownership**: Identifying the owners of each exploitable result, whether a single partner or shared among multiple partners (joint ownership).
2. **Background and Conflicting IP**: To avoid legal issues, ensure that any relevant background IP is acknowledged and address potential conflicts with third-party IP.
3. **Licensing**: Establishing how the exploitable results will be licensed, whether through proprietary licenses, open-source licenses (e.g., Apache 2.0, GPL), or other models.
4. **Protection**: Securing appropriate legal protection for the results, such as patents, copyrights, trade secrets, trademarks, or confidentiality agreements, to prevent unauthorized use.
5. **Usage Conditions**: Setting the terms for how the IP can be used within the project and after its completion, such as free use, restricted access, or licensing fees.

## Instructions for IPM Management

The "IPR Management" sheet focuses on managing intellectual property rights (IPR) for the exploitable results (ERs). It ensures that all relevant IP information is captured, including ownership, licenses, and conditions for using the results. Below is a guide for completing this sheet, detailing each column's purpose and instructions.

**1. IPR (Exploitable Result Number)**

* **Description**: The unique identifier for the exploitable result.
* **Instructions**: Enter the ER number (e.g., ER1, ER2) corresponding to the exploitable result.

**2. Exploitable Result (ER) Name**

* **Description**: The official name of the exploitable result.
* **Instructions**: Provide the name or title of the ER, consistent with the entries in the "Exploitable Results" sheet.

**3. ER Category (select from dropdown list)**

* **Description**: The category of the exploitable result.
* **Instructions**: Select the appropriate category from the dropdown menu, such as Product, Service, Software, Process, Methodology, Data, etc.

**4. ER Short Description**

* **Description**: A summary of the exploitable result.
* **Instructions**: A concise description outlines the ER's key features and purpose.

**5. Name(s) of Owner(s) of this ER**

* **Description**: The legal owner(s) of the exploitable result.
* **Instructions**: List the names of the individuals or partner organizations that hold ownership rights to the ER.

**6. Other Contributors to this ER**

* **Description**: Any additional partners or contributors involved in the development of the ER.
* **Instructions**: Mention other entities that played a role in creating or contributing to the ER.

**7. Type of Ownership (Single or Joint)**

* **Description**: The type of ownership for the exploitable result.
* **Instructions**: Indicate whether the ownership is **single** (one entity owns the ER) or **joint** (ownership is shared among multiple entities).

**8. Related Background IP (if applicable)**

* **Description**: Background IP related to the ER.
* **Instructions**: If the ER builds on pre-existing IP, list the relevant background IP, referencing entries in the "Background IP" sheet.

**9. Conflicting IP**

* **Description**: Any conflicting intellectual property.
* **Instructions**: If there are any known IP conflicts, such as patents or copyrights held by third parties that could overlap with the ER, specify them here.

**10. License of ER (proprietary, open source: Apache 2.0, GPL, MIT, etc.)**

* **Description**: The type of license under which the ER will be made available.
* **Instructions**: Indicate the licensing model for the ER, such as proprietary, open-source (Apache 2.0, GPL, MIT), or other.

**11. Type of Protection, if applicable (patent, copyright, trademark, trade secrets, utility model, confidentiality agreement, etc.)**

* **Description**: The type of legal protection applied or intended for the ER.
* **Instructions**: Specify the protection mechanism, such as patent, copyright, trade secret, trademark, or utility model. If confidentiality agreements or non-disclosure agreements (NDAs) apply, mention them.

**12. Conditions to Use Within the Project (free to use, license fee, restrictions, NDA, etc.)**

* **Description**: The terms and conditions for using the ER during the project.
* **Instructions**: Clearly state the conditions for partners to use the ER within the project’s duration, such as free use, license fees, or restrictions. If an NDA applies, specify it here.

**13. Conditions to Use the Result After the End of the Project**

* **Description**: The terms for using the ER after the project concludes.
* **Instructions**: Define the conditions for exploitation post-project, such as continuing license fees, open use, or any restrictions that may apply after the project ends.

**14. Comments (please add your name/organization after each comment)**

* **Description**: Any additional comments or clarifications about the ER’s IPR.
* **Instructions**: Partners can add any relevant notes or further explanations, including their name and organization for context.