



**FUSION  
FOR  
ENERGY**

# INTELLECTUAL PROPERTY PROVISIONS

INFO DAY OMF-1609

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**Carmen Casteras**

Intellectual Property and Technology  
Transfer Officer

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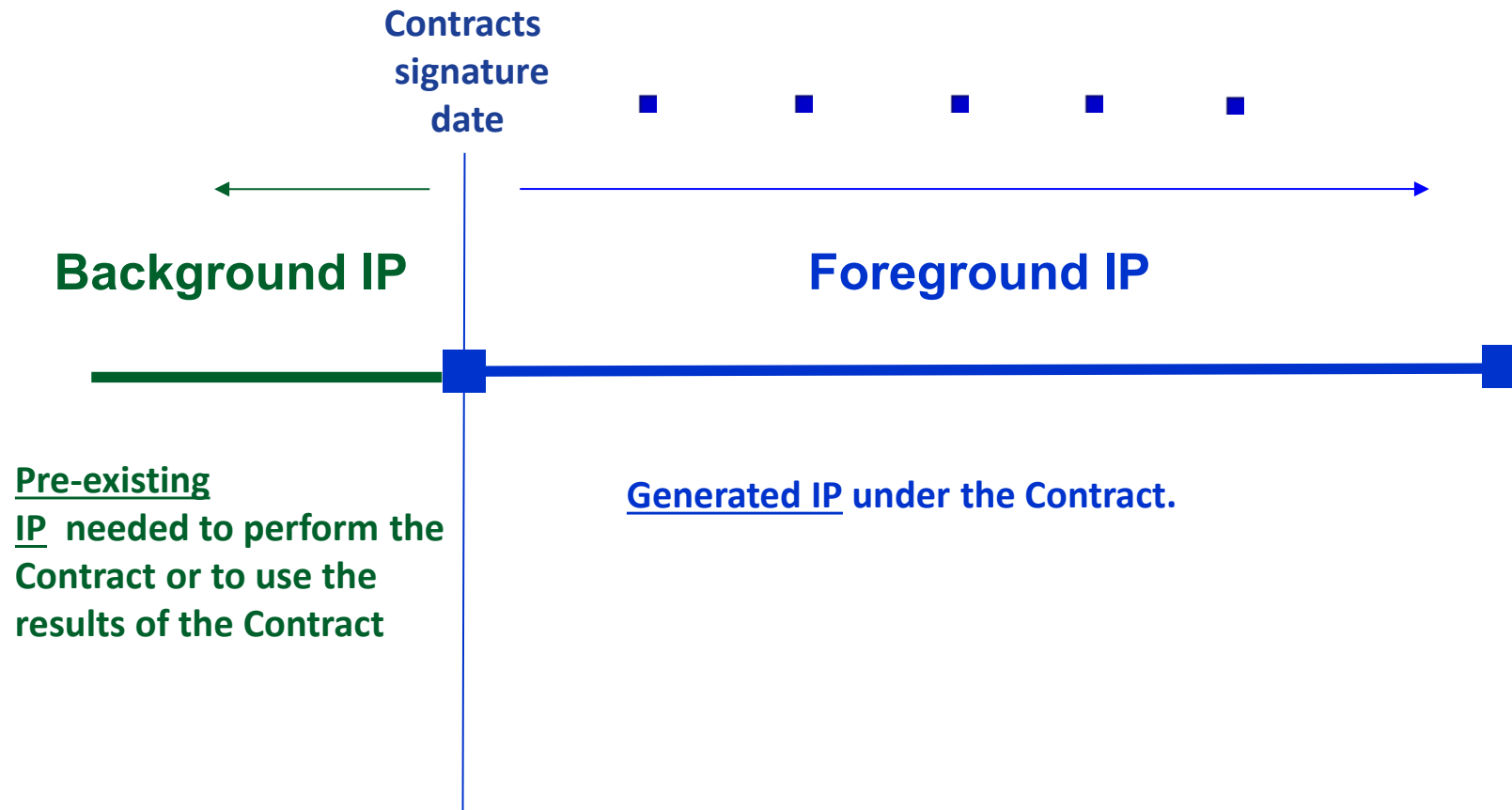
Bringing  
the power  
of the sun  
to earth

## Contents

- I. Intellectual Property (IP) Management
- II. Ownership of the IP
- III. Commercial exploitation of the IP

# I. Intellectual Property Management

## IP picture of the Contract's results



## What is Background IP?

- Pre-existing Intellectual Property rights brought into the contract by the Contractor because they are necessary for executing the contract or for using the Foreground or the Goods or services supplied under the Contract.
- Clear, specific, verifiable and documented IP rights, such as:
  - Patents;
  - Copyrights such as drawings, 3D models;
  - Copyright such as software;
  - Trade Secrets such as documented inventions protected by the Contractor/Subcontractor as Confidential valuable information.

## When is it communicated?

- Before the signature of the Contract.

## When can F4E request access to the Background?

- Only when needed for using the Foreground/Goods/Results supplied under the Contract. If used for executing an F4E Contract by an F4E Contractor → under Fair and Reasonable Conditions.

## What is Foreground?

- Any Information and IP generated under the Contract by the Contractor and Subcontractors.
- Communicated throughout the Contract via the Foreground declaration form. A Final Foreground declaration at the end of the Contract.
  
- Examples:
  - Copyright (design, drawings, plans, 3D models, etc.)
  - Inventions, Technical solutions that may be covered by patent or treated as Trade Secret
  - Copyright (Software)

## II. Ownership of the IP



### Ownership of the Background IP

**The Contractor remains the full owner of its own Background IP.**

There is no transfer of ownership of the Background to F4E.

### Ownership of the Foreground IP

**F4E becomes full owner of the Foreground IP.**

## Commercial exploitation of the IP

- F4E encourages the Contractor to protect & commercially exploit the Foreground.
- F4E has a Technology Transfer Programme in place to support the commercial exploitation of technologies.
- Contact: [technologytransfer@f4e.europa.eu](mailto:technologytransfer@f4e.europa.eu) in copy [carmen.casteras@f4e.europa.eu](mailto:carmen.casteras@f4e.europa.eu)







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