

# Results Definitions & Info Page

## Definitions

The key words "MUST", "MUST NOT", "REQUIRED", "SHALL", "SHALL NOT", "SHOULD", "SHOULD NOT", "RECOMMENDED", "MAY", and "OPTIONAL" in this document are to be interpreted as described in [RFC 2119](#).

<b>(Project) Result</b>	<p>Any tangible or intangible output of the project, such as data, knowledge or information, that is generated in the project, whatever its form or nature, whether or not it can be protected, as well as any rights attached to it, including intellectual property rights.</p> <p><a href="#">Project Results</a></p>
<b>(replaced by the KER concept) Aggregate project result</b>	<p>The Key Exploitable Result of the project has replaced the concept of Aggregate project result. While most of the KERs are aggregates, it is not a necessary condition for them to be consider KERs. The KER is also implicitly "more than the sum of its parts", and the individual components may be replaced or shared as part of the development of the KERs.</p> <p>An aggregation of several result that are targeted at the same audience and participate in providing the expected benefits.</p> <p>Aggregate results can be Key or Supporting, according to the result of the prioritization.</p> <p><b>? Unknown Attachment</b></p>
<b>Key Exploitable result (KER)</b>	<p>(KER) The most relevant results of the project</p> <p>A subset of the aggregate project results selected considering specific criteria despiced in the Aggregate Project Result template</p>
<b>Type</b>	<p>1) software and services: improved components for integrated service hub; 2) technical specifications for an open ecosystem; 3) policies and procedures for service management, FAIR data management and security; 4) documents and reports: scientific publications, technical and service roadmaps, training material; 5) business models: new organisational principles to offer services for research sustainably; 6)Other, not listed above</p>
<b>Exploitation</b>	<p>The use of results:</p> <ul style="list-style-type: none"><li>• in further research activities other than those covered by the action concerned</li><li>• in developing/creating/marketing a product/process</li><li>• in creating and providing a service</li><li>• in standardisation activities</li></ul>
<b>Deliverable</b>	<p>Distinct output of the project, meaningful in terms of the project's overall objectives and constituted by a report, a document, a technical diagram, a software etc.</p>
<b>Dissemination</b>	<p>The public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by scientific publications in any medium</p>
<b>Innovation</b>	<ul style="list-style-type: none"><li>• A new (or improved) entity (or creation), which when used can produce tangible benefits, satisfying users needs and wants</li><li>• Types of Innovation:</li></ul> <p><b>? Unknown Attachment</b></p>
<b>Impact</b>	<ul style="list-style-type: none"><li>• The benefits derived from the innovation; The larger the benefit, the larger the impact</li></ul>

<b>Intellectual Property (IP)</b>	<ul style="list-style-type: none"> <li>• Products of the mind</li> <li>• Products of research &amp; experimentation</li> <li>• Products of creativity</li> </ul> <ul style="list-style-type: none"> <li>• Intellectual Property can be a valuable asset <ul style="list-style-type: none"> <li>• Like physical property</li> </ul> </li> <li>• Intellectual property can be traded, sold, bought, leased, used as collateral, or given away</li> <li>• Examples: software, designs, databases, reports, roadmaps</li> </ul>
<b>Intellectual Property Right (IPR)</b>	<ul style="list-style-type: none"> <li>• Legal "rights" to protect your Intellectual Property</li> <li>• Patents (technical inventions)</li> <li>• Copyright (e.g., software, written works, engineering drawings)</li> <li>• Design rights (appearance)</li> <li>• Database rights (creation and arrangement of data)</li> <li>• Trade marks</li> <li>• Utility Models/petty patents</li> <li>• Non-disclosure agreements</li> <li>• Etc</li> </ul>
<b>Background IP</b>	Background : IP asset owned by the partners brought into the project
<b>Milestone</b>	Control points in the project that help to chart progress. Milestones may correspond to the completion of a key deliverable, allowing the next phase of the work to begin. They may also be needed at intermediary points so that, if problems have arisen, corrective measures can be taken. A milestone may be a critical decision point in the project where, for example, the consortium must decide which of several technologies to adopt for further development
<b>Third party IP</b>	Third party: IP assets owned by the organizations outside into the project
<b>Sideground IP</b>	Sideground: IP asset that is relevant to a collaborative venture or open innovation project, but produced outside the project by any of the partners during the project's tenure
<b>Foreground IP</b>	Foreground: all IP assets created during the project
<b>Target audience</b>	who will use the result
<b>Early adopters</b>	who will start using the result as soon as it is available
<b>Catalogue of Project Results</b>	List of all collected EOSC-hub project results and related information. <a href="#">(deprecated) Catalogue of Project Results</a>
<b>Catalogue of Aggregate Results</b>	List of all collected EOSC-hub aggregate project results and related information. <a href="#">[old] Catalogue of Aggregate Project Results</a>

## Intellectual Property Rights

<b>Why it is important?</b>	<ul style="list-style-type: none"> <li>• Regardless of what product your organization makes or what service it provides: <b>YOU CREATE IP!</b></li> <li>• Intellectual Property Rights, as <b>exclusive rights</b>, allow your organization to prevent competitors from using your intangible assets.</li> <li>• BUT Intellectual Property Rights require <b>action</b>: ownership is different from protection!</li> <li>• Therefore it is vital that your <b>Intellectual Property asset be</b>: <ul style="list-style-type: none"> <li>• <b>Protected</b></li> <li>• <b>Managed</b></li> <li>• <b>Enforced</b></li> </ul> </li> </ul>
<b>Principle of Territoriality</b>	<ul style="list-style-type: none"> <li>• IP rights are territorial rights. In general, the exclusive rights are only applicable in the country or region in which a patent has been filed and granted, in accordance with the law of that country or region</li> </ul>

<b>Rights Conferred</b>	<ul style="list-style-type: none"> <li>• An IP right grants to its owner a monopoly on the product of the mind protected. Nobody without his authorization may use, commercialize etc. the protected item.</li> </ul>
<b>Duration of the protection</b>	<p>Intellectual Property rights grant a monopoly on the intellect creation for a limited amount of time depending on the type of right that is protected.</p> <ul style="list-style-type: none"> <li>• Copyrights 70 years after the death of the author</li> <li>• Patents 20 years after the registration</li> <li>• Industrial designs 25 five years after the registration</li> <li>• Trademarks indefinitely as long as renewal fees are payed</li> </ul>

## Types of Intellectual Property Protection Tools available

Intellectual Property protection tools available	Types and Application domain		
Industrial Property (Registrable)	<ul style="list-style-type: none"><li>• <b>Patents</b> and <b>utility models</b>: inventions</li><li>• <b>Industrial designs</b>: innovative designs</li><li>• <b>Trade Marks</b>: brands</li></ul> <p>And other rights (such as Geographical Indications), but not relevant for the project</p>		
	Type	Description	Application Domain

## Patents

It is a title providing the *inventor* and/or the *applicant* with the **exclusive right** to prevent others from possessing, using, selling, manufacturing and importing the patented **invention** or offering to do any of these things within a territory.

Inventions are patentable, with the following exclusions (Art 52 EPC):

- Discoveries, scientific theories and mathematical methods;
- Aesthetic creations;
- Schemes, rules and methods for performing mental acts, playing games or doing business, and programs for computers;
- Presentations of information.

### And the following exceptions:

Art 53 EPC:

- contrary to "order public" or morality
- plant or animal varieties or essentially biological processes for the production of plants or animals
- methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practiced on the human or animal body

Patents maybe granted for any invention concerned with the *functional* and *technical* aspects of *products* and *processes*. To qualify for patent protection the invention must fulfil the so-called **conditions of patentability**:

- **Patentable subject matter**
- **Novelty**
  - **Art 54, European Patent Convention:**

An invention shall be considered to be new if it does not form part of the state of the art. State of the art : Everything made available to the public by means of a written or oral description, by use, or in any other way, before the date of filing of the European patent application. **Evaluate carefully disclosure and dissemination activities**

- **Inventive step (non-obviousness)**
  - **Art 56 European Patent Convention:** An invention shall be considered as involving an inventive step if, having regard to the state of the art, it is not obvious to a person skilled in the art.

Examples of typical cases of lacking of inventive step

•**Simple substitution of a known element** from another to obtain predictable results or interchange of material with another known material having analogue effect.

•**Use of known technique or workshop modification to improve similar products**, processes or devices in the same, predictable way.

•**Simple and direct extrapolation of known facts**, such as change of size, form or proportion, without any unexpected effect.

•Selection from a number of alternative possibilities without any unexpected effect.

- **Industrial Applicability (utility)**
  - **Art 57 European Patent Convention:**

•An invention shall be considered as susceptible of industrial application if it can be made or used in any kind of industry, including agriculture.

	<p><b>Utility Models: A faster and reduced option for inventions protection</b></p>	<p>It is a title of protection for certain <b>inventions</b>, such as inventions in the mechanical field. Utility models are usually sought for technically less complex inventions or for inventions that have a short commercial life.</p> <p>In the EU only <b>17 countries</b> provide a registration process for utility models. The latter is significantly <b>simpler and faster than the patent application process</b>, taking - on average - six months. Finally, utility models are much <b>cheaper</b> to obtain and to maintain.</p>	<p>Utility models are usually sought for:</p> <ul style="list-style-type: none"> <li>technically less complex inventions, therefore inventions which do not fulfil the inventive step requirement; usually such invention instead of the normal level of inventive step only present a technical advantage.</li> <li>for inventions that have a short commercial life and therefore they do not need twenty year of protection. (Although they could, sometimes, be potentially patentable see example 3)</li> <li>or simply because the inventor wants to obtain an Intellectual Property right quicker than he would do through a patent application. (It takes on average six months to obtain a utility model). Infact the registration procedure is usually faster as there is no preliminary examination of the requirements and more importantly no search report is required although it is necessary when it comes to enforce the Utility Model.</li> </ul>
	<p><b>Industrial Designs</b></p>	<p>It refers to the right granted to protect the <b>original, ornamental and non-functional</b> features of a product that result from design activity. The right concerns merely the appearance (the 'design') of a product, not the product itself.</p>	<p>An industrial design may be granted in relation to the visual features of a product (i.e. shape, ornamentation, pattern, configuration, etc.). Designs that are dictated solely by the article's function are excluded from protection.</p> <p>To qualify for protection the design must show:</p> <ul style="list-style-type: none"> <li><b>Novelty</b></li> <li><b>Individual character</b></li> </ul>
	<p><b>Trade Marks</b></p>	<p>It is a <b>sign</b>, or a combination of signs, used in trade to identify and distinguish the goods or services of one enterprise from those of another. A trade mark owner is granted exclusive rights to:</p> <ul style="list-style-type: none"> <li><i>use the mark in relation to the goods or services with respect to which it is registered</i></li> <li><i>prevent others from using a substantially identical or deceptively similar mark in relation to identical or similar goods or services.</i></li> </ul>	<p>Words, letters, numerals, pictures, shapes and colours, as well as any combination of the above. The registration of less traditional forms of trade marks is now allowed, such as three-dimensional signs (like the Coca-Cola bottle), audible signs (sounds, Nokia jingle), or olfactory signs (smells).</p> <p><b>In order for a sign to be eligible for trade mark protection, it must:</b></p> <ul style="list-style-type: none"> <li><i>Be distinctive</i></li> <li><i>Not be deceptive</i></li> <li><i>Not be descriptive</i></li> <li><i>Not belong to the exclusions provided by the law</i></li> <li><i>Be in conformity with public order and morality.</i></li> </ul>
<p><b>COPYRIGHT &amp; Related rights</b></p> <p><b>(Unregistrable)</b></p>	<ul style="list-style-type: none"> <li>Does not protect the ideas themselves but only the concrete form of expression of ideas. The creativity protected is the originality of the authored work!</li> <li>Copyright protects <b>literary and artistic works</b>, such as poems, novels, music and paintings, but also cinematographic works, architectural works and many others. <b>Related rights</b> are related to the protection of works of authorship under copyright. Their purpose is to protect the legal interests of certain persons and legal entities who contribute to making works available to the public such as performing artists, producers of phonograms, broadcasters, etc.</li> <li>Copyright owners can prohibit or authorise that their works be: <ul style="list-style-type: none"> <li><i>copied or reproduced (e.g. printed publications or sound recordings)</i></li> <li><i>distributed to the public</i></li> <li><i>performed in public</i></li> <li><i>translated into other languages</i></li> <li><i>adapted, such as novel into screenplay</i></li> </ul> </li> <li>No formal registration process is required :Copyright <b>protection arises automatically</b> upon creation of the work, provided that it is <b>original</b></li> </ul>		

<b>SOFT IP (Unregistrable)</b>	<p>The terms “Soft IP” can be used to describe the intellectual assets which are not included in industrial property or in literary and artistic works, but have an important value for organisations. Usually, this refers to <b>know-how, trade secrets, confidential information</b>.</p> <p><b>Protection of Soft IP</b></p> <ul style="list-style-type: none"> <li>•Is not achieved by registration</li> <li>•Falls under the category of intangible rights – associated with other IPR</li> <li>•Free of charge</li> <li>•Does not involve long or complex registration processes , BUT requires appropriate internal management</li> </ul>
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## Useful links

- [IP joint ownership](#)
- [Inventorship, authorship and ownership](#)
- [Publishing VS Patenting](#)
- [How to search for patent information](#)
- [European \(EPC\) fees](#)
- [Automatic Patent Analysis](#)
- [How to search for Trademarks](#)
- [How to manage confidential business information](#)
- [EU IPR Helpdesk Bulletins](#)
- [UK Government Intellectual Property guidance](#)
- [EUIPO page on design protection, including the "IPR metro" chart](#)