

Green light for IP Charter

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Klaus Uckel

The European Commission has received the green light to draft a new charter for the management of intellectual property rights. This is good news for European research, says Klaus **Uckel** of the German Federal Ministry for Education and Research (BMBF), who believes that the initiative will help put a stop to the uncontrolled outflow of knowledge as well as piracy, and will help boost European competitiveness.

The 'IP Charter', a proposal from the German EU Council Presidency, would comprise a set of non-legally binding basic principles and guidelines, upon which research partners could voluntarily base their research cooperation. The approach is similar to that of the 2005 European Charter for Researchers, which provides voluntary guidelines on appropriate working conditions for researchers.

Speaking at a briefing in the European Parliament on 26 June, Mr **Uckel** noted that the Charter for Researchers has been widely adopted by universities and research institutes across Europe, and is seen as a tool to attract the best researchers. 'The fear is that by not signing the Charter, organisations will get left behind,' he said, adding that industry is also beginning to adopt the charter.

A variety of national and supra-national tools already exist to help universities and other public research establishments to better manage their knowledge. These include, among other tools, the UK Lambert Agreements, the Responsible Partnering Initiative, and European Commission guidelines. Meanwhile, collaborative research under the EU Framework Programme is governed by rules of participation, which provides an IP framework for the project partners.

'There are lots of best practices already on the table,' said Mr **Uckel**. 'But these now need a strong political push. The charter aims to give a political framework to these practices.' He added that the charter would be broad enough and sufficiently all-encompassing to be consistent with national arrangements and the EU research framework rules for participation.

There is a real need for an EU-wide framework, outlining the principles of IP management for universities and research centres, because a lack of professionalism is causing us to lose our know-how and leading to an ever-growing innovation gap between Europe and its global competitors, believes Mr **Uckel**.

One problem that has arisen as a result of having no common approach to settling IP issues is product piracy. It is estimated that illegal competitive practices are costing Germany alone €25 billion a year.

European innovation is also suffering as a result of the very different approaches taken by industry and public research institutes to managing intellectual property. Whereas researchers are mainly interested in publishing their work, industry is interested in preventing disclosure and in filing for and exploiting protective rights.

An IP charter would not only be able to initiate a process of awareness-raising on the importance of better IP management, says Mr **Uckel**; it would also promote a better understanding of research partners' positions. If cooperation between industry and academia is made easier, research institutions would be able to tap into funding sources more easily, while European industry would become more competitive since it would have more chances to commercialise innovative inventions. 'The Charter will help change the culture of European research,' surmised Mr **Uckel**.

Having a common approach to IP management would also ensure that research partners from Europe could better negotiate contracts with international partners. Countries such as the US and Japan are well versed in IP management, says Mr **Uckel**. But European research institutions and researchers find themselves in a weaker negotiating position, because they are unfamiliar with the many different IP rules and practices. A charter would help reduce any uncertainties, enabling European partners to refer to a common frame of reference.

Having received political backing from the Competitiveness Council on 25 June, the Commission will now push ahead with drafting the Charter, which Mr **Uckel** expects to be ready by the autumn.

For more on the IP Charter, please visit:
http://www.bmbf.de/pub/Eckpunkte_IP_eng2.pdf