DISSEMINATION & EXPLOITATION

Coordinator's day
Brussels, 10/03/2021
Horizon 2020 Programme: increased importance given to D&E

D&E in project life cycle
- **Rules for Participation** state clear D&E obligations for beneficiaries
- **Grant agreement** (GA) includes articles 28 on Exploitation and 29 on Dissemination and possibly additional D&E obligations following the WP/call
- Project Reporting includes D&E section
What are project results?

Any **tangible** or **intangible** output of the action, such as data, knowledge and information whatever their form or nature, whether or not they can be protected.

**Key exploitable results** are the outputs generated during the project which can be used and create impact, either by the project partners or by other stakeholders.

Project results can be **reusable and exploitable** (e.g. inventions, prototypes, services) as such, or elements (knowledge, technology, processes, networks) that have potential to contribute for further work on research or innovation.
Communication versus Dissemination

**Communication**
- About the project
- **Multiple audiences**
- **Inform** and reach out to society, show the benefits of research
- Grant Agreement art.38.1

**Dissemination**
- About results only
- **Audiences that may use the results** in their own work
- **Enable use** and uptake of results
- Grant Agreement art.29

- **Informing on project**
  - Newsletter
  - Press release
  - Project factsheet, brochure
  - Social media (blogs, Twitter, Facebook, LinkedIn)

- **Informing on results**
  - Scientific publications
  - Policy brief/roadmap
  - Training/demonstration
  - Sharing results on online repository (research data, software, reports)

- Making results available for re-use
  - Project website, videos, interview, articles in magazines, exhibitions/ open days, guided visits, conference, presentation and workshops.
Making results available
Facilitating further use of results

**Dissemination**

- About results only
- **Audiences that may use the results** in their own work
- **Enable use and uptake of results**
- Grant Agreement art.29

**Utilisation of results**, for scientific, societal or economic purposes
- Groups and entities that are making **concrete use of results**
- **All results generated during project** (exploitation by the project or another entity)
- Grant Agreement art. 28

**Exploitation**

- Spin-off/Start-up
- Product
- Patent
- PhD thesis/post
- Standard
- Service
- Societal activity
- Open/copyright licenses
- Further research
- Policy change

**Making use of results**

Innovation management, Copyright management, Data management plan, Active stakeholder/user engagement.
Art. 28 on Exploitation, and 29 on Dissemination of GA

Each beneficiary must – up to four years after the project completion – take measures aiming to ensure ‘exploitation’ of its results; either directly or indirectly, in particular through transfer or licensing by:

- using them in further research activities (outside the action);
- developing, creating or marketing a product or process;
- creating and providing a service, or
- using them in standardisation activities.

Also:
- no dissemination of results may take place before decision is made regarding their possible protection, and
- all patent applications, publications or any other dissemination (also in electronic form) shall include a statement that the action received financial support from the Union – the same applies to results incorporated in standardisation activities.

First protect
Then disseminate
POs dissemination checklist

Make sure that dissemination activities and outputs are reported:
- With concrete measures for dissemination of all key results;
- With EU funding acknowledgment and Open Access (DOI);
- The D&E plan identifies areas and stakeholders that could make use of the results;
- Uses effective channels and platforms for all groups of potential users (stakeholder networks, innovation domain specific platforms, EEN, policy makers, project website, social media);
- Facilitates and supports each of the impacts aimed at in the work plan;
- Dissemination plan is effective and updated to reflect the progress and outputs of the project.
POs exploitation checklist.

Make sure that exploitation and IPR management related activities are reported:
- Quantitatively and qualitatively (patent applications, licences, copyrighted material, registered designs, etc.
- Patent applications have EU funding acknowledgement and exist on website;
- Exploitation plan is effective and updated to reflect the key exploitable results;
- Different types of exploitable results (knowledge, methods, agreements, networks, technologies) are clearly identified and their direct and indirect value and impact for different stakeholders are considered;
- The barriers and risks for exploitations (actual use of the results after the project funding) of results are recognised and countered with appropriate measures during and after the project;
- Describes concrete measures to ensure that the results meet real needs, and will be taken up by potential users (e.g. engaging them in project);
- Describe the roles and responsibilities of partners in exploiting results or supporting their exploitation by other recognised groups of users.

References to specific partners
1.2.6 Before the final payment. It is important to pay additional attention to D&E activities and deliverables before making the final payment to the beneficiary. You should:

- Check that the D&E relevant parts in the (last) periodic report have been filled in correctly;
- Verify that projects have submitted good quality deliverables related to their D&E plan, which will then be published on CORDIS (therefore POs play an important role here, only you can verify that they are correct!);
- Make sure that the **self-reporting has** been filled in, if not, request for it, even consider delaying the payment;
- Check if the self-reporting is realistic (e.g. is it realistic that they have reached 120 000 people with their leaflet, etc.)
- Ask your coordinator to keep you informed if their research leads to further exploitation in the coming years and inform them about other EU funding opportunities

1.2.7 After the end of the project. It is important to monitor the results of the project and identify potential exploitation opportunities. The EC use of projects results strongly depends on the proactivity of the POs, in particular:

- Follow and inform the beneficiaries of recently terminated projects of new tools and guidance developed by the EC (e.g. prizes, new support tools from CIC including the upcoming Horizon Results Platform, etc.);
- Support visibility of important results in events, policy feedback occasions (flagging in reviews, reports, seminars), CORDIS results packs, etc.
- Consider terminated projects in clusters for policy feedback.
Why D&E does not always happen?

- Perceiving D&E as "tick boxes", not important for the "real work" of the project (research)
- Focusing on implementation rather than aligning work with the needs of users and stakeholders
- Lack of skills/resources (or interest) to effectively consider or share the value and possible benefits of the results for wider society
- Lack of knowledge of D&E risks and opportunities (e.g. IP issues/solutions, awareness of other similar projects)
- Not (yet) truly part of the project design!
- Often interpreted as an activity to be conducted at the end of the project to get the final payment
Other important elements

• Website
• Standardization
• IP
D&E tools to support beneficiaries

- H2020 Dashboard
- The common D&E "Boosters"
  - [https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home](https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home)
- Innovation Radar (IR)
- CORDIS
- Horizon results platform
  - [https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/horizon-results-platform/search](https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/horizon-results-platform/search)
- IPR helpdesk
  - [https://www.iprhelpdesk.eu/](https://www.iprhelpdesk.eu/)
### Comparison of patents and publications with other programmes

<table>
<thead>
<tr>
<th>For calls 2014 to 2016</th>
<th>Cost/Proj</th>
<th>Fund/Cost</th>
<th>Benef/Proj</th>
<th>Patents /10Mfund</th>
<th>Publications /10MFund</th>
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<th>Innov In CO</th>
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<tr>
<td>TOTAL</td>
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<td>2.0</td>
<td>3.1</td>
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Re-use of results

On average a project re-uses 17 projects (compare this to average funding per project 20M€).
Horizon Europe

Reinforced focus on exploitation

Continuity with H2020 rules:

✓ Beneficiaries must use their best efforts to exploit their results;
✓ Additional exploitation obligations may apply if indicated in work programme;

NEW Beneficiaries must complete a results ownership list (ROL) at last periodic report to clarify the ownership of the results as well as to promote and simplify their exploitation.

NEW If despite their best efforts no exploitation takes place within one year after the end of the project, the beneficiaries must use the Horizon Results Platform to find interested parties to exploit the results.

NEW Continued reporting on the progress and obstacles regarding exploitation thereafter.
Horizon Europe

Open Science mainstreamed

2008
- FP7 OA Pilot
- Deposit and open access

2014
- H2020 OA Mandatory
- Deposit and open access
- & ORD/DMP Pilot

2017
- H2020 OA Mandatory
- Deposit and open access
- & ORD/DMP by default (exceptions)

2021
- Planned under Horizon Europe
  - Open Science (OA, RDM, citizens engagement etc.) embedded throughout HE

✓ Open access to scientific publications
  - Immediate open access via repository at the latest upon publication under open licence
  - Only publication fees (if any) in full open access venues are eligible for reimbursement.

✓ From open research data pilot to responsible research data management
  - All research data must be managed in line with FAIR principles, with data management plan as a standard deliverable
  - Open access to research data via repository under principle ‘as open as possible, as closed as necessary’

✓ Additional open science practices may apply if indicated in work programme (e.g. access to results if needed to validate the conclusions of scientific publications)
Horizon Europe

Key impact pathways to track progress

1. Creating high-quality new knowledge
2. Strengthening human capital in R&I
3. Fostering diffusion of knowledge and Open Science
4. Addressing EU policy priorities through R&I
5. Delivering benefits & impact via R&I missions
6. Strengthening the uptake of innovation in society
7. Generating innovation-based growth
8. Creating more and better jobs
9. Leveraging investments in R&I
Obligation to communicate

ARTICLE 38 — PROMOTING THE ACTION – VISIBILITY OF EU FUNDING

38.1 Communication activities by beneficiaries

38.1.1 Obligation to promote the action and its results

The beneficiaries must promote the action and its results, by providing targeted information to multiple audiences (including the media and the public) in a strategic and effective manner.

This does not change the dissemination obligations in Article 29, the confidentiality obligations in Article 36 or the security obligations in Article 37, all of which still apply.

Before engaging in a communication activity expected to have a major media impact, the beneficiaries must inform the [Commission][Agency] (see Article 52).

Ad hoc efforts or mere dissemination of results are NOT sufficient. (Dissemination of results (see Article 29) cannot replace communication activities (or vice-versa); both provisions must be complied with.)
Obligation: Protecting the results

ARTICLE 27 — PROTECTION OF RESULTS — VISIBILITY OF EU FUNDING

27.1 Obligation to protect the results

Each beneficiary must examine the possibility of protecting its results and must adequately protect them — for an appropriate period and with appropriate territorial coverage — if:

(a) the results can reasonably be expected to be commercially or industrially exploited and

(b) protecting them is possible, reasonable and justified (given the circumstances).

When deciding on protection, the beneficiary must consider its own legitimate interests and the legitimate interests (especially commercial) of the other beneficiaries.
Obligation: Exploiting the results

ARTICLE 28 — EXPLOITATION OF RESULTS

28.1 Obligation to exploit the results

Each beneficiary must — up to four years after the period set out in Article 3 — take measures aiming to ensure ‘exploitation’ of its results (either directly or indirectly, in particular through transfer or licensing; see Article 30) by:

(a) using them in further research activities (outside the action);
(b) developing, creating or marketing a product or process;
(c) creating and providing a service, or
(d) using them in standardisation activities.

[OPTION for additional exploitation obligations if foreseen in the work programme: In addition, the beneficiaries must — up to four years after the period set out in Article 3 — comply with the additional exploitation obligations set out in Annex 1.]

This does not change the security obligations in Article 37, which still apply.
Obligation: Disseminate the results

ARTICLE 29 — DISSEMINATION OF RESULTS — OPEN ACCESS — VISIBILITY OF EU FUNDING

29.1 Obligation to disseminate results

Unless it goes against their legitimate interests, each beneficiary must — as soon as possible — ‘disseminate’ its results by disclosing them to the public by appropriate means (other than those resulting from protecting or exploiting the results), including in scientific publications (in any medium).

This does not change the obligation to protect results in Article 27, the confidentiality obligations in Article 36, the security obligations in Article 37 or the obligations to protect personal data in Article 39, all of which still apply.

A beneficiary that intends to disseminate its results must give advance notice to the other beneficiaries of — unless agreed otherwise — at least 45 days, together with sufficient information on the results it will disseminate.

Any other beneficiary may object within — unless agreed otherwise — 30 days of receiving notification, if it can show that its legitimate interests in relation to the results or background would be significantly harmed. In such cases, the dissemination may not take place unless appropriate steps are taken to safeguard these legitimate interests.

If a beneficiary intends not to protect its results, it may — under certain conditions (see Article 26.4.1) — need to formally notify the [Commission][Agency] before dissemination takes place.
Open access to scientific publication

29.2 Open access to scientific publications

Each beneficiary must ensure open access (free of charge, online access for any user) to all peer-reviewed scientific publications relating to its results.

In particular, it must:

(a) as soon as possible and at the latest on publication, deposit a machine-readable electronic copy of the published version or final peer-reviewed manuscript accepted for publication in a repository for scientific publications;

Moreover, the beneficiary must aim to deposit at the same time the research data needed to validate the results presented in the deposited scientific publications.

(b) ensure open access to the deposited publication — via the repository — at the latest:

(i) on publication, if an electronic version is available for free via the publisher, or
(ii) within six months of publication (twelve months for publications in the social sciences and humanities) in any other case.

(c) ensure open access — via the repository — to the bibliographic metadata that identify the deposited publication.

The bibliographic metadata must be in a standard format and must include all of the following:

• the terms "European Union (EU)" and "Horizon 2020"; "Euratom" and Euratom research and training programme 2014-2018’;
• the name of the action, acronym and grant number;
• the publication date, and length of embargo period if applicable, and
• a persistent identifier.
Open access to publications

Open access can be provided through:

a) **gold open access (open-access publishing)**

   ‘Gold open access means that open access is provided immediately via the publisher when an article is published, i.e. where it is published in open access journals or in ‘hybrid’ journals combining subscription access and open access to individual articles.

b) **green open access** (self-archiving).

   ‘Green open access’ means that the published article or the final peer-reviewed manuscript is archived by the researcher (or a representative) in an online repository. Access to the article is often — but not necessarily — delayed (H2020 embargo period between 6 and 12 months; see below) as some scientific publishers may wish to recoup their investment by selling subscriptions and charging pay-per-download view fees during an exclusivity period.

**Best practice:** Authors are encouraged to retain their copyright and grant appropriate licences to publishers. A [template](#) for an **open access clause** addendum which can be added to **publishing agreements** is available on the Participant Portal.
Open access to research data

29.3 Open access to research data

[OPTION 1a for actions participating in the open Research Data Pilot: ] Regarding the digital research data generated in the action (‘data’), the beneficiaries must:

• deposit in a research data repository and take measures to make it possible for third parties to access, mine, exploit, reproduce and disseminate — free of charge for any user — the following:
  • the data, including associated metadata, needed to validate the results presented in scientific publications as soon as possible;
  • other data, including associated metadata, as specified and within the deadlines laid down in the ‘data management plan’ (see Annex 1);
• provide information — via the repository — about tools and instruments at the disposal of the beneficiaries and necessary for validating the results (and — where possible — provide the tools and instruments themselves).

This does not change the obligation to protect results in Article 27, the confidentiality obligations in Article 36, the security obligations in Article 37 or the obligations to protect personal data in Article 39, all of which still apply.

As an exception, the beneficiaries do not have to ensure open access to specific parts of their research data under Point (a)(i) and (iii), if the achievement of the action’s main objective (as described in Annex 1), would be jeopardised by making those specific parts of the research data openly accessible. In this case, the data management plan must contain the reasons for not giving access.
Open access to research data

Participation is therefore now in principle the default. However, actions may opt out at any stage — both before signing the GA and afterwards (through an amendment; see Article 55) —, if:

- participation is incompatible with the obligation to protect results (see Article 27)
- participation is incompatible with the security obligations (see Article 37)
- participation is incompatible with rules on protection of personal data
- participation would mean that the project's main aim might not be achieved
- the project will not generate/coll ects any research data or
- there are other legitimate reasons not to take part.
Obligation: Information on EU funding

29.4 Information on EU funding — Obligation and right to use the EU emblem

Unless the [Commission][Agency] requests or agrees otherwise or unless it is impossible, any dissemination of results (in any form, including electronic) must:

(a) display the EU emblem and

(b) include the following text:

“For ECSEL JU also mention EPS that participate in project

“This project has received funding from the [European Union’s Horizon 2020 research and innovation programme][Euratom research and training programme 2014-2018] under grant agreement No [Number]”.

When displayed together with another logo, the EU emblem must have appropriate prominence.

For the purposes of their obligations under this Article, the beneficiaries may use the EU emblem without first obtaining approval from the [Commission][Agency].

This does not however give them the right to exclusive use.

Moreover, they may not appropriate the EU emblem or any similar trademark or logo, either by registration or by any other means.

29.5 Disclaimer excluding [Commission][Agency] responsibility

Any dissemination of results must indicate that it reflects only the author’s view and that the [Commission][Agency] is not responsible for any use that may be made of the information it contains.
Transfer of ownership

ARTICLE 30 — TRANSFER AND LICENSING OF RESULTS

30.1 Transfer of ownership

Each beneficiary may transfer ownership of its results.

It must however ensure that its obligations under Articles 26.2, 26.4, 27, 28, 29, 30 and 31 also apply to the new owner and that this owner has the obligation to pass them on in any subsequent transfer.

This does not change the security obligations in Article 37, which still apply.

Unless agreed otherwise (in writing) for specifically-identified third parties or unless impossible under applicable EU and national laws on mergers and acquisitions, a beneficiary that intends to transfer ownership of results must give at least 45 days advance notice (or less if agreed in writing) to the other beneficiaries that still have (or still may request) access rights to the results. This notification must include sufficient information on the new owner to enable any beneficiary concerned to assess the effects on its access rights.

Unless agreed otherwise (in writing) for specifically-identified third parties, any other beneficiary may object within 30 days of receiving notification (or less if agreed in writing), if it can show that the transfer would adversely affect its access rights. In this case, the transfer may not take place until agreement has been reached between the beneficiaries concerned.
ARTICLE 30 — TRANSFER AND LICENSING OF RESULTS

30.2 Granting licences

Each beneficiary may grant licences to its results (or otherwise give the right to exploit them), if:

(a) this does not impede the access rights under Article 31 and

(b) [OPTION 1 if additional exploitation obligations in Annex 1: the beneficiary complies with its additional exploitation obligations (see Article 28.1 and Annex 1)] [OPTION 2: not applicable].

In addition to Points (a) and (b), exclusive licences for results may be granted only if all the other beneficiaries concerned have waived their access rights (see Article 31.1).

This does not change the dissemination obligations in Article 29 or security obligations in Article 37, which still apply.
Objections to transfer or licensing

ARTICLE 30 — TRANSFER AND LICENSING OF RESULTS

30.3 [Commission][Agency] right to object to transfers or licensing

[OPTION 1 for EU grants: The [Commission][Agency] may — up to four years after the period set out in Article 3 — object to a transfer of ownership or the exclusive licensing of results, if:

(a) it is to a third party established in a non-EU country not associated with Horizon 2020 and

(b) the [Commission][Agency] considers that the transfer or licence is not in line with EU interests regarding competitiveness or is inconsistent with ethical principles or security considerations.

A beneficiary that intends to transfer ownership or grant an exclusive licence must formally notify the [Commission][Agency] before the intended transfer or licensing takes place and:

- identify the specific results concerned;

- describe in detail the new owner or licensee and the planned or potential exploitation of the results, and

- include a reasoned assessment of the likely impact of the transfer or licence on EU competitiveness and its consistency with ethical principles and security considerations.