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iWalkActive - an Active Walker for Active People

Document Identification

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iWalkActive Consortium

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Abbreviations

Abbrev.	Description
AAL	Ambient Assisted Living
AAL JP	Ambient Assisted Living Joint Programme
iWA	Acronym of this Project – iWalkActive

Executive Summary

This document is an additional document to the Consortium Agreement, providing and summarizing useful information for the handling of IPR. It provides additional information, but does not overrule the CA and the DoW.

IPR protection is an issue of uttermost importance for any research project. The IPR Directory shall help to avoid any problems concerning access rights for Back- and Foreground and is based on the CA. It is intended to enhance exploitation activities during the final stages of the project (business models and plans) and after project completion.

This document describes the IPR directory, summarizes important issues from the CA and describes the process of adding new items to the IPR directory.

1 About this Document

1.1 Role of the deliverable

As mentioned in the DoW IPR protection is an important issue in a research project and the IPR Directory is the key tool in iWalkActive.

“In accordance with the FP7 rules for participation (Regulation (EC) No 1906/2006 of the European Parliament and of the Council of 18.12.2006) and the Grant Agreement all affairs concerning dissemination, access rights and use of knowledge and intellectual property will be covered in the Consortium Agreement. It is intended to be based on the DESCA model. A key tool for the knowledge management will be an **IPR Directory**, which is intended to give an overview over all background the project or its results are based upon and all foreground developed within the project. It will be maintained throughout the lifetime of the project by the Executive Board and serves as a basis to prevent conflicts and to ease business planning. It is planned to create an initial version of the directory at the start of the project and to update it on a regular basis.

The *Parties* agree to respect their individual *Background*. All *Background* remains in the ownership of each Party providing the *Background*. *Foreground* shall be owned by the Party who carried out the work generating the *Foreground*, or on whose behalf it was carried out. The Parties acknowledge that Foreground created in the Project deliverables and Foreground in relation with the iWalkActive platform as laid out in the work plan shall be accessible to Parties and Third Parties as open source software unlike the user interfaces and services whose licensing will be subject to the decision of its owner(s), subject to the provisions of the IPR Directory..” [1]

An initial version of the IPR Directory can be found in the Consortium Agreement (CA) and in this deliverable the process for future IPR issues and the IPR directory is explained.

1.2 Relationship to other iWalkActive deliverables

The deliverable is related to the following iWalkActive deliverables:

<u>Deliv:</u>	<u>Relation</u>
D1.1	Consortium Agreement: this document covers all rules regarding IPR protection within the Consortium. Furthermore an initial version of the IPR Directory agreed on by the Consortium members and signed at project start is contained in the CA.
D8.1	Dissemination Plan: this document presents the planned dissemination activities of the Consortium and is thus closely related to all foreground generated and background used within the project.
D8.4	Marketing Concept
D8.5	Business Plan: this document presents developed business models and exploitation plans. Thus there is a close relation to the generated foreground listed in the IPR Directory.
D8.6	Dissemination Report

2 The IPR Directory

2.1 Introduction

This chapter explains the main process for handling future issues regarding IPR.

2.2 Relevant sections from CA

In the following one can find two important sections from the CA related to the IPR Directory. These two sections are the basis for all matters described within this document and are not overruled by any explanations herein.

2.2.1 Section 1: Definitions, page 6:

Below the definitions of Background and Foreground (taken from the CA) can be found:

Background means information which is held by a Party prior to its accession to this agreement, as well as the intellectual property rights pertaining to such information, including the application that has been filed before its accession to this agreement, which is needed for carrying out the Project or for using Foreground.” [2]

Foreground means the tangible and intangible results which are generated under the project, including pieces of information, materials and knowledge and whether or not they can be protected. It includes intellectual property rights (e.g. copyrights, industrial designs, patents, plant variety rights), similar forms of protection (e.g. rights for databases) and know how or trade secrets (e.g. confidential information).” [2]

2.2.2 Clause 9.1, page 14

“9.1.1 The Parties shall identify in the Attachment 1 the Background to which they are ready to grant Access Rights, subject to the provisions of this Consortium Agreement and the Grant Agreement(s). Such identification may be done by e.g.

- subject matter and possibly in addition by
- naming a specific department of a Party.

9.1.2 The owning Party may add further Background to Attachment 1 during the Project by written notice. However, only the Project Coordination Committee can permit a Party to withdraw any of its Background from Attachment 1.” [2]

2.3 Description of IPR Directory

In Table 1 the columns for the IPR Directory are described. Furthermore the fields needed for the written notice are marked. It is the EB’s responsibility to maintain the IPR Directory in the course of the project.

	Description	Needed in “written notice” (yes/no)
Name of Knowledge	The name of the item.	yes
Description of Knowledge	A short description of the item to give an idea what it is about.	yes
Nature of Knowledge	The nature of the item. Can be software, hardware, etc.	yes
Type of Knowledge	Describes if the item is Background,	yes

	Sideground or Foreground. For definitions see CA [2].	
Status	<p>The status of the item regarding the inclusion into the IPR Directory. There are three possible status:</p> <ul style="list-style-type: none"> • Submitted: A party has submitted a written notice about the item. • Approved: The inclusion in the IPR Directory is approved by the EB. • Dismissed: The inclusion in the IPR Directory is dismissed by the EB or the EB has decided to remove an item from the IPR Directory. 	no
Status Date	The date of submission, approval of the inclusion in the IPR Directory by the EB or being dismissed.	no
Possibilities for Dissemination & Exploitation	A short description of possibilities for dissemination and exploitation. Just relevant for generated Foreground. Is optional as mainly covered in D8.1, 8.4, 8.5 and 8.6.	no
Licensing Model	For Foreground which is open source software the licensing model of the open source software shall be included.	no
Agreed Access Rights	The currently agreed status of every item concerning access rights of the intellectual property.	no

Table 1: IPR Directory description

This is a detailed description for all information needed in the IPR Directory.

2.4 IPR Process

In Figure 1 the process to add items (Back- and Foreground) to the IPR Directory is graphically described. Foreground shall be added to the IPR Directory before a partner or partners start to create it and Background when identified as needed for carrying out the project or for using Foreground.

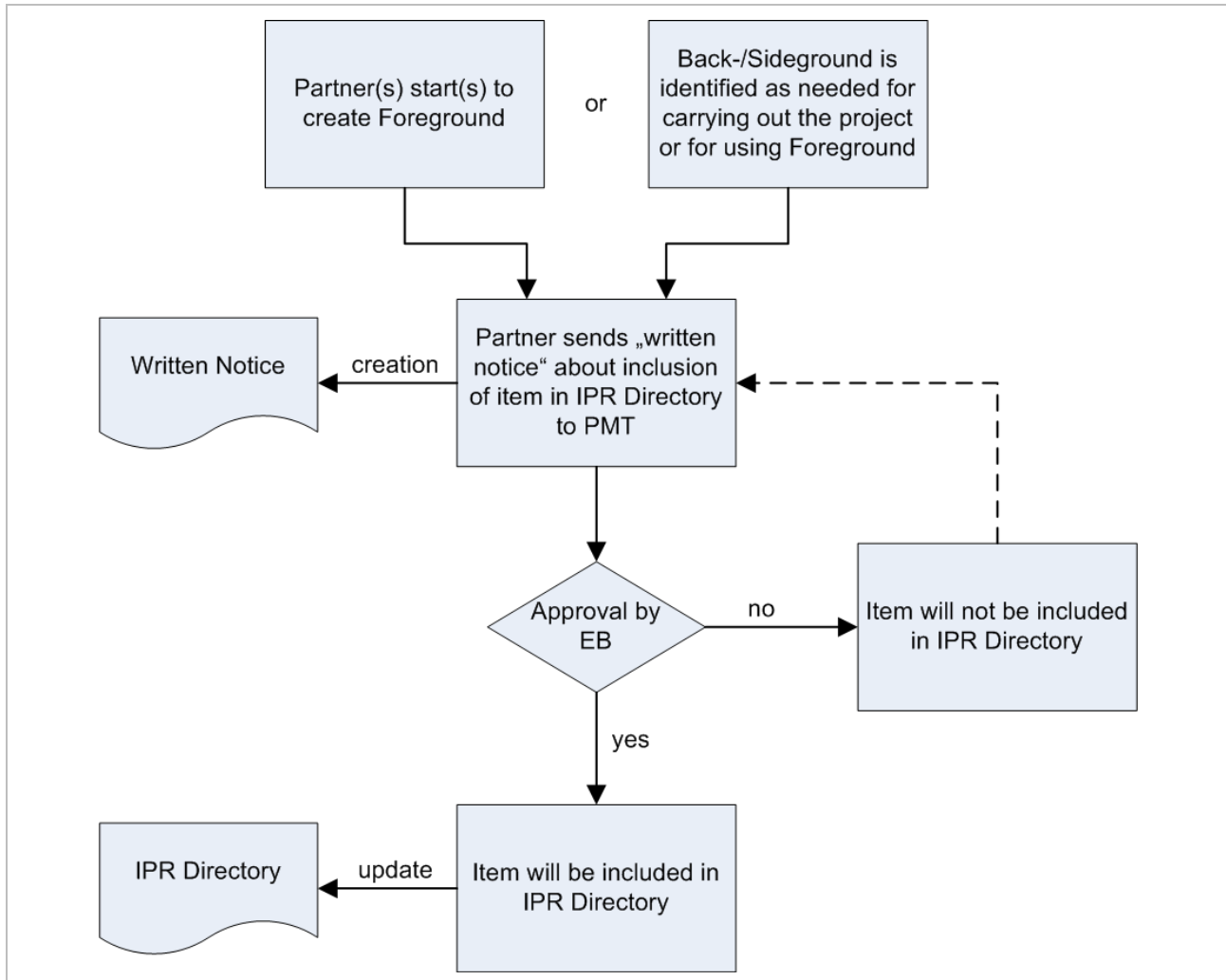


Figure 1: IPR process

Graphical description of the process to add items to the IPR Directory.

2.5 Link to IPR Directory

The iWalkActive IPR Directory (AAL-JP_iWalkActive_D8.2_IPR_Directory.xlsx) can be found on Confluence at

<https://confluence.ihomelab.ch/display/iWA/Deliverables++Dokumente> => D8.2 IPR & patent report

References

- [1] iWalkActive, *Description of Work*. 2012.
- [2] iWalkActive Consortium Agreeemt, 2012.

Appendix A Initial Version of IPR Directory

A.1. Background included

IHL has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

AIT has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

- HOMER: OSGI based Home Event Recognition System - Basic Bundles
- Knowledge out of the following developments on training and therapy equipment
 - ARES:
 - ARMOR
 - XMO

CAG has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

TRK has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

GEO has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

ICO has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

KTZ has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

TRI has the following Background necessary for carrying out the Project, and agree that the Access Rights on this Background shall be granted on a royalty-free basis:

This represents the status at the time of signature of this Consortium Agreement.

A.2. Background excluded from Access Rights:

IHL: Fachhochschule Zentralschweiz - Hochschule Luzern - Technik & Architektur, iHomeLab excludes all background not owned by Hochschule Luzern - Technik & Architektur, iHomeLab

AIT: AIT Austrian Institute of Technology excludes all background not owned by AIT Austrian Institute of Technology, Business Unit Biomedical System.

CAG: Careguide GmbH excludes all background not owned by Careguide GmbH.

TRK: TRIKON Solutions AG excludes all background that has been created during former projects (TRIdrive scooter and trivanti):

- Controller for brushless DC motor
- Utilization of block commutation
- Utilization of direct FETs
- Adaption of motor controller for a certain type of vehicle
- Communication between PC and embedded system
- Diagnostics for drive
- Battery management
- Man machine interface for electrically powered vehicle

GEO: Geo7 AG excludes all background not owned by Geo7 AG.

ICO: ITH icoserve GmbH, Innsbruck excludes all background not owned by by ITH icoserve GmbH, Innsbruck and all background created during former projects (ProAct) by ITH icoserve GmbH, Innsbruck.

KTZ: Social work knowledge in age questions; Networking to the organisations in the age area of the canton Zug

TRI: Trionic Sverige AB excludes all background not owned by Trionic Sverige AB.

This represents the status at the time of signature of this Consortium Agreement.