

# Patent Strategy of Leibniz University Hannover

## Preamble

In accordance with its mission to make knowledge and technology accessible and in alignment with its guiding principle "shaping the future with knowledge", Gottfried Wilhelm Leibniz Universität Hannover provides society with access to scientific research results via various methods. For example, this is achieved through dissemination of scientific findings via publications, through educating students and junior researchers, exchanging expertise via collaborative projects or consultation services and through conducting research on behalf of third parties. In addition to this patent strategy, LUH has issued guidelines for handling publications (Open Access Resolution, 2011) in order to regulate the handling of research results and intellectual property. A concept for handling research data produced at Leibniz University Hannover will follow as a further component of a strategy for intellectual property and knowledge transfer.

Due to the significant investments sometimes necessary for transforming new technologies into marketable products and processes, protecting intellectual property is often required for successful technological innovation. Without industrial property protection, in some circumstances the level of security necessary for investment could not be ensured. After a revision of the laws regulating employee inventions in 2002, the government emphasised the active role of universities with regard to the transfer of technological inventions for commercial use.

A high degree of transparency and reliability is required with regard to handling inventions and to ensure technical industrial property rights. This is also necessary in order to protect the interests of LUH, its researchers and its cooperation partners with respect to handling intellectual property. Therefore, in compliance with the recommendations of the European Commission<sup>1</sup> and the task force for patent use and technology transfer initiated by the Federal Ministry for Economic Affairs and Energy, the following principles were developed by LUH for handling inventions, as well as patents and registration thereof.

**LUH endeavours to successfully transfer technologies developed at the university into application.**

## Internal communication and advice

LUH strives to expand the knowledge of its members concerning industrial property protection and to increase awareness regarding intellectual property rights. For this purpose, further education programmes are regularly available to members of the university. Additionally, LUH members can take advantage of free consultation concerning inventions and patents. For further information, please contact the Research and Innovation Services team (department 4) of Leibniz University Hannover.

## Evaluation, claim and patenting

Employees of Leibniz University Hannover are legally required to report inventions. The university may claim and patent suitable staff inventions. The university will determine whether an invention is claimed or released, taking into account any contractual obligations, as well as whether the invention is patentable and marketable. LUH may obtain external assistance (e.g. a patent exploitation agency) to evaluate these criteria. There are no restrictions or preferences in individual subject areas.

If an invention is claimed and a patent is registered by LUH, patenting measures for this invention will be established in consideration of the individual case. These measures will primarily be guided by the prospects for exploitation, which should justify the financial expenditure for protective measures.

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<sup>1</sup> Commission recommendation on the management of intellectual property in knowledge transfer activities and code of practice for universities and other public research organisations, C(2008) 1329

### Patent exploitation

At LUH, commercial companies have the opportunity to exploit technologies developed at the university (taking into consideration any restrictions, e.g. for inventions from publicly funded research projects). In turn, the university expects a share in the added value created. For this purpose, LUH normally grants licences. Protective rights are generally not sold.

Exploitation contracts should not impede the university's further core missions – research and teaching. Therefore, these agreements are generally created in accordance with the interests of the university institutes and facilities involved in the invention. Exploitation contracts are negotiated for the university by Research and Innovation Services (department 4).

### Management of intellectual property rights and drafting contracts

Generally, Leibniz University Hannover is interested in developing technologies for the market together with commercial partners and is prepared to contribute existing intellectual property. Balanced agreements are indispensable for successful research and development collaborations. Therefore, when concluding contracts in the context of collaborations and third-party funding, LUH takes special care to reach sustainable agreements with regard to intellectual property. This establishes a high degree of transparency and reliability for all participants throughout the project and thereafter. For this, regulations for usage rights will be established for intellectual property present prior to project begin ("background") and for project results.

In the case of industrial commissions, LUH expects appropriate remuneration for special, unforeseeable services, including inventions, if it is agreed to assign the rights of such inventions to the industrial partner.

### External communication and marketing

LUH will regularly publicly announce new technologies – if necessary, after implementing measures to protect intellectual property. In addition to the usual method of academic publication, this also occurs via other channels such as technology databases or activities of the technology contact point "uni transfer". Furthermore, LUH is prepared to promote successfully exploited projects together with industrial partners, for example through joint public relations activities.

More detailed information on measures in the various fields is governed in the university's internal guidelines in the respective valid version. Please contact the Research and Innovation Services team of Leibniz University Hannover with any questions concerning inventions and patents.