



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 June 2008

10323/08

**RECH 203
EDUC 159
COMPET 219**

OUTCOME OF PROCEEDINGS

from : Competitiveness Council of 29-30 May 2008

Prev.doc.N° 9073/2/08 RECH 164 EDUC 141 COMPET 171 REV 2

Subject : Council Resolution on the management of intellectual property in knowledge transfer activities and on a Code of Practice for universities and other public research organisations
– adoption

Delegations will find attached the Council Resolution on the management of intellectual property in knowledge transfer activities and on a Code of Practice for universities and other public research organisations, as adopted by the Competitiveness Council meeting on 30 May 2008.

DRAFT
COUNCIL RESOLUTION
of 30 May 2008

on the management of intellectual property in knowledge transfer activities and on a Code of Practice for universities and other public research organisations - "IP Charter Initiative"

(2008/C XXX/YY.)

THE COUNCIL OF THE EUROPEAN UNION

RECOGNISES the importance of effective management and protection of intellectual property, the promotion of knowledge transfer across Europe and the efficient dissemination of scientific and technological innovations in the European Research Area in order to maximise the socio-economic impact of public research efforts,

RECALLS the work undertaken in the context of the "Intellectual Property Charter" Initiative of the 2007 German Presidency endorsed by the European Council in June 2007¹, the Commission's Communication entitled "Improving knowledge transfer between research institutions and industry across Europe" of 4 April 2007², its own conclusions on "Knowledge transfer and the use of intellectual property in the European Research Area" of 25 June 2007³, and the European Council conclusions of March 2008⁴; RECALLS the work of CREST in the context of the Open Method of Coordination (OMC);

¹ Doc. 11177/1/07 REV 1 CONCL 2.

² Doc.8323/07 EDUC 67 RECH 100 COMPET 93.

³ Doc. 10150/07 EDUC 115 RECH 169 COMPET 180.

⁴ Doc. 7652/08 CONCL 1.

WELCOMES AND SUPPORTS the Commission's Recommendation on the management of intellectual property in knowledge transfer activities and Code of Practice for universities and other public research organisations, included in the Annex to this Resolution, as one of the policy initiatives taken by the Commission to follow up its Green Paper entitled "The European Research Area: New Perspectives"⁵,

INVITES Member States to actively support the Recommendation, and to promote the effective take-up of the Code of Practice by universities and other public research organisations, while fully respecting their autonomy in dealing with IPR;

CALLS UPON all universities and other public research organisation to pay due regard to the content of the Commission's Code of Practice and to implement it according to their specific circumstances, including appropriate flexibility for contract research⁶;

INVITES the Commission to apply the principles laid down in the Recommendation of the Code of Practice in relevant EU policies and instruments;

INVITES Member States and the Commission to establish, in partnership, light and effective governance arrangements, including the monitoring and evaluation of the take up and impact of the Recommendation and Code of Practice, on the basis of indicators, the exchange of best practices with active involvement of stakeholders, which could lead to the definition of further guidelines on specific issues of common interest where justified;

RECOMMENDS to the Heads of State and Government to endorse this Resolution at their next summit meeting.

⁵ Doc. 8322/07 RECH 99 + ADD 1

⁶ Collaborative and contract research in this document are to be understood in the sense of the Community framework for State Aid for R&D and Innovation (O.J. No. C 323 of 30.12.2006), in particular points 3.2.1. and 3.2.2. thereof.