



# IP & Dissemination workshop

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# Topics

- IP
- Dissemination

# Intellectual property

- What?

- A non-physical quality that comes from an idea, but only the physical things made from that idea are protected by law.
- Copyright; Patents; Trademarks; Trade secrets;

- What not?

- It must not be something everyone knows about in the society where it was created when it becomes property.
  - You can't claim to have invented cheese

# Intellectual property

The screenshot shows a web browser window with a YouTube video player. The browser's address bar contains the URL `youtube.com/watch?v=y0sF5xhGreA`. The search bar at the top of the page contains the text "cute cat compilation". The video player displays a vertical stack of five small white mesh cages, each containing a different breed of kitten. The video title is "20 Minutes of Adorable Kittens 🥰 | BEST Compilation" by "The Pet Collective", which has 6.86 million subscribers. The video has 27K likes and was uploaded 10 months ago. To the right of the video player, there are recommendations for "Shorts" videos, including "AWWW, Cuteness...", "Funny animals 2023 🥰 -...", and "Favorite Friends / Funny cats". Below these are two more recommendations: "0.0001% | I Captured ALL of Minecrafts Rarest Mobs" and "I Broke the Diamond World Record in Minecraft".

# Intellectual property

- What for?
  - Protection of Creators' Rights vs. Publishers (Statute of Anne, 1710)
  - Encouraging Innovation and Creativity
  - Promoting Economic Growth and Development
  - Preservation of Cultural Heritage

... <-> 'information wants to be free' vision

... <-> 'Gatekeeping' innovation

... <-> Censorship tool

# Intellectual property: Copyright

Copyright protects **original works** of authorship fixed in a tangible medium of expression

What is 'original'?

→ Lawmakers as art critics

- Soft No: Names, titles, slogans, fonts, coloring, ingredient lists, familiar symbols, designs; but... can be framed as trademark (see further)
- Hard No: Factual information
- In dubio: Works created by non-humans

# Intellectual property: Copyright

Copyright protects **original works** of authorship fixed in a tangible medium of expression...  
... for Belgium (similar across EU countries) this, not exhaustively, concerns:

- **Literary works:** Such as books, articles, essays, and poems.
- **Musical works:** Including compositions, songs, and musical scores.
- **Dramatic works:** Such as plays, scripts, and screenplays.
- **Artistic works:** Including paintings, drawings, sculptures, photographs, and graphic designs.
- **Architectural works:** Such as buildings and architectural plans.
- **Cinematographic works:** Including movies, videos, and animations.
- **Computer programs:** Software code and computer-generated works.
- **Other creative works:** Such as databases, maps, and choreographic works.

# Intellectual property: Copyright

Copyright protects original works of authorship fixed in a **tangible medium of expression**

- Others need to be able to perceive your work in the form of a copy or record, but the copyright applies to the intangible material!

**E.g., Owning a book is not equal to owning the copyright**



# Intellectual property: Copyright

Copyright protects original works of authorship fixed in a tangible medium of expression...

Is everything I make my copyright?

No... US: 'Work for Hire' <-> employment contracts

# Intellectual property: Copyright

Copyright protects original works of authorship fixed in a tangible medium of expression...

What rights do my copyright give me?

Distribution rights = control of dissemination

Adaptation rights = control of derivative works

...

But: Exceptions such as Fair use principle / First sale rule / Licenses ...

# Intellectual property: Copyright

Copyright protects original works of authorship fixed in a tangible medium of expression...

How long do copyrights last?

Life of the author +70 years (varies internationally)

# Intellectual property: Copyright

Copyright protects original works of authorship fixed in a tangible medium of expression...

Is our work in IMMERSE protected by copyright?

Yes, but to have legal benefits we should register what we consider copyrightable.

# Intellectual property: Copyright

Exercise 1: What parts of IMMERSE fall under copyright? What can we register?

# Intellectual property: Patents

A patent is a form of intellectual property right **granted by a government** to an inventor or assignee for a limited period of time, usually 20 years from the filing date of the patent application. It gives the patent holder the exclusive right to prevent others from making, using, selling, or importing the patented invention without permission.

Patents serve to encourage innovation and technological advancement:

- Incentive to invest time, effort, and resources into developing new inventions, knowing that they will have a period of exclusivity to profit from their invention before others can compete.
- In exchange for this exclusivity, inventors are required to disclose their inventions to the public, which contributes to the body of knowledge and promotes further innovation.

# Intellectual property: Patents

Governments have criteria, generically:

- New
- Useful
- Non-obvious
- Clear (think back to pre-registrations!)

Governments differentiate between different kinds of patents:

- Utility patents
- Design patents
- Plant patents

# Intellectual property: Patents

Patents <...> inventors are required to disclose their inventions to the public, which contributes to the body of knowledge and promotes further innovation.

Never patent software architecture or algorithms; treat those as trade secrets (see further)



# Intellectual property: Patents

Patents trolls: individuals who aim to patent anything with the strategy to sue



# Intellectual property: Patents

Exercise 2: Discuss patentable content in IMMERSE. Formulate an argumentation why we should (not) patent.

# Intellectual property: Trademarks

Trademarks are distinctive signs or symbols used by businesses to identify and distinguish their goods or services from those of other entities. They can take various forms, including words, logos, symbols, slogans, sounds, colors, or combinations thereof. Trademarks serve as indicators of the source or origin of a product or service, helping consumers to identify and associate specific goods or services with a particular brand or company.

# Intellectual property: Trademarks

Function?

- Goodwill and reputation associated with a brand
- Preventing unauthorized use of the mark by competitors or counterfeiters.
- Consumer protection

# Intellectual property: Trademarks

What can be a trademark?

- **Words:** This includes brand names, slogans, and phrases. For example, "Nike", "Just Do It", and "McDonald's".
- **Logos:** Graphic designs or symbols used to represent a brand. Examples include the Apple logo, the McDonald's golden arches, and the Nike swoosh.
- **Symbols:** Certain symbols or icons can be trademarked, such as the Nike swoosh or the Twitter bird logo.
- **Colors:** In some cases, specific colors can be trademarked if they are associated strongly with a particular brand. For instance, the distinct shade of brown used by UPS.

# Intellectual property: Trademarks

What can be a trademark?

- **Sounds:** Unique sounds or jingles associated with a brand can be trademarked. For example, the 'I'm lovin' it'.
- **Product Packaging:** The distinctive packaging or design of a product can also be trademarked. Examples include the shape of the Coca-Cola bottle or the packaging of Toblerone chocolate bars.
- **Trade Dress:** This refers to the overall appearance and image of a product or service, including its packaging, decor, or design. Trade dress can be protected as a trademark if it is distinctive and serves to identify the source of the goods or services.

# Intellectual property: Trademarks

Trademark criteria?

- **Distinctiveness:** The mark must be distinctive, meaning it distinguishes the goods or services of one entity from those of others. Marks that are merely descriptive or generic are generally not eligible for trademark protection. A mark that is arbitrary (e.g., "Apple" for computers) or fanciful (e.g., "Xerox" for photocopiers) is considered inherently distinctive and easier to register.
- **Use in Commerce:** In many jurisdictions the mark must be used in commerce in connection with the goods or services for which registration is sought. This means the mark must be used to identify and distinguish the goods or services in the marketplace.
- **Non-Functional:** The mark cannot be functional, meaning it cannot be essential to the use or purpose of the product or service. For example, the shape of a screwdriver cannot be trademarked because it serves a functional purpose.
- **Not Deceptive:** The mark must not be deceptive or misleading to consumers. It should accurately represent the source of the goods or services.

# Intellectual property: Trademarks

How to obtain a Trademark?

- **Registration Application:** To obtain a trademark registration, an application must typically be filed with the relevant government authority.
- **Payment of Fees:** There are usually fees associated with filing a trademark application and maintaining the registration over time. These fees can vary depending on the jurisdiction and the number of classes of goods or services the mark is registered in.



# Intellectual property: Trademarks

Exercise 3: For the countries of IMMERSE, figure out the process of applying for a trademark and associated costs. Formulate a strategy.

# Intellectual property: Trade secrets

Trade secrets are confidential, proprietary information that provide a business with a competitive advantage over others who do not know or use that information. Unlike patents, copyrights, or trademarks, trade secrets are not registered with government authorities. Instead, they are protected through secrecy measures and confidentiality agreements.

→ Trade secret protection can be more difficult to enforce than other forms of intellectual property, as there is no official registration process or government enforcement mechanism. Trade secret owners must rely on contractual agreements and legal remedies, such as injunctions and damages, to protect their trade secrets in cases of misappropriation

# Intellectual property: Trade secrets

Exercise 4: What would you consider trade secrets of IMMERSE? How would you ensure protecting these trade secrets?

# Intellectual property: Exercises

- Exercise 1: What parts of IMMERSE fall under copyright? What can we register?
- Exercise 2: Discuss patentable content in IMMERSE. Formulate an argumentation why we should (not) patent.
- Exercise 3: For the countries of IMMERSE, figure out the process of applying for a trademark and associated costs. Formulate a strategy.
- Exercise 4: What would you consider trade secrets of IMMERSE? How would you ensure protecting these trade secrets?

# Topics

- ~~IP~~

- Dissemination

# Dissemination

"Project participants are obligated to actively disseminate the knowledge, results, and outcomes generated throughout the duration of the project. This includes sharing research findings, scientific publications, technical reports, data sets, and other relevant materials with relevant stakeholders, as well as engaging in outreach activities to promote awareness and uptake of project results. Dissemination efforts should be tailored to target audiences and channels, and should be carried out in accordance with the project's dissemination plan and the guidelines set forth by the European Commission."

# Dissemination: Elements for success

## 1. Identifying stakeholders

- Identify key stakeholders such as policymakers, industry partners, researchers, and the general public.
- Understand their needs, interests, and communication preferences to tailor your dissemination efforts.

# Dissemination: Elements for success

## 2. Define SMART objectives

**Specific:** Clearly define what you aim to achieve with your dissemination efforts.

**Measurable:** Establish criteria to measure the success of your objectives.

**Achievable:** Ensure your objectives are realistic and attainable within the project timeline and resources.

**Relevant:** Align your objectives with the overall goals of the project and the needs of your target audiences.

**Time-bound:** Set deadlines and milestones to keep your dissemination efforts on track (i.e., who / when).



# Dissemination: Elements for success

## 3. Define key messages

- Identify key messages that communicate the significance and impact of your project.
- Ensure message clarity and consistency across all communication channels.

# Dissemination: Elements for success

## 4. Define pathways for your dissemination

- Scientific Publications
- Conference Presentations
- Project Websites and Online Platforms
- Social Media and Networking
- Policy White Papers
- Workshops and Training Events
- Media Outreach and Press Releases

# Dissemination: Elements for success

5. Formulate a dissemination plan and implement it

- Develop a comprehensive dissemination plan outlining activities, timelines, and responsibilities.
- Ensure alignment with project objectives and budget constraints.

# Dissemination: Exercise

Create a timeline for IMMERSE dissemination activities from now until April 2025.

- Differentiate between personal and group-level dissemination activities
- Apply the SMART objectives (**S**pecific; **M**easurable; **A**chievable; **T**ime-bound)
- Outline dissemination pathways and be specific on who will do what