



**ASTPPROTON**  
KNOWLEDGE TRANSFER EUROPE

# RESEARCH AND DEVELOPMENT COLLABORATIONS

20–22 September 2017

New Babylon Meeting Center, The Hague, the Netherlands

▶ [www.astp-proton.eu](http://www.astp-proton.eu)

## MEET THE TRAINERS



**Danille Arendes Weinreich**  
Senior Contract Manager  
Novo Nordisk A/S  
Denmark



**Kirsten Schilling**  
Patent & License Manager  
Innovectis GmbH  
Germany



**Jeff Skinner**  
Director, Deloitte Institute of  
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**Martin Raditsch**  
CEO  
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**Mette Andrup**  
Senior Legal Adviser  
University of Copenhagen  
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**Tom Flanagan**  
Centre Director  
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**François Drapeau-Paquin**  
Senior IP Counsel  
Philips IP and Standards  
the Netherlands



**Bert Oosting**  
Partner  
Hogan Lovells International  
the Netherlands



**Tanja Benedict**  
Legal Services IP Management &  
Compliance Officer  
InnovationLab GmbH  
Germany



**Klaas Bisschop**  
Partner  
Hogan Lovells International  
the Netherlands

09.00 - 09.15

Course introduction  
[Course team](#)

09.15 - 09.45

**Getting started...**

A study of the different forms of collaboration and cooperation, and forms of agreement including: Material Transfer Agreements, Consultancy Agreements, Research Collaboration Agreements, and selecting the right form of agreement to align expectations and avoid conflict.

[Martin Raditsch](#)

09.45- 10.30

**Case study – inchworm**

An academic wants to develop a relationship with a company; the Contracts Officer is brought in to advise on the terms of a collaboration. Is it possible to develop a win-win scenario?

[Tom Flanagan](#)

10.30 - 11.00

COFFEE BREAK

11.00 -12.00

**Case study feedback – inchworm**

Consider and discuss the issues - what was trivial and what problematic?

[Tom Flanagan](#)

12.00 -13.00

**Collaborative agreements - the bedrock of research relationships**

Successful collaborations are built on mutual trust and balancing everyone's interests. This session highlights the motivation for industrial collaborations such as bilateral collaborations, scientific networks, and recent cases such as, joint labs on campus or on industrial sites. We will also examine the hurdles of EU state-aid regulations.

[François Drapeau-Paquin](#)

13.00 -14.00

LUNCH

14.00 -15.30

**Discussions between academic & business**

How should we 'manage' the interface between the academic and the business? It is our role to 'define' the relationship on paper, but we can often be seen to hinder it. How do we frame our input as 'helpful' and of value to both parties? How do we combine the role as facilitator and 'policeman'? This session is based on a case study. Hear from both sides and discuss how they might have managed the situation to achieve a win-win situation.

[Mette Andrup & Danielle Weinreich](#)

15.30- 16.00

COFFEE BREAK

16.00 -17.15

**Building and bulldozing corporate alliances**

The pinnacle of a collaboration is the 'strategic alliance'. These emerge over time as the relationship (built on mutual trust and knowledge) develops. This delicate relationship can be destroyed quickly by opportunism, bureaucracy, and misunderstanding. Here we examine the role of the contract manager in both nurturing and destroying such alliances.

[Tom Flanagan](#)

17.15 - 17.30

**Today's take away**

What have we learned - how can we be perceived as facilitators rather than the blockers of research relationships?

[Martin Raditsch & Tom Flanagan](#)

09.00 - 10.15

**Case study - piggy in the middle - maintaining the respect and co-operation of all stakeholders (incl. academics)**

We work in an intense environment and live in a world where emails (with large 'cc lists') are replacing face-to-face meetings. We must operate amidst this poor communication, rise above it, and focus on the deal. Often, we act with very little real authority - we have the power to sign off but resist if someone has expressed concerns. Here, we look at a sponsored studentship negotiation that went badly wrong and ask what the contracts officer could have done differently.

[Martin Raditsch & Jeff Skinner](#)

10.15 - 10.45

COFFEE BREAK

10.45 - 13.15

**IP clauses - the different possibilities**

We introduce the different 'parameters' of IP clauses before working in small groups to discuss different scenarios. This will feed a discussion on ways in which IP rights can be managed and solutions explored. We will discuss: managing extreme opening positions such as, negotiating 'rights' rather than 'ownership'; determine how to manage the IP rights and solutions; and how to face the challenge of drafting clauses that are, clear, unambiguous and workable.

[Martin Raditsch & Tom Flanagan](#)

13.15 - 14.15

LUNCH

14.15 - 15.30

**Deriving fair value from foreground IP**

Finding the right IP structure is only half the battle. We are left with the issue of valuing the IP. What should we do? Take the academic's opinion, consult with the Technology Transfer Office or trust the company? Should we insist on a 'wait and see' strategy, deferring until we know what has been 'invented' and its commercial value. How can we avoid meaningless 'agree to agree' clauses? Which tools can we use, and which structure do we choose for the payments?

[Jeff Skinner](#)

15.30 - 16.15

**Managing the IP when projects overlap**

Most researchers are involved in multiple collaborations - both simultaneously and sequentially. So are businesses. Part of our role is to ensure that there are no conflicts, and that academic freedom is preserved. This session looks at two real cases and explores problems related to different sources of funding and contractual obligations.

[Martin Raditsch & Tanja Benedict](#)

16.15 - 16.45

COFFEE BREAK

16.45 - 18.15

**Different possibilities on how to draft clauses on conflict resolution**

This session will explore the different options regarding conflict resolution, arbitration, ordinary courts and examine the pros and cons of the different venues and choices of law. What can the Contracts Manager do to avoid the project ending in conflict?

[Tanja Benedict](#)

18.15 - 18.30

**Today's take away**

Learning points from day 2

[Course team](#)

09.30 - 10.30

**Keeping track of IP - open innovation**

What happens once the collaboration agreement has been signed? Is it put into a drawer never to be seen again or is it monitored and controlled? Who does what at your university, and does the contract manager have any responsibility to track old agreements? How do we manage the obligation to grant access rights in EU projects and how do we follow up on the options we have granted in the contracts?

[Kirstin Schilling](#)

10.30 - 11.00

COFFEE BREAK

11.00 - 13.00

**When things go wrong**

Sometimes the collaboration does not have a happy ending. It can be a violation of the terms of the contract, or a difference in the interpretation of its meaning. Whatever the problem, it will almost certainly create a number of unpleasant conversation and difficult negotiations to reach a resolution. In this session, you will be presented with a number of real-life scenarios and be given a role to play in trying to solve them.

[Bert Oosting & Klaas Bisschop](#)

13.00 - 13.15

**Wrap up**

[Course team](#)

13.15 - 14.15

LUNCH

COURSE ENDS