

Dissemination of Foreground under FP7

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Last updated October 2007

1. Introduction

Participants in projects funded under the Seventh Framework Programme (FP7) are required to use and disseminate the results generated by the project (“foreground”). Dissemination is meant to promote the results as swiftly and effectively as possible to benefit the whole community and avoid duplication of R&D efforts.

Dissemination is also important to the interests of the participants. In fact, an adequate description of “the potential impact through the development, dissemination and use of project results” at the application stage may positively affect the evaluation of the project proposal, thus contributing to its consideration for funding. Moreover, prompt and effective dissemination of the project results may help participants in the subsequent market exploitation and establishment of fruitful collaborations.

2. Definition

Dissemination can be seen as the means (i.e. press releases, conferences, scientific publications, exhibitions, workshops, newsletters, websites, etc.) through which research results are presented to the public¹. It is important to notice that official publications in the course of a protection right application (e.g. the compulsory publication of a patent application after its filing) are not considered dissemination.

The target of the dissemination may be the general public or a specific group of professionals in a determined sector. This normally depends on the foreground itself and the nature of the dissemination activities, which may address a larger or more limited group of professionals, consumers and end-users.

3. Categories of participants subject to the duty of disseminating the foreground

Each participant is responsible for disseminating the foreground it owns. However, participants may jointly decide on the means and ways of dissemination for the use and sharing of the necessary efforts and costs.

A special case arises when a participant transfers its foreground to a third party. In this case, the transferring participant must pass on all its obligations to the new owner, including the obligation to provide for swift dissemination of the transferred foreground.

4. Rights and duties in disseminating the foreground

Dissemination of the foreground must be carried out as swiftly as possible, but also must comply with some conditions. In particular, dissemination should not hamper the protection and use of the foreground. Moreover, any planned dissemination activity must be communicated to the consortium participants, must comply with some formal requirements and must be accurately reported in the plan for the use and the dissemination of foreground.

- Protection: participants that own foreground capable of industrial or commercial application must provide for its adequate and effective protection. If the foreground consists of an invention and participants consider applying for patent protection, for instance, they should never forget that patents can only be granted if the subject-matter is new, meaning that it

has not been disclosed to the public before the date of filing for protection. For this reason, dissemination activities should not take place or be delayed until a decision on how to protect such foreground is made. If a participant does not intend to protect its foreground, nor to transfer it to another participant or third party, no dissemination can take place until the Commission is informed in order to decide whether or not to assume the ownership of such foreground and provide for its protection.

- Use: under the FP7 terminology, the term “use” refers to the utilisation of the foreground for further research activities or for commercial purposes². Participants are required to use the foreground they own (or ensure that it will be used by third parties). Such an obligation may be negatively affected by undue dissemination, e.g. where participants intend to keep the foreground confidential for protection reasons, further research, secret production or commercial marketing. The legitimate interests of the foreground owners, as well as the existence of any confidentiality obligations³, must be properly taken into account by the whole consortium when disseminating the foreground. In case of conflict, dissemination should be limited in extent or postponed.

Notification to other participants: a participant planning to disseminate its foreground by any medium has to give at least 45 days prior notice (together with a sufficient description of the planned dissemination activity) to the other participants in order to enable them to exercise their objection right in case their legitimate interest could be impaired⁴. The participants may decide to set (in writing) different time-limits.

Formal requirements: any dissemination action concerning foreground must include a statement acknowledging the financial support of the European Community. Any publicity concerning the project must also display the EU emblem and specify that it reflects only the author’s view, exempting the Community from any liability.

- Reporting: any dissemination activity must be reported in the plan for the use and dissemination of foreground⁵ in order to inform the Commission of how participants intend to disseminate the generated foreground. Each participant should provide enough details/references about the proposed communication strategy, appropriate means and concrete actions to reach the target audience. Furthermore, abstract, details/reference and an electronic copy of any scientific publications related to the foreground must be provided to the Commission.

5. Period for dissemination

In contrast to FP6, where project results should be disseminated within a period of two years after the end of the project, there is no such obligation in FP7. However, if participants fail to disseminate the foreground as swiftly as possible, the Commission may take charge of such obligation at any time, without requiring any authorisation from the participants concerned.

6. Means and ways to disseminate the foreground

Participants are free to choose the means and ways for the dissemination of their foreground that best fit with their interests. It is often advisable to disseminate the foreground through a joint initiative (e.g. at a conference organised by all the participants, in a jointly edited brochure, on a jointly activated web platform etc.), rather than by the sole initiatives of the respective owners of the foreground. The associated agreements and the allocation of costs may be regulated by the consortium agreement.

An overview on the most successful means of dissemination, as well as useful suggestions on how to arrange an effective communication strategy, can be found at the European Commission “[Guide to successful communications](#)” web page.

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1. In particular, dissemination is defined as “the disclosure of foreground by any appropriate means other than that resulting from the formalities for protecting it, and including the publication of foreground in any medium” (article II.1.5 of the [Annex II](#) to the grant agreement).
2. According to article II.1.8 of the Annex II to the grant agreement, the term “use” is defined as “the direct or indirect utilisation of foreground in further research activities other than those covered by the project, or for developing, creating and marketing a product or process, or for creating and providing a service”.
3. For further information on confidentiality agreements, you may consult the [IPR-Helpdesk document on the matter](#).
4. Article II.30.3 of the Annex II to the grant agreement.
5. The plan for the use and dissemination of foreground summarises the strategy and the concrete actions that participants in a FP7 project intend to carry out in order to protect, exploit and disseminate the results generated within the project itself.

The [IPR-Helpdesk](#) project is coordinated by the University of Alicante, which is supported by the Intellectual Property Law Institute of Jagiellonian University in Cracow and European Research and Project Office GmbH in Saarbrücken.

Project Management Office
IPR-Helpdesk
Edificio Germán Bernácer
Universidad de Alicante
P.O. Box 99
03080 Alicante
España

e-mail: ipr-helpdesk@ua.es
Tel.: +34 965 90 97 18
Fax: +34 965 90 97 15

Representative Office
IPR-Helpdesk
98, Rue du Trône
B-1050 Brussels

e-mail: ipr-helpdesk@ua.es
Tel.: +32 (0) 2 213 41 63
Fax: +32 (0) 2 213 41 69