



# European IP Helpdesk

Stay ahead of the innovation game.

European IP Helpdesk Webinar:  
IP Commercialization and Licensing  
(Advanced)

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April 2026



# European IP Helpdesk

Stay ahead of the innovation game.

IP Commercialisation & Licensing -  
Advanced

09 April 2026





# European IP Helpdesk

- Service initiative of the European Commission
- Addressing **current and potential beneficiaries of EU-funded projects, researchers and EU SMEs**
- Free-of-charge first-line support on intellectual property (IP)
- Hands-on IP and innovation management support
- International pool of IP experts from various thematic fields
- Unique cooperation scheme with the Enterprise Europe Network: 43 ambassadors from 26 EU countries



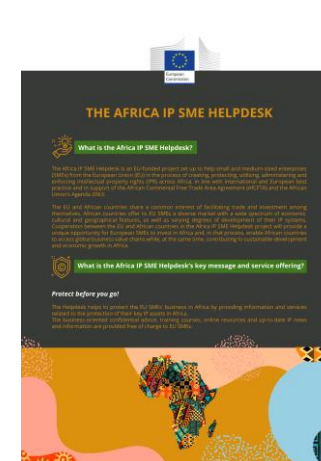
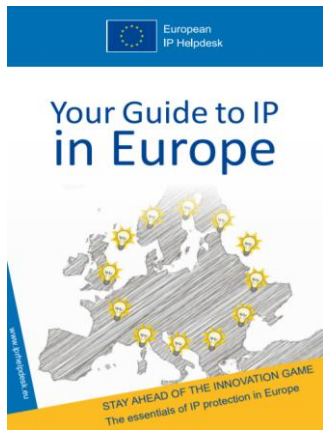


# The EC IP Helpdesks





# EC IP (SME) Helpdesk Hub – Gateway to Information



- E-learning modules & more
- Guides / Topic, country, sector-specific factsheets / Infographics
- Case studies



# Intellectual Property & Quantum: Interview Series with Robert Harrison

[Link](#)





# Ambassador Scheme

- **Cooperation scheme** with the Enterprise Europe Network (EEN): 43 ambassadors – 26 countries
- **Building IP capacities** among European SMEs
- **Overcoming language barriers**
- Making the topic **more accessible**
- Exchange and feedback from ambassadors on **needs of SMEs**
- Local awareness and **training events**





# Upcoming events



03  
MAR  
2026

Training and workshops

[EU - Webinar: IP in EU funded projects with a special focus on MSCA](#)

🔗 Live streaming available

10  
MAR  
2026

Training and workshops

[EU - Webinar: IP & Open Science](#)

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[EU - Webinar: IP Commercialisation and Licensing](#)

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Training and workshops

[EU - Webinar EPO Coop: Protect your IP in quantum technologies: Focus on quantum computing](#)

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[EU - Webinar: IP Commercialisation & Licensing - Advanced](#)

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[EU - Webinar: Freedom to Operate](#)

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[EU - Webinar: Finding Patents](#)

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05  
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[EU - Webinar: IP Assessment](#)

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[EU - Webinar: IPR and Software](#)

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[EU - Webinar & Horizon Results Platform: Open Science and IPR](#)

24  
MAR  
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Training and workshops

[EU - Webinar: IP for Future and Emerging Technologies](#)

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[EU - Webinar & Horizon Results Platform: Artificial Intelligence](#)

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12  
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[EU - Webinar: IP and Artificial Intelligence - Advanced](#)

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Training and workshops

[EU - Webinar : Unitary Patent](#)

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# Thank you!

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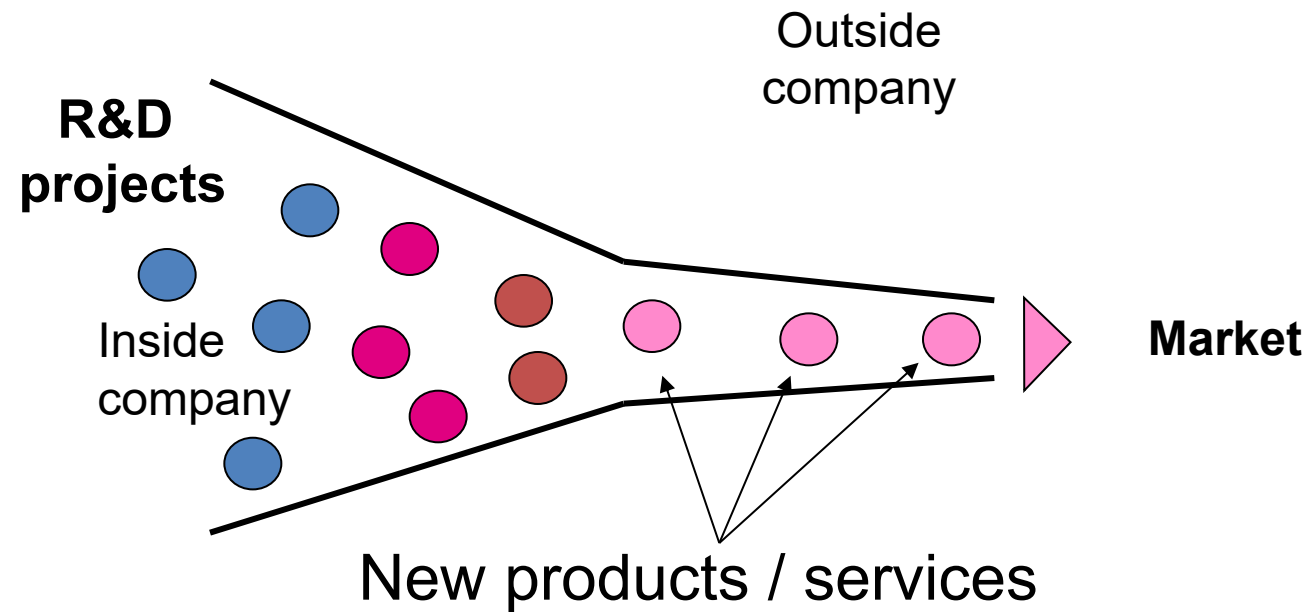
# Overview

- Basics of licensing (recap)
- Key terms
- Negotiation





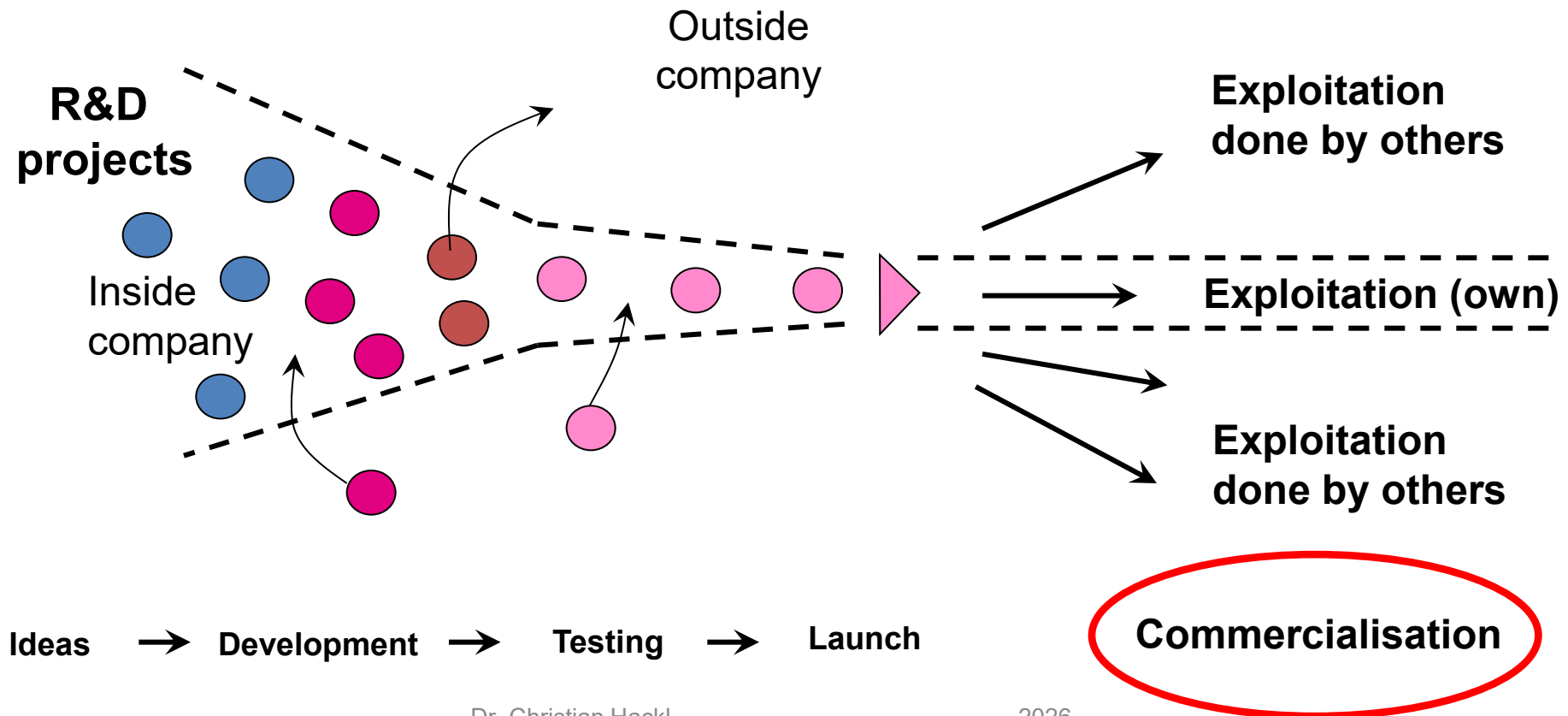
# Closed Innovation



Ideas → Development → Testing → Launch

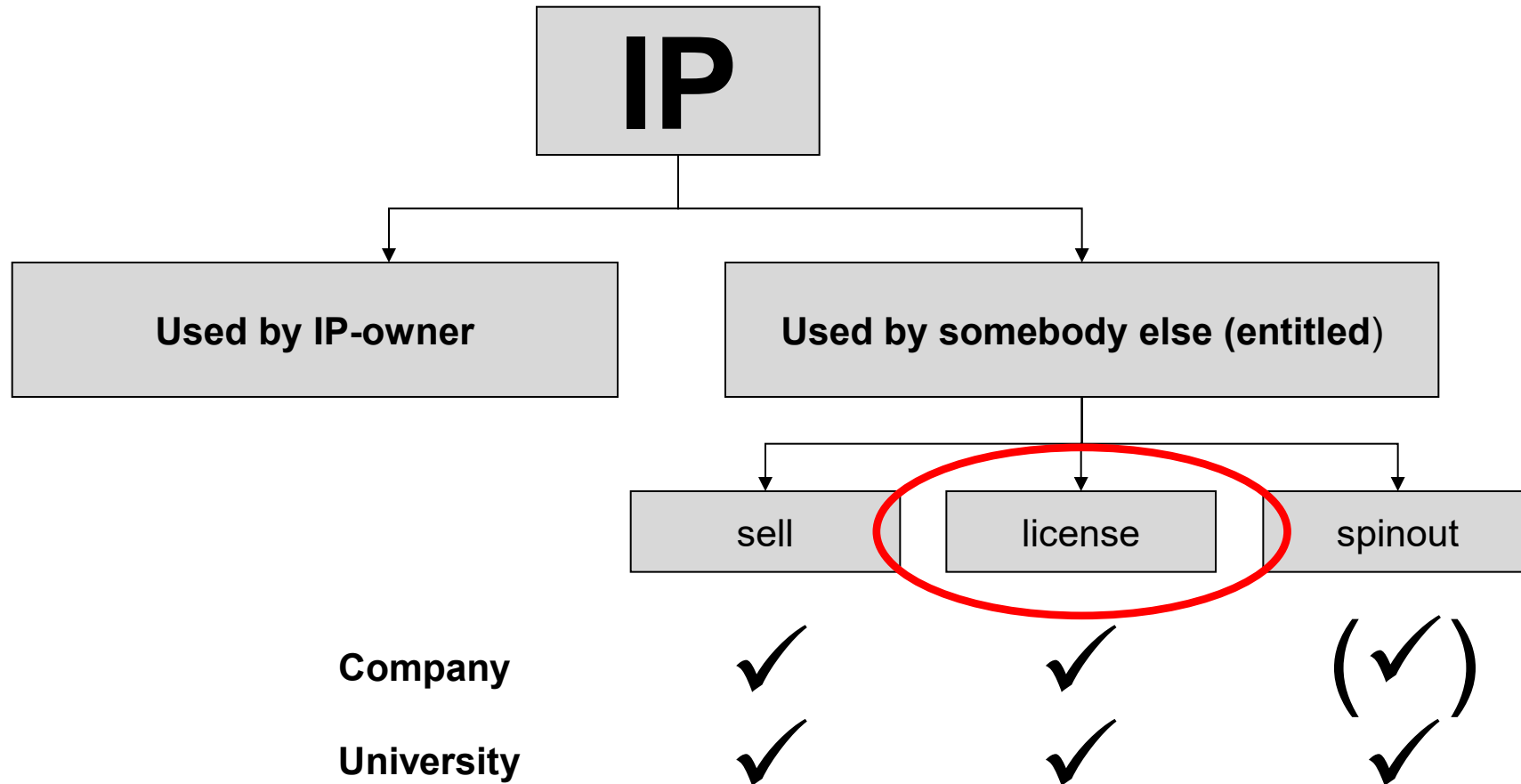


# Open Innovation





# IP Commercialisation



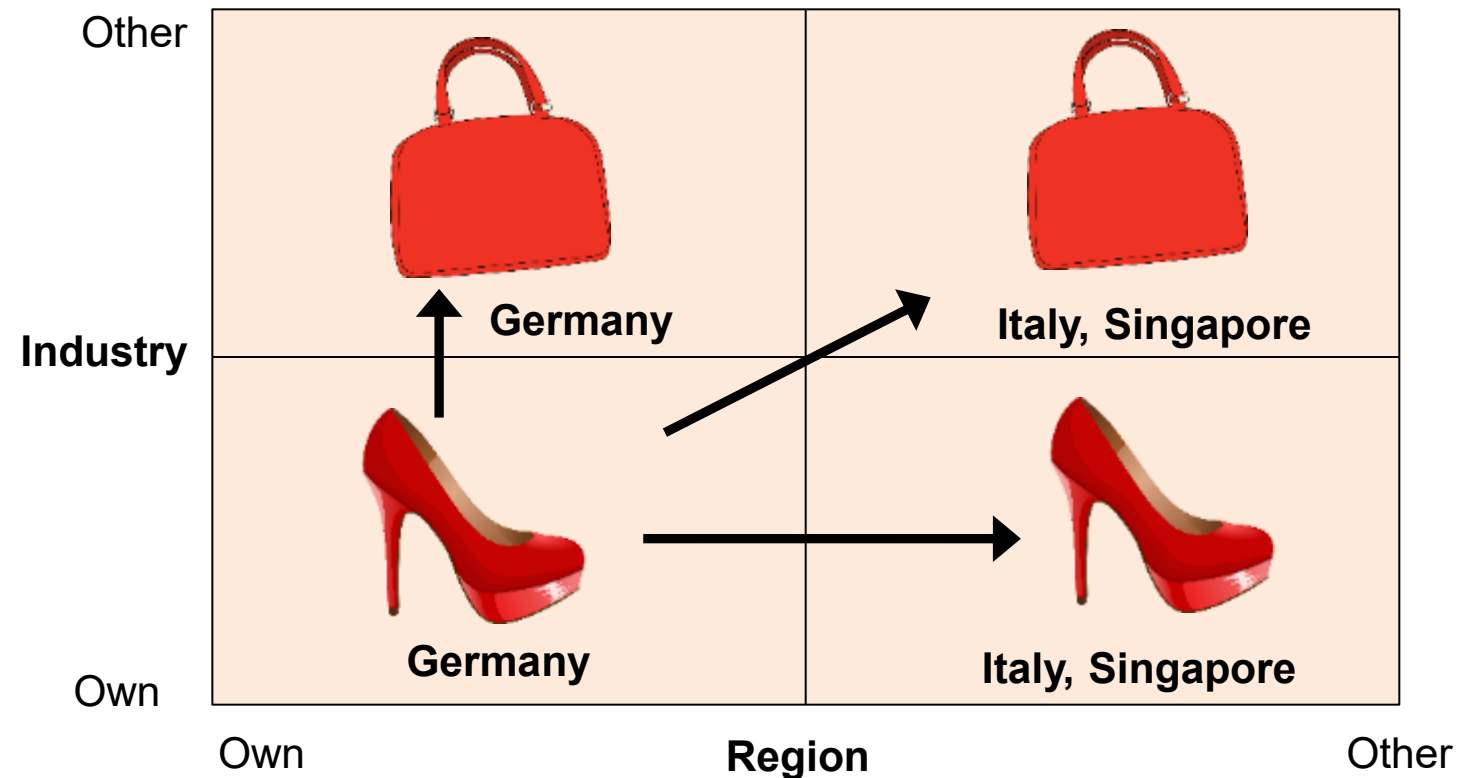


## When does external commercialisation make sense?

- Different geographical region
- Different application / industry
- No strategic fit
- Platform technology



## Some reasons for external commercialisation – new markets





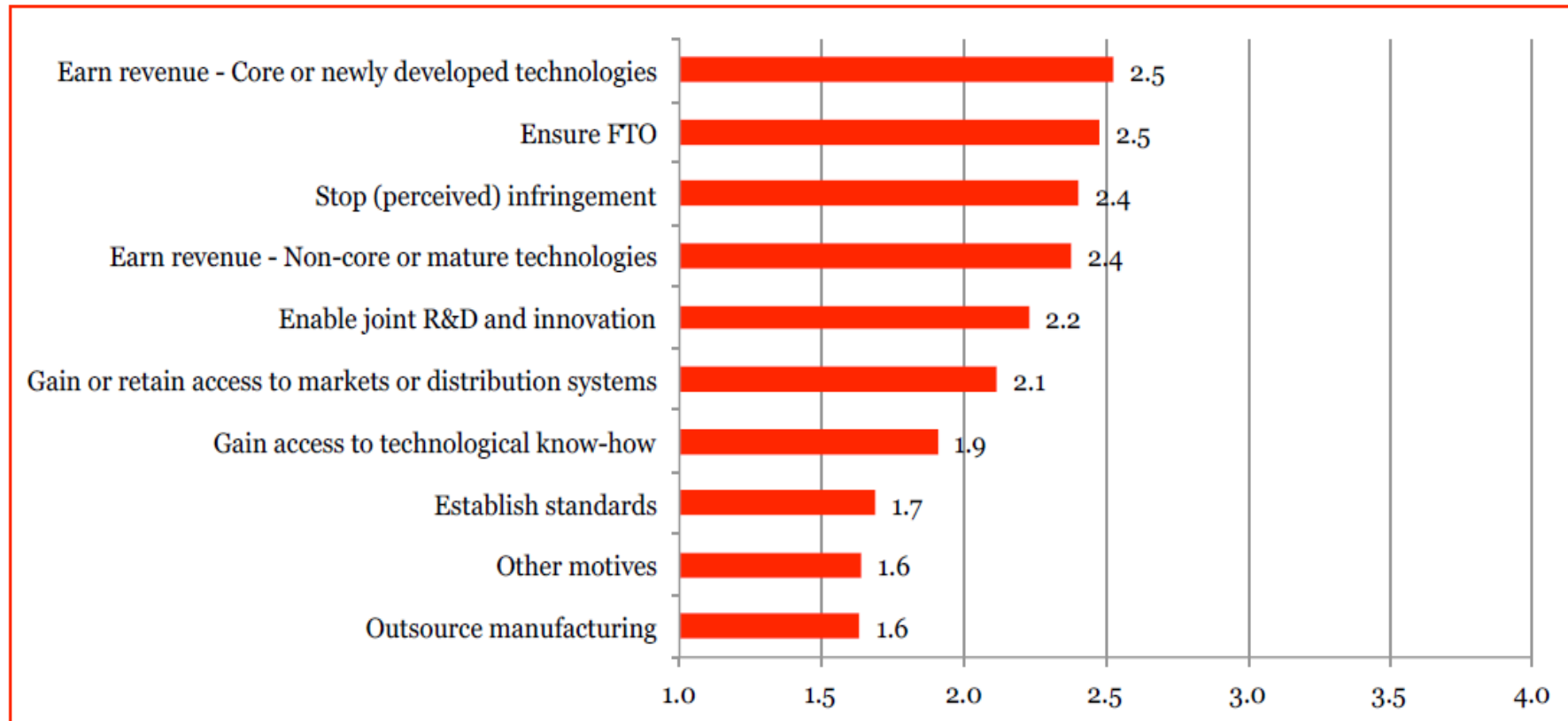
## Some more reasons for licensing

- Access new markets
- Generate profit
- Share risk
- Accessing technology (faster, cheaper)
- Ensure Freedom-to-Operate
- Enter into an R&D collaboration
- Settle an infringement claim
- Cross licensing

Out-licensing  
and  
In-licensing



# Motives for outlicensing patents

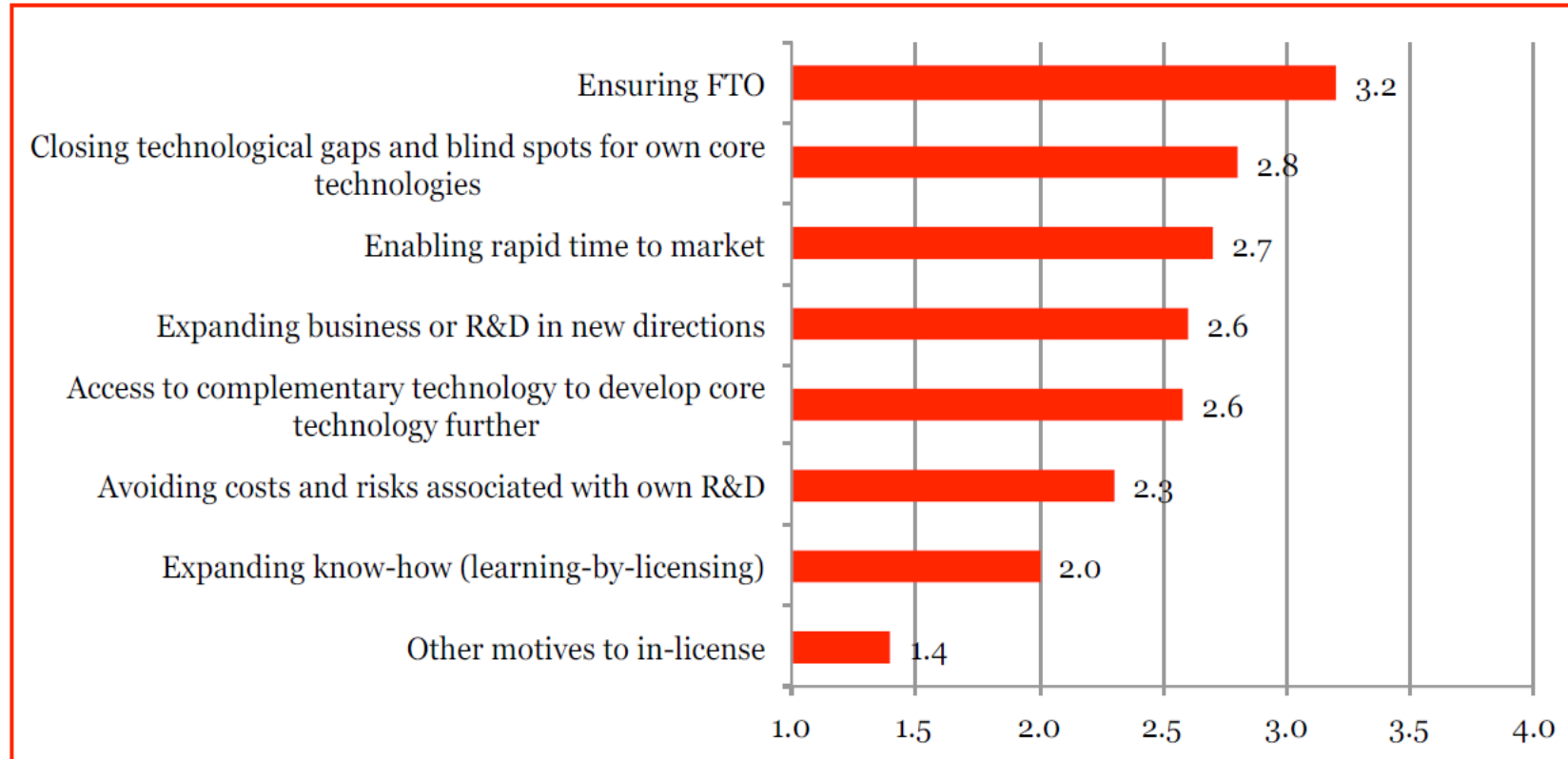


Arithmetic means on a scale from 1='unimportant motive' to 4= 'very important motive'

Source: PATLICE Survey (Survey on patent licensing activities by patenting firms), European Commission



# Motives for inlicensing patents



Arithmetic means on a scale from 1='unimportant motive' to 4= 'very important motive'

Source: PATLICE Survey (Survey on patent licensing activities by patenting firms), European Commission



## An IP license

- Indirect exploitation of intellectual property (commercialisation)
- Licensing agreement: the owner of IP (Licensor) grants the Licensee the right to use the IP
- The Licensor maintains the ownership of the IP



# What is a license?



*Licensor*  
*IP owner (e.g.*  
*university,*  
*company,*  
*individual)*

*Permission to use IP*

*Payments*



***Licensee***  
*(e.g.*  
*company)*



# Which IP rights can be licensed?

## Registered IP

Patents

Utility models

Registered trade marks

Registered designs

## Unregistered IP

Copyright

Database right

Unregistered trade marks

Unregistered designs

## Soft IP

Know-how

Trade secrets

Confidential information



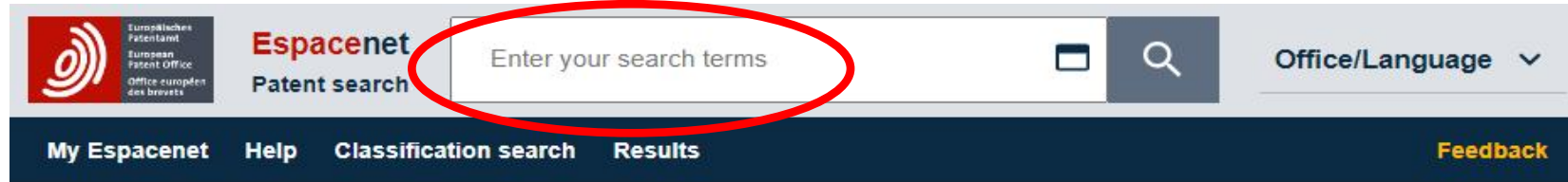
## Before the negotiation: Due Diligence

- Information regarding the licensor (licensee)
- Information regarding the technology and its context (eg. business environment)
- Information regarding the legal status of rights (eg. ownership, validity, territorial coverage)
- (NDA)



# The Espacenet database (over 150 million docs)

<https://worldwide.espacenet.com>



**Espacenet: free access to over 140 million patent documents**

**Also for identifying  
potential partners**





# The Espacenet database (over 150 million docs)

Logo: Europäisches Patentamt / European Patent Office / Office européen des brevets

Deutsch English Français

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Worldwide - collection of published applications from 90+ countries

Enter your search terms - CTRL-ENTER expands the field you are in

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Application number: [i](#) DE19971031696

Priority number: [i](#) WO1995US15925

Enter one or more dates or date ranges

Publication date: [i](#) yyyymmdd

Enter name of one or more persons/organisations

Applicant(s): [i](#) Institut Pasteur

Inventor(s): [i](#) Dr Christian Hackl Smith


### Quick access

Discussion forum

**Classic Espacenet**



# The Espacenet (n docs)

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Query language: en de fr ▾

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Application number ▾ Any ▾ → Group

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# The Espacenet (on docs)

Logo: Bundespatentamt, European Patent Office, Office européen des brevets

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Also for identifying potential partners



## Due diligence in trade secrets

- Licensor trade secret policy
- Confidentiality agreements with employees
- Other licensees in possession of the secret



# Licensing agreements

- No standard
- Large flexibility
- Adjust to business needs
  
- In the following: overview of main topics

(no substitute for professional advice)



# License agreement – 4 Chapters

1. Definitions/Subject
2. Grant
3. Financials
4. Further topics



# 1. Definitions / subject

- Purpose
  - “Introduction”, background, goals
  - Helpful for persons not involved in the making
- The parties (licensor and licensee)
  - Details (name, address, legal form)
- Definition of terms
  - Terms used throughout the agreement (eg. “sales”)
- Technology/IP
  - List of technology / patent(s) (IPRs)
- Ownership
  - Does the licensor own the IP?



## 2. Grant

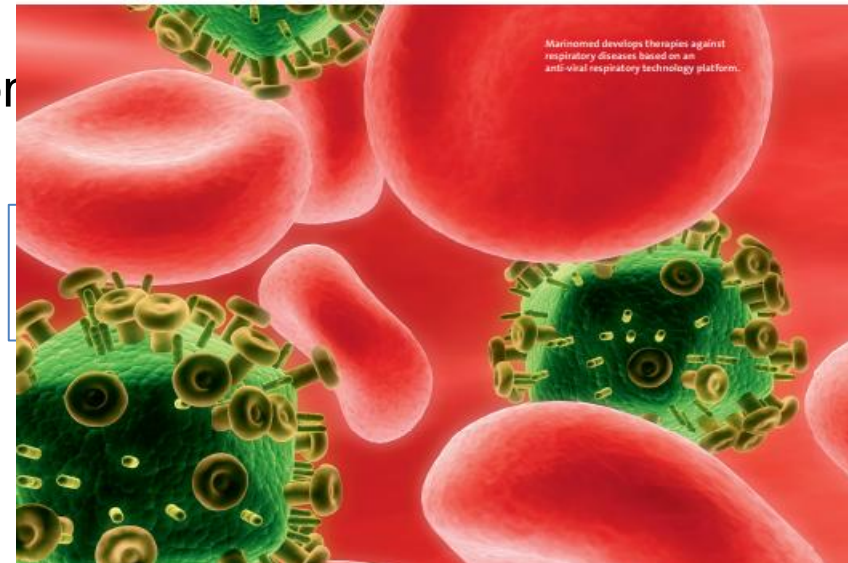
- Scope
  - Fields of use (eg. research and/or modify ... or application/industry)
  - Right to sublicense
- Territory
  - Specific countries (depending on ...)
- Exclusivity
  - Exclusive license
  - Sole license
  - Non-exclusive license



EPO SME CASE STUDIES | MARINOMED

### Using red algae to fight the flu

Founded in 2006, Marinomed is an Austrian biopharmaceutical spin-off from the Veterinary University of Vienna. The company's main technology platform is based on the natural polymer Carragelose, which is isolated from red algae and is active against respiratory viruses. As a drug discovery company, Marinomed is heavily dependent on patent protection. It has three main patents, which have been validated in almost 100 countries, and a trade mark registered in around 50 countries. The company actively manages its patent portfolio and grants licences for its technology. Marinomed has experienced infringement of its patents, but was able to resolve the cases without going to court.





## 3. Financials

- Upfront payment
  - One-time payment (early on)
- Ongoing payments
  - Royalties (eg. x% of y)
- Milestone payments
  - For special achievements, reflecting increased value (eg. pharma, patent granted)
- Minimum / adjustments
  - Minimum amount of license fee
  - Adjustment of royalties over time (up or down)
  - Patent expenses (historic and ongoing)

Sharing risk and  
benefits



## 4. Further topics I

- Improvements
  - Rights to future improvements included?
  - Additional payments?
  - Timing of access?
- Know-how and training
  - Definition and extent
  - Included in license (additional payments)?
- Confidentiality
- Reporting and audits
  - What kind of reporting when?
  - Rights for audits?



## 4. Further topics II

- Warranties and liabilities
  - Define what risks both parties are willing to take
  - Eg. licensor guarantees that he is owner of IP, no previous license (tested technology?)
  - Licensor wants to be indemnified by licensee (eg. loss, damage, hurt)
- IP protection and infringement
  - Definition of responsibility – transfer of control
  - Eg. depending on exclusive versus nonexclusive license
  - Cost (outcome)



## 4. Further topics III

- Term and termination
  - For life span of patent or certain time (renewal option)
  - In combination with other parameter (eg. exclusivity)
  - Reasons for termination by licensee or licensor (typically more restricted, eg. licensee fails to pay license fees, going bankrupt, not reaching milestones)
  - Any obligations surviving the end of the agreement (eg. confidentiality)



# License agreement – Overview I

## 1. Definitions/Subject

- Purpose
- The parties (licensor and licensee)
- Technology/IP
- Ownership
- Definition of terms

## 2. Grant

- Scope
- Territory
- Exclusivity



# License agreement – Overview II

## 3. Financials

- Upfront payment
- Ongoing payments
- Milestone payments
- Minimum / adjustments

## 4. Further topics

- Improvements
- Know-how and training
- Confidentiality
- Reporting
- Warranties and liabilities
- IP protection and infringement
- Term and termination



# Licensing agreement

- A strategic choice
- A long standing relationship
- Combination and interdependency of different aspects
  - Legal
  - Technical
  - Financial



# Negotiating licensing agreements

- Confidentiality agreement
- Be sufficiently prepared to negotiate, eg.
  - Business needs
  - Negotiation strategy (goal, compromise and must-have)
  - Think about other party
- Explain your position, seek “objective” criteria
- Search for a win-win agreement
- Discuss the agreement as a whole
- Time is always important



## Helpful tool: Term Sheet

- Summary of key terms agreed on (so far)
- Helps to keep an overview
- Helps to focus on main issues (and not missing any)
- Use plain language
- Not a Lol (Letter of Intent) or MoU (Memorandum of Understanding)
  
- Optional: internal version for
  - planning (goals and fall-back options)
  - communicating within your team (or with legal counsel)



# Case study: Marinomed

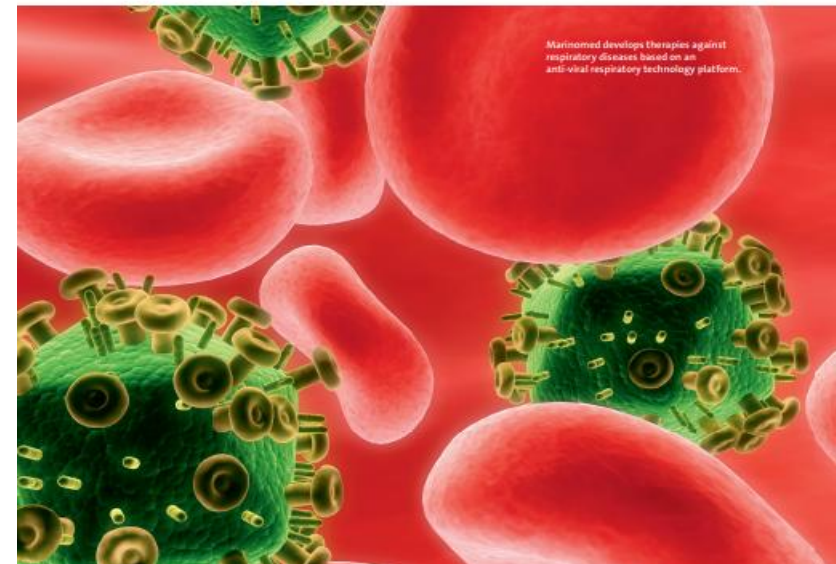
<https://www.epo.org/learning/materials/sme/sme-case-studies.html>



EPO SME CASE STUDIES | MARINOMED

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# Case study: Orcan Energy

<https://www.epo.org/learning/materials/sme/sme-case-studies.html>



EPO SME CASE STUDIES | ORCAN ENERGY

## Recycling waste heat to cool down the planet

A renewable energy company founded in 2008, Orcan Energy offers standard components for heat power generators that recycle waste heat by turning it into electricity, using the Organic Rankine Cycle (ORC), a process similar to that used in steam engines. Having started as a spin-off from the Technical University of Munich (TUM) in Germany, Orcan now has 65 employees. Patents are important, because the risk of Orcan's standard components being copied is high. Eight early patents were filed by the TUM and then subsequently acquired by Orcan. Ownership of these patents was vital in order to attract funding. Orcan co-operates with other companies, but simplifies patent management by avoiding joint ownership. It has a detailed patent protection strategy and understands when to file a patent application and where to file it.





# Waste Heat

## Sources:

- Industrial applications
- Stationary and marine power systems
- Combined heat and power (CHP) units
- Renewable power plants (biogas, solarthermal, geothermal)

Waste Heat: equivalent of 100 mio liters of diesel  
produced every hour across the globe!

43



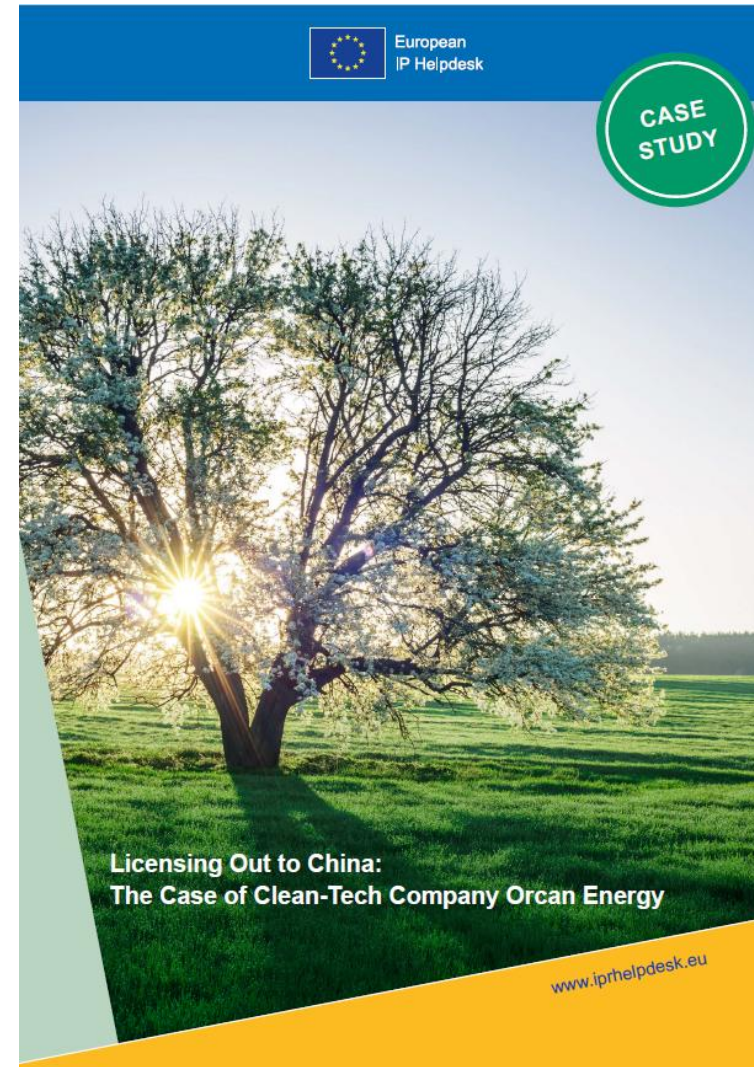
Update





# Case study II: Orcan Energy

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