

### WG3 (LEGAL) ACTIVITIES AND OUTCOMES (2014-2020) – TABLE OF CONTENTS

No.	Topics discussed	Context	Presentations/ outcomes	Task leader/ Co-leaders	Where to look for information?	Key words /cross- reference	Meeting place, date
1.	<b>WHAT DOES LEGAL SUPPORT OF AN EUROPEAN RESEARCH PROJECT INVOLVE?</b>	<p>Involvement of <b>legal support services as a part of the complex research project administration process</b> and procedures involved</p> <ul style="list-style-type: none"> <li>• stages of the project life-cycle requiring legal support (scope of the legal services needed, the intensity and complexity of legal support on each stage (pre-proposal stage, proposal preparation, grant agreement and CA negotiation, project management),</li> <li>- legal support as part of a complex administrative support process during the project life-time;</li> </ul>	<p>Outcomes of an analysis of the research project life - cycle in respect of the need of involvement of the legal support services from the pre-proposal to the project implementation</p> <p>→ graphic visual with specific indications concerning scope of involvement of research services</p> <p>Summary of the institutional legal support services models discussed - access and scope of service provided.</p>	<b>Diana Pustuła</b> , University of Warsaw, PL	<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf</a> , p. 1	European research projects, scope of legal support in research administration, involvement of legal support services, stages of project life-cycle, access to legal support services	Zagreb, 2014-03-18
2.	<b>WHAT ARE THE DIFFICULTIES/ OBSTACLES MOST COMMONLY EXPERIENCED IN</b>	<ul style="list-style-type: none"> <li>• open discussion on most common difficulties including, e.g. accessibility of legal support in the</li> </ul>	<ul style="list-style-type: none"> <li>• outcomes: Identification of the top 6 most common difficulties concerning legal support for the</li> </ul>	<b>Diana Pustuła</b> , University of Warsaw, PL	<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf</a> , p. 2	Common difficulties, obstacles, legal support services, tools	Zagreb, 2014-03-18

	<b>EUROPEAN RESEARCH PROJECTS BY THE RESEARCH ADMINISTRATION IN TERMS OF LEGAL ASPECTS AND HOW CAN BESTPRAC ADDRESS THESE?</b>	institution (easy access on every stage of the project life-time, moderate access on a particular stage required by the organization rules, difficult access, none) and its consequences (IPR protection and TT);	European research projects to be addressed in BESTPRAC ;  Need for training and development of tools for legal support services including guides, check-lists, special training courses for ESAs etc.			and measures	
3.	<b>WHAT ARE THE QUALIFICATIONS AND COMPETENCES OF A LEGAL SUPPORT OFFICER?</b>	<ul style="list-style-type: none"> <li>• open discussion on qualifications and competences (education, targeted professional experience, scope of duties etc.);</li> <li>• open discussion on the placement of the project legal support services in the administrative structure of single institution (separate office, part of the Research Liaison Office or central/departmental/project administration), persons delegated to legal support of the European research projects (“multiduties” officers, lawyers) and interaction with other offices in the institution</li> </ul>	Draft recommendations of the profile of the legal support officer dealing with European research projects concerning his/her educational background, professional experience, position in the organisation (central legal office, central research support office, school/departmental level, separate service/part of a complex research support services provided by the institution)	<b>Diana Pustuła</b> , University of Warsaw, PL	<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Zagreb/WG3_Summary.pdf</a> , p. 3	Legal support officer profile	Zagreb, 2014-03-19

		(HR, Finance, TTO etc.); TTO.					
4.	<b>WHAT IS THE PROFILE OF THE LEGAL SUPPORT OFFICER DEALING WITH EUROPEAN RESEARCH PROJECTS?</b>	<b>Survey</b> on the educational background, professional experience, position in the organisation (central legal office, central research support office, school/ departmental level, separate service/ part of a complex research support services provided by the institution) of the legal support officer dealing with European research projects	Profile of the the legal support officer dealing with European research projects – outcomes of the survey outcomes (answers provided by the WG3 members)	<b>Chelo Morán</b> , Carlos III University of Madrid (UC3M), ES	<a href="http://www.bestprac.eu/working-groups/wg3-legal/documents/">http://www.bestprac.eu/working-groups/wg3-legal/documents/</a> , presentation – TASK 1		Bratislava, 2014-09-16
5.	<b>NON-DISCLOSURE AGREEMENTS (NDAS)</b>	Analysis of examples of basic model NDAs used by the institutions taking into consideration different national legal frameworks and the rules of participation in the EU research programmes	- <b>Drafting a check list for NDA</b> (short list of “must check” clauses (the most important/tricky) that cannot be omitted while negotiating NDAs by research institutions), - Exchange of best practices practices in respect of the model NDAs used by different institutions,	<b>Niina Mikkonen</b> , Aalto University, FI	<a href="http://www.bestprac.eu/working-groups/wg3-legal/documents/">http://www.bestprac.eu/working-groups/wg3-legal/documents/</a> - “var.presentations” folder presentation – TASK 2a (joint meeting "Alone in the grant office" - <a href="http://www.bestprac.eu/filadmin/mediapool-">Survival Kit - LEGAL - PART 1</a> (Checklist and tips for NDAs for H2020 Actions); Interactive Session 1 on WG1/Wg2/WG3 cross-cutting issues – NDAs: <a href="http://www.bestprac.eu/filadmin/mediapool-">http://www.bestprac.eu/filadmin/mediapool-</a>	Involvement of research support services, project stages, pre-proposal stage, NDA, Memorandum of Understanding (MoU), Letter of Intent (LoI), confidentiality, complete proposals,	Bratislava, 2014-09-16,  Ljubljana, 2015-03-05

					<a href="#">bestprac/documents/WS-Ljubljana/InteractiveSession_WG3.zip</a>	check-list, tips	
6.	<b>LEGAL ISSUES TO BE CONSIDERED AT THE PROPOSAL STAGE IN THE CONTEXT OF POSSIBLE CONSEQUENCES / LIABILITIES (INCLUDING FINANCIAL ONES) , H2020</b>	Shifted focus from non-existing in H2020 negotiation stage requires from the legal support services to advise the researches on specific issues in advance (at the research proposal stage) in order to avoid problems at the implementation stage.	Exchange of best practices – sharing experience on how to read the project proposals in order to identify parts of the proposal where legal advice may be needed; List of issues to be checked with the legal services at the proposal stage	<b>Carmen Gascó Fortea</b> , Technical University of Madrid (UPM), ES  <b>Diana Pustula</b> , University of Warsaw, PL	<a href="#">"Alone in the grant office" - Survival Kit - LEGAL - PART 2 (Checklist and recommendations for legal issues in the proposals for H2020 Actions); Financial consequences during project implementation resulting from the mistakes made at the project proposal stage;</a> <a href="http://www.bestprac.eu/working-groups/wg3-legal/documents/">http://www.bestprac.eu/working-groups/wg3-legal/documents/</a> ; Bratislava presentations - TASK 2b	Involvement of legal support services, proposal stage, IPR issues, technology transfer, IP protection, public procurement, governance structure, business plan, ethics, open access, subcontracts, third parties, linked third parties, in-kind contributions, financial consequences, liabilities, Horizon 2020	Bratislava, 2014-09-16-17 Ljubljana, 2015-03-05, Budapest, 2016-09-15
7.	<b>MODEL CONSORTIUM AGREEMENTS, H2020</b>						
(a)	<b>DESCA Consortium Agreement, Horizon 2020</b>	Presentation of the internal institutional guidelines on DESCA model CA used by the post award research support officers (especially non-	Collecting comments and suggestions from the WG3 members concerning modification of the internal institutional guidelines on the DESCA	<b>Diana Pustuła</b> , University of Warsaw, PL, <b>Sarah Dello</b> , University of Gent,	<a href="#">"Alone in the grant office" - Survival Kit - LEGAL - PART 3</a> (Practical comments for DESCA model consortium agreement of H2020); <a href="http://www.bestprac.eu/working-groups/wg3-">http://www.bestprac.eu/working-groups/wg3-</a>	CA, RIA, IA, CSA, negotiations, consortium partners,	Bratislava, 2014-09-16-17, Budapest, 2016-09-15

		<p>lawyers) as a daily work supporting tool based on the example provided by one of the WP3 members participating in FP7 (UC3M). Joint analysis of the document followed by the collection of feedback from the WP3 participants will be sought on the adjustments needed to comply with the H2020 rules based on the experience in participation in the FP7 and the changes made to the new DESCA model CA for H2020</p>	<p>model CA used under FP7 to be complaint with the H2020 rules in order to be able to prepare an updated daily tool for the H2020 project legal supporting services</p>	<p>Belgium, <b>Chelo Morán</b>, Carlos III University of Madrid (UC3M), Spain</p>	<p><a href="#">legal/documents/</a></p>		
(b)	<p><b>The LERU Model Consortium Agreement For The H2020 MSCA Innovative Training Networks (ITN), H2020</b></p>	<p>Detailed analysis of the new LERU model consortium agreement for the H2020 Marie Skłodowska-Curie Actions Innovative Training Networks with particular attention to identification of potentially problematic clauses, followed by case studies.</p>	<p>Recommendations and shared tips for the peers on how to avoid mistakes while preparing, negotiating the CA for MSCA ITN on behalf of their institutions, including liability of “Partner Organization” and related “Secondment agreements” based on documents analysis and case studies.</p>	<p><b>Miriam Ryan</b> (Maynooth University, IE), Jennifer <b>Saussede</b> (Université Toulouse III - Paul Sabatier, FR), <b>Elger Vercayie</b> (Vrije Universiteit Brussel, BE) <b>Carmen</b></p>	<p>MSCA, ITN, CA, liability, secondments, training,</p>	<p><a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Sofia/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Sofia/WG3.zip</a> - Presentations – WG3.1</p>	<p>Sofia meeting,</p>

				<p><b>Gascó Fortea</b> (Universidad Politécnica de Madrid, ES), <b>Carolina Montiel</b> (Universidad Carlos III de Madrid, ES)</p>			
8.	<p><b>H2020 GRANT AGREEMENT – CONSEQUENCES OF NON-COMPLIANCE</b></p> <ul style="list-style-type: none"> <li>- <b>Personnel costs,</b></li> <li>- <b>Audit</b></li> </ul>	<p>Joint interactive session involving Members of WG1, WG2 and WG3 allowing to take a closer look at the cross-cutting issues from legal, financial, and administrative perspectives. It provides better understanding of different aspects of participation in the research programmes, the role of different services at the institutions involved in those programmes, the need of cooperation between them at the institutional, national and international level for the sake of</p>	<p>Outcomes of the analysis of the H2020 grant model Agreement - <b>provisions concerning personnel costs - legal framework</b>, definitions &amp; eligibility, burden of proof and the consequences of non-compliance;</p> <p><b>Legal aspects of an audit</b>, carried out by the European Commission (Commission)/ the Funding Agencies (FAs) or the external bodies selected by them to act on their behalf; An overview of other control measures available to the EC/FA or to the European Court of</p>	<p><b>Diana Pustula</b>, University of Warsaw, PL</p>	<p>Interactive Session 3 on WG1/WG2/WG3 cross-cutting issues: <a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/InteractiveSession_WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/InteractiveSession_WG3.zip</a> - IS presentation on personnel costs (WG3, Ljubljana)</p> <p><a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3.zip</a> - IS presentation on audit experiences (WG3, Budapest)</p>	<p>Personnel costs, non-compliance, liability, eligibility, proof, consequences, audit, checks, control, cross-cutting issues, third parties, findings, European Court of Auditors</p>	<p>Ljubljana, 2015-03-05-06,</p> <p>Budapest 2015-09-14-15</p>

		providing better legal, financial and administrative support for the researchers from the project proposals to the last payment.	Auditors (ECA) under H2020 like checks and reviews was briefly made. The main focus of the presentation was on the general obligation to properly implement the Actions (projects), legal basis, parties, scope, period and formal procedure of audit, as well as on the consequences of findings in case of non-compliance. Since the most challenging objective for the beneficiaries (third parties) is the assurance of compliance with the provisions of the GA and all legal obligations under applicable EU, international and national law, providing adequate legal, financial and administrative support for each project is the key element of successful implementation of the Actions (projects).				
9.	<b>THIRD PARTIES IN H2020 PROJECTS (INCLUDING IPR)</b>	8 important issues to consider before involving third party	Presentation on involvement of third parties in H2020 projects – legal aspects	<b>Olof Vigdis Ragnardottir; Donata Franzi;</b>	Interactive Session 3 on WG1/Wg2/WG3 cross-cutting issues – NDAs: <a href="http://www.bestprac.eu/fil">http://www.bestprac.eu/fil</a>	IP protection, IP transfer, access rights, background,	Ljubljana, 2015-03-05-06,

				<p><b>Loreta Staškūnienė</b>, Klaipėda University, LT</p>	<p><a href="http://admin/mediapool-bestprac/documents/WS-Ljubljana/InteractiveSession_WG3.zip">admin/mediapool-bestprac/documents/WS-Ljubljana/InteractiveSession_WG3.zip</a>; SEE ALSO "<a href="#">Alone in the grant office</a>" - <a href="#">Survival Kit - LEGAL - PART 2</a> and 3</p>	<p>results, subcontracts, third parties, linked third parties, responsibility, confidentiality, liability, non-compliance, HORIZON 2020</p>	
10.	<p><b>LEGAL SCOPE OF DECLARATIONS SIGNED BY REPRESENTATIVES OF THE BENEFICIARIES, HORIZON 2020</b></p>	<p><b>Coordinator's liability under declarations made on behalf of the whole consortium</b> (on-line declaration, Forms A, proposal stage);</p> <p><b>Declaration of honour and selected GA provisions</b> – An in-depth analysis in relation to their structure and legal content in the context of the provisions found to be most complex/difficult to understand or follow and, therefore, potentially perceived as “tricky” by the signatory parties. All reference documents indicated in the declaration of</p>	<p>Outcomes of analysis of the legal scope of declarations to be signed by the legal representatives in the context of potential liabilities;</p> <p>Recommendations on measures to be taken by project Coordinator to comply with all formal requirements at the proposal and GA preparation stage</p>	<p><b>Carmen Gascó Fortea</b>, Technical University of Madrid (UPM), ES</p> <p><b>Carla Mazuheli-Chibidziura</b>, The Institute of Science and Technology, AT</p>	<p><a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/WG3.zip</a> - 2 Presentations – WG3.1 B</p>	<p>Compliance, H2020, Participant Portal, liability, coordinator, authorised representatives, grant agreement, forms A, declarations, signature, consortium, proposal</p>	<p>Ljubljana 2015-03-05</p>



		honour footnotes Were taken into consideration and presented to the WG3 members along with the main document content.					
11.	<b>ELECTRONIC SIGNATURE IN HORIZON 2020 LEGAL DOCUMENTS</b>	Implementation of the electronic signature; Status/Validity of the electronic signature in H2020	Implementation of electronic signature in different institutions included, inter alia: conditions of the electronic signature in H2020; documents signed with the electronic signature in H2020 projects, implementation of the electronic signature by different institutions – <b>sharing experience and exchanging best practices</b> – case studies of France, Spain, Austria presented during the meeting;	<b>Ludivine Bonadei</b> (Université Toulouse III - Paul Sabatier, FR); <b>Carla Mazuheli Chibidziura</b> (The Institute of Science and Technology, AT); <b>Chelo Moran</b> (Carlos III University Of Madrid, ES)	<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Ljubljana/WG3.zip</a> - Presentation – WG3.2	Electronic signature, Participant Portal, validity, consequences, H2020, grant agreement, legal documents, declarations, statements, reports, proposal stage, GA preparation,	Ljubljana 2015-03-05
12.	<b>INTELLECTUAL PROPERTY, HORIZON 2020</b>						Budapest 2015-09-14
(a)	<b>Legal definitions concerning IP (background, results)</b>	<b>IP</b> being brought to the project or generated during its life-time (including major	Outcomes of analysis of legal sources of the following definitions “Background”, “Results”,	<b>Niina Mikkonen</b> , Aalto University, FI		<a href="http://www.bestprac.eu/fileadmin/mediapool-ol-">http://www.bestprac.eu/fileadmin/mediapool-</a>	Budapest 2015-09-14

		differences between the definitions used under FP7 and H2020); IPR and third parties Subject to analysis: Rules for Participation, Model Grant Agreements and model Consortium Agreement (DESCA)	"Exploitation", "Needed" to be found in the different H2020 documents such as RfP, MGAs and CA (DESCA), the meaning of the definitions and the major differences between the definitions used H2020 and under FP7.			<a href="http://www.bestprac.eu/fileadmin/mediapool/bestprac/documents/WS-Budapest/WG3.zip">bestprac/documents/WS-Budapest/WG3.zip</a> - presentation WG3.1 a)	
	<b>Background excluded</b> [optionally background included] – <b>practical examples</b> from the CA collected from the WG3 members			<b>Miriam Ryan,</b> Maynooth University, IE		<a href="http://www.bestprac.eu/fileadmin/mediapool/bestprac/documents/WS-Budapest/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool/bestprac/documents/WS-Budapest/WG3.zip</a> - presentation WG3.2	Budapest 2015-09-15
(b)	<b>Access Rights</b> of the beneficiaries, third parties and the European Commission to the project background/results during and after the end of the project.	"Access Rights" of the beneficiaries, third parties and the European Commission/ Funding Agencies to the Action (project); "Background"/"Results" during and after the end of the Action (project) based on the definitions included in the RfP, MGAs and CA (DESCA).	Potential legal consequences of the change of the definitions such as "Fair and reasonable conditions" and the "Affiliated entity" (in comparison to FP7) in the context of "Access Rights" and the detailed conditions of "Access Rights" to both "Background" and "Results" for different H2020 participants were	<b>Dagmar Kieber,</b> Vienna University of Technology, AT	IP, IPR, Access Rights, H2020, affiliated entity, third parties, background, foreground, restrictions, grant agreement, consortium agreement, Fair and reasonable Conditions;	<a href="http://www.bestprac.eu/fileadmin/mediapool/bestprac/documents/WS-Budapest/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool/bestprac/documents/WS-Budapest/WG3.zip</a> - presentation WG3.1 b)	Budapest 2015-09-14

			presented and discussed in detail with the group.				
(c)	<b>Transfer of the IPR resulted from the project (including limitations)</b>	Exploitation of project “Results” through their transfer and licensing presenting and discussing legal basis concerning ownership, protection, exploitation of the „Results“ and IP management in H2020 to be found in the RfP, MGAs and CA (DESCA).	Output: A recommendation how to avoid of potential conflict between an obligation to exploit the project results on the one hand and an obligation to protect them on the other, like in case of open access, and to be able to comply with H2020 rules respecting limitations on IPR transfer specified in the GA.	<b>Loreta Staškūnienė</b> , Klaipėda University, LT		<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3.zip">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3.zip</a> - presentation WG3.2	Budapest 2015-09-15
(d)	<b>Commercialization of research results - legal aspects</b>			<b>Carolina Garcia</b> , <b>Loreta Staskuniene</b> , <b>Fatma Uslu</b>		<a href="http://www.bestprac.eu/events/workshops/lisbon-march-2017/">http://www.bestprac.eu/events/workshops/lisbon-march-2017/</a> “Presentations at WG3-meeting” folder, presentation - WG3.4.	Lisbon 2017-03-23
13.	<b>PUBLICATIONS AND OPEN ACCESS</b>	Open Access - a novelty in H2020 in the context of an obligation to disseminate project results vs. obligation to protect them	<b>Recommendations</b> on avoiding misconceptions about publication and protection of project results in the context of open access we should explain to the project	<b>Sarah Dello</b> , Ghent University, BE	IP, IPR, Access Rights, H2020, open access, dissemination, publications, foreground, restrictions, confidentiality, grant agreement,	<a href="http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3">http://www.bestprac.eu/fileadmin/mediapool-bestprac/documents/WS-Budapest/WG3</a>	Budapest 2015-09-14 Budapest 2015-09-14

			teams properly. Detailed modalities and legal requirements of open access in H2020, the traditional and the new approaches towards “patenting vs. publishing”			<a href="#">.zip</a> - presentation WG3.2	
	<b>Open Access in H2020</b> - legal aspects	Joint Interactive Session	Practical advice on Open Access and Research Data Management based on a case study of Aalto University	<b>Niina Mikkonen</b> , Aalto University, FI	Open Access, data management	<a href="http://www.bestprac.eu/events/workshop-sofia-march-2016/">http://www.bestprac.eu/events/workshop-sofia-march-2016/</a> “Presentations at WG3-meeting” folder	Sofia Meeting, 2016-03-10-11
	<b>Research data – access to and management</b>	Sound management of research data in the context of open access to scientific peer-reviewed publications and open access to research data in Horizon 2020 Programme	Outcomes of analysis of the concept of research data, access to them and its management in the context of compliance requirement of H2020	<b>Ludivine Bonadei</b> (Université Toulouse III - Paul Sabatier, FR), <b>Kristin E. Hardardottir</b> , University of Iceland, IS, <b>Vadim Iatchevici</b> (Agency for Innovation and Technology Transfer of Moldova, MD), <b>Fatma Uslu</b>	Research data, open access, management, FAIR,		Brussels, 2017-09-20-21

				(Çukurova University, TR).			
14.	<b>ETHICS ISSUES (LEGAL ELEMENTS) IN H2020 ACTIONS – PRE AND POST-AWARD PHASES</b>	An overview of the issues to be highlighted and addressed in the application, e.g. all concerns or risks that might occur in the project, guidance relating to ethical considerations including different laws and procedures in the participant countries, observing the highest standards of research integrity by the universities' staff & students while conducting their research. Ethics review and appraisal steps as well as ethics screening were discussed by the tasks co-leaders.	Guidance on how to complete an ethics Self Assessment with regard to the methodology, research objectives or impact (e.g. profiling the health of people based on big data), as well as how to manage ethics issues avoiding common mistakes. Practical advice was given on the ethics issues in the Post -award phase taking into consideration the legal basis and ethic appraisal scheme with regard to the Ethics Check and Audit.	<b>Kristín Hardardottir;</b> <b>Djordje Markez;</b> <b>Diana Pustuła</b> <b>Ida Smila,</b> <b>Barbara Paternoster,</b> <b>Fatma Uslu</b>	Ethics, ethical review, appraisal system, ethical screening, ethical self-assessment	<a href="http://www.bestprac.eu/even-ts/workshop-sofia-march-2016/">http://www.bestprac.eu/even-ts/workshop-sofia-march-2016/</a> “Presentations at WG3-meeting” folder	Sofia Meeting, 2016-03-10-11
15	<b>INTRODUCTION INTO RISK MANAGEMENT _ LEGAL ASPECTS</b>						Vilnius, 2016-09-22-23, Brussels, 2017-09-20-21
(a)	<b>ANALYSIS OF SELECTED LEGAL ISSUES IN</b>	An analysis of selected legal issues in the	Outcome of analysis of selected legal issues &	<b>Miriam Ryan</b> (Maynooth	EC DG Programmes, Justice Programme, third	<a href="http://www.bestprac.eu/filea">http://www.bestprac.eu/filea</a>	Vilnius, 2016-09-22-

	<p><b>OTHER THAN H2020 EU RESEARCH PROGRAMMES RUN BY DIFFERENT DIRECTORATES GENERAL OF THE EUROPEAN COMMISSION WITH PARTICULAR ATTENTION TO GRANTS WITH PARTICIPATION OF BENEFICIARIES FROM THIRD COUNTRIES:</b></p>	<p>model Grant Agreements for research grants awarded under specific calls published by different DGs of the European Commission as well as the examination of the similarities and differences of the legal provisions between those standard model GAs and the H2020 model GA for RIA, in particular with regard to the general rules of participation in the project and Intellectual Property Rights.</p>	<p>implementation challenges and presented in particular those concerning ethics and data protection, IPR ownership of results/use of results (e.g. licence for the EC for free use of the project results, the beneficiaries must ensure they have all rights to use the pre-existing IPR and disclose a list of such IPR to the EC before the project start date); subcontracts with third parties (e.g., the sole liability of the beneficiaries toward third parties including for damage of any kind sustained by them while carrying out the action); Liability (EC and beneficiaries); Case study – EC programme “Justice”;</p>	<p>University, IE), <b>Elger Vercayie</b> (Vrije Universiteit Brussel, BE), <b>Diana Pustuła</b>, University of Warsaw, PL</p>	<p>countries, ethics, data protection, IPR, third parties, liability</p>	<p><a href="#">dmin/mediapool-bestprac/documents/WS-Vilnius/BESTPRAC Meeting Vilnius report.pdf</a> “Presentations at WG3-meeting” folder;</p>	23
(b)	<p><b>Identification of legal risks concerning joining a new international R&amp;I programme and practical tips on risk mitigation plans</b></p>	<p>The joint interactive session is meant to be a joint presentation and discussion session for all WG1/WG2/WG3 participants.</p>	<p>WG3 “Alone at the grant office” – Survival Kits – Part 4 “Legal aspects of joining a new international R&amp;I programme - check list”</p>	<p>Miriam Ryan, Maynooth University + other contributors</p>	<p>Risk management, legal risks, risk mitigation, liability, ethics,</p>		<p>Brussels, 2017-09-20-21</p>
16.	<p><b>ANALYSIS OF THE EC PROCUREMENT-BASED</b></p>	<p>Other than H2020 EU programmes including</p>	<p>pointing out contractual challenges</p>	<p><b>Miriam Ryan, Diana</b></p>	<p>Procurement, bidding, confidentiality, IPR, liability</p>	<p><a href="http://www.bestprac.eu/filea">http://www.bestprac.eu/filea</a></p>	<p>Vilnius, 2016-09-22-</p>

	<b>RESEARCH/INNOVATION CONTRACTS (INCLUDING CASE STUDIES)</b>	those run by different DGs of the European Commission, the services contracts and the (framework) agreements were analysed and discussed among the WG3 members with particular attention to confidentiality, management of intellectual property rights, and liability provisions.	and difficulties related to EC procurement-based research/innovation contracts – in particular liability of the parties and ownership of results the main differences between procurement contracts and the GA under H2020 being a comprehensive summary of the main legal issues to be considered before bidding for the contract	<b>Pustuła, Niina Mikkonen</b>		<a href="http://admin/mediapool-bestprac/documents/WS-Vilnius/WG3-presentations.zip">admin/mediapool-bestprac/documents/WS-Vilnius/WG3-presentations.zip</a>  - presentations - WG3.4	23
17.	<b>LEGAL ARGUMENTS UNDER H2020 AND PROCUREMENT CONTRACTS (DISPUT RESOLUTIONS)</b>			<b>Sarah Dello, Verena Dolovai, Kristin E. Haroardottir,</b>		<a href="http://www.bestprac.eu/events/workshops/lisbon-march-2017/">http://www.bestprac.eu/events/workshops/lisbon-march-2017/</a> “Presentations at WG3-meeting” folder, presentation – WG3.2	Lisbon 2017-03-23
18.	<b>BELGIAN LAW -WHAT YOU NEED TO BE AWARE OF</b>			<b>Elger Vercayie</b>		<a href="http://www.bestprac.eu/events/workshops/lisbon-march-2017/">http://www.bestprac.eu/events/workshops/lisbon-march-2017/</a> “Presentations at WG3-meeting”	Lisbon 2017-03-23

						folder, presentation – WG3.3	
19.	<b>HR EXCELLENCE IN RESEARCH LOGO – LEGAL ASPECTS</b>	HR <b>Excellence in Research logo</b> as a spark for institutional enhancements in the researchers' recruitment process and part of the H2020 participation strategy; Presentations of case studies from the institutions being in the process of application for the HR Excellence in Research logo shared their experiences (pointing out to dos and don'ts) in that respect.	The legal scope and the legal status of the <b>European Charter for Researchers and the Code of Conduct</b> for the recruitment of researchers; Outcomes of analysis of the <b>formal requirements set out by the European Commission</b> to obtain the HR Excellence in Research logo, HR Excellence in Research logo... <b>Case studies</b> (Best practices of the internal process and procedures of the applying institutions) <b>and on-line survey outcomes</b>	<b>Ludivine Bonadei</b> , Université Toulouse III - Paul Sabatier, FR); <b>Carmen Gascó Fortea</b> , Technical University of Madrid (UPM), ES; <b>Diana Pustuła</b> , University of Warsaw, PL <b>Tihana Damić</b> , Croatian Veterinary Institute, HR	HR Excellence, recruitment, code of conduct, European Charter and Code	<a href="http://www.bestprac.eu/fileadmin/mediaportal/bestprac/documents/WS-Budapest/WG3.zip">http://www.bestprac.eu/fileadmin/mediaportal/bestprac/documents/WS-Budapest/WG3.zip</a> - presentation WG3.3-WG3.4	Budapest 2015-09-15 Sofia 2016-03-10 Vilnius, 2016-09-22-23
20	<b>THE CONCEPT OF STATE AID IN THE EU-FUNDED PROGRAMMES</b>	State aid is a legal matter subject to different secondary regulations and guidelines not always straightforward or clear enough to avoid a risk of misjudgement. Therefore, it is often considered as one of the most tricky issues in proposal preparation	Presentation of concept of state aid, legal context, relevance to universities and other public research institutions, assessment, case studies, UGent policy / approach	<b>Sarah Dello</b> , Ghent University, BE	State aid, economic activities, public institutions,		Brussels, 2017-09-20-21





		and/or project management.					
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**BESTPRAC 2.0**

21	<b>GDPR (GENERAL DATA PROTECTION REGULATION)</b>	GDPR is directly applicable in all EU member states. The new GDPR introduces stricter rules regarding data protection applying to all data controllers and processors across Europe.	General introduction about concept of GDPR and potential implications for research organisations	Niina Mikkonen, Aalto University, Finland	<a href="https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/">https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/</a>	Bucharest, 2018-02-09
	<b>GRPR – SHARING EXPERIENCES</b>		Presentation by different participants, giving an insight in how their university deals with GDPR		<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
a)			University of Iceland, Iceland	Kristin Hardardottir	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
b)			Aalto University, Finland	Niina Mikkonen	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
c)			Maynooth University, Ireland	Miriam Ryan	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25

d)			Spiru Haret University, Bucharest	Catalin Marius Radu	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
e)			University of Geneva, Switzerland	Andreas Schmalz and Vladan Janjusevic	<a href="https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/">https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/</a>	Tallinn, 2019-03-11
	<b>GDPR FAQ Document</b>		Preparing the GDPR FAQ document which aim is to provide help with the GDPR related questions that arise during the research projects.	All WG3 members present in the meeting in Tallinn	<a href="https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/">https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/</a>	Tallinn, 2019-03-11
22	<b>MISCONDUCT AND BANKRUPTCY IN H2020</b>		Presentation about practical consequences for the H2020 project	Natasa Jakominic Marot, University of Rijeka, Croatia  Kristin Hardardottir, University of Iceland, Iceland	<a href="https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/">https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/</a>	Bucharest, 2018-02-09
23	<b>CONSORTIUM AGREEMENT NEGOTIATIONS</b>	One of the tasks of a coordinator of H2020 project is the drafting and negotiation of a consortium	This presentation gives a few practical tips and tricks for a smooth negotiation	Sarah Dello, Ghent University, Belgium  Miriam Ryan, Maynooth	<a href="https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/">https://bestprac.eu/events/past-events/workshop-bucharest-february-2018/</a>	Bucharest, 2018-02-09

		agreement.		University, Ireland		
24	<b>TECHNOLOGY TRANSFER</b>		What is technology transfer? Which tools exist for technology transfer?	Vadim Iatchevici, Agency for Innovation and Technology Transfer, Moldova  Albena Vutsova, Sofia University, Bulgaria	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
	<b>licensing</b>	Licensing is one of the forms technology transfer	Presentation focusing on IPR clauses in licensing agreements	Nina Smerdu, University of Ljubljana, Slovenia	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25
	<b>spinoff</b>	Spinoffs are one of the forms technology transfer	Presentation focusing on setting up spinoffs and the role of research administrators	Albena Vutsova, Sofia University, Bulgaria	<a href="https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/">https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/</a>	Tallinn, 2019-03-11
25	<b>HORIZON EUROPE</b>					
a)	<b>Analysis of proposal for Regulation</b>	Horizon Europe is approaching	Presentation of an analysis of the initial draft(s) of the Commission text of the Regulation	Ella Bouquet, Legal & finance NCP, MESRI, France  Sarah Dello, Ghent University, Belgium  Natasa Jakominic Marot, University	<a href="https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/">https://bestprac.eu/events/past-events/workshop-belgrade-september-2018/</a>	Belgrade, 2018-09-25

				of Rijeka, Croatia		
b)	<b>A closer look at the upcoming Framework Horizon Europe</b>		Scope of the presentation is the same as the one presented in Belgrade but this time with a focus on what's new / what has changed over the last year: what do we know so far about Horizon Europe?	Sarah Dello, Ghent University, Belgium		Ghent, 2019-09-05
26	<b>IMPACT</b>		Presentation providing tips and tricks for writing the impact section of a research proposal	Sarah Dello, Ghent University, Belgium  Ger Hanley	<a href="https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/">https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/</a>	Tallinn, 2019-03-11
27	<b>SYNERGIES</b>		Presentation on synergies between H2020 (and the upcoming Framework) and other EU funding	Natasa Jakominic Marot, University of Rijeka, Croatia  Catalin Marius Radu, Spiru Haret University, Bucharest	<a href="https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/">https://bestprac.eu/events/past-events/workshop-tallinn-march-2019/</a>	Tallinn, 2019-03-11



Information on BESTPRAC meetings (2014-2020) – programmes and reports: <https://bestprac.eu/events/past-events/>  
WG3 meetings – documents, presentations and reports: <https://bestprac.eu/outputs/learning-materials/legal-aspects/>

### **WG3 STATISTICS (BESTPRAC 2: 2018-2019)**

Number of meetings: 4

Number of presentations: 15

Contribution to the FAQs document on Horizon 2020 Coordinator's survival kit (led by WG1)

Number of guides, check-lists, recommendations and practical tips – 2 -> **"Alone in the grant office" - Survival Kits - LEGAL - PART 5+6**