

REGULATIONS OF THE INNOVATIVE TECHNOLOGY INFRASTRUCTURE
Management policy for the intellectual property generated by the research and
innovation carried out in the Innovative Technology Infrastructure and the
regulation of access mechanisms for internal and external users

WHEREAS

- a) the Ministry of University and Research has released the NOTICE OF THE GRANTING OF FUNDING FOR THE CREATION OR MODERNISATION OF INNOVATIVE TECHNOLOGY INFRASTRUCTURES, pursuant to Director's Decision (D.D.) 3265 of 28/12/2021;
- b) it is the intention of the University of Brescia to submit a proposal for the creation of a new Innovative Technology Infrastructure situated in Lombardy Region, meaning facilities, equipment, capabilities and services to develop, test and strengthen technology to progress from laboratory validation to the highest TRL before entering the competitive market, in accordance with the Notice at (a);
- c) on 11.02.2022, the University of Brescia released a public announcement aimed at selecting expressions of interest by private co-lender bodies in the establishment of a Public-Private Partnership (PPP) for the creation, management and maintenance of a new Innovative Technology Infrastructure;
- d) the new Innovative Technology Infrastructure aims at developing and supplementing innovative technologies on life sciences, artificial intelligence and advanced materials for the commercialisation of new products, processes and services;
- e) the tangible and intangible equipment of the Innovative Technology Infrastructure shall provide high performance on the subjects indicated at (d) of the recitals to indicate a new generation of information and technical-scientific tools and skills useful in the health environment and also for industry for the development of patents not currently available in Italy;

NOW THEREFORE

- f) the following internal regulations oriented to the definition of the policies for the management of the intellectual property generated by the research and innovation carried out in the Innovative Technology Infrastructure and the regulation of access mechanisms for internal and external users are described;
- g) it is defined that these regulations consist of 19 articles;

THE FOLLOWING IS DEFINED:

Article 1

Aim and purpose of the Regulations

These Regulations discipline:

- a) the methods of access, use and management of the Innovative Technology Infrastructure for both commercial economic and non-economic research, and training consistent with the NOTICE OF THE GRANTING OF FUNDING FOR THE CREATION OR MODERNISATION OF INNOVATIVE TECHNOLOGY INFRASTRUCTURES, pursuant to D.D. 3265 of 28/12/2021 released by the Ministry of University and Research;
- b) the management of the intellectual property generated by the research and innovation carried out in the Innovative Technology Infrastructure and the regulation of access mechanisms for internal and external users.

Article 2

Regulatory laws

The relationship between the public-private entities establishing the Public-Private Partnership (PPP) shall be regulated by the Articles of Association of the partnership form being set up chosen by the parties (institutionalised or contractualised) and these Regulations.

The public-private entities establishing the Public-Private Partnership undertake to ensure that the action of the persons designated by them in the bodies of the partnership form being set up and the persons working for them in the sphere of the business of the partnership form being set up shall comply with the contents of these Regulations.

Article 3

Mission and strategy

The main aim of the public-private partnership form being set up chosen by the parties is to ensure the design, funding, construction and management of the Innovative Technology Infrastructure for the development of technologies/products/services both for research and business and commercial purposes. By taking advantage of the production and infrastructure factors committed by the public and private bodies involved, the Innovative Technology Infrastructure shall supply integrated advanced and specialist research, experimentation and 'testing' services to create an open innovation system for all internal and external stakeholders. The purpose of the infrastructure shall be to supplement the basic research capabilities of the university with the technological and practical experiences of the companies in industrial research and experimental development. The infrastructure shall benefit from the

support provided by industry as a partner for open innovation and/or user, the strength of the companies' development activity, the generation of intellectual property rights, clear laws to distinguish production plans and the grant of open and protected licences, the ability to develop and host industrial doctorates, the links with capital or other types of funding aimed at facilitating the development of new start-ups and entrepreneurship. The infrastructure shall include multi-functional facilities able to operate in the health sector and, more generally, life sciences.

Article 4

Description of the Innovative Technology Infrastructure

The Innovative Technology Infrastructure envisages a single central hub situated in the University of Brescia, although the opportunity may be taken to open up to a Multi-Site approach in future where decentralised infrastructure hubs, which are an integral part of the central Technological Infrastructure, can be found outside of it.

A qualifying feature of Innovative Technology Infrastructure is the synergic potential arising from the multiple technologies found within enabling the orientation of diversified skills towards the fulfilment of research and technologically advanced solutions for the health sector and, more generally, life sciences as a result of physical and scientific integration.

Article 5

Undertakings of public-private partners

All public and private partners involved undertake to grant to the public-private partnership form being set up, through the forms permitted by law, for example gratuitous loan for use or other solutions, property, software licences and patents, equipment and machinery acquired both with the financial resources made available by the Notice at (a) of the recitals for public bodies, and via the co-financing of private partners who can also contribute co-financing in kind to the infrastructure through the contribution of plant and equipment for usage quotas.

Similarly, all public and private partners must ensure access to the spaces, equipment and machinery for the fulfilment of the activities at Art. 4 above, based on the rules set out in these Regulations, recognising, in the event of operational requirements, the prerogative of the Board of Directors of the partnership form being set up chosen by the parties to suggest amendments to the Regulations. In accordance with the relative loan for use contracts, the public and private partners involved shall maintain the right to the non-exclusive use of the machinery, subject to the needs of the Innovative Technology Infrastructure and are required to formally and promptly advise the partnership form being set up of any breakdowns,

malfunctioning or maintenance to be carried out, also highlighting the need for maintenance of the property. The individual investors shall remain the proprietors of the machinery.

Article 6

Undertakings of the partnership form being set up

The public-private partnership form being set up undertakes to:

1. ensure the full availability of the Infrastructure and all the equipment granted to it respecting the rights of non-exclusive use, providing highly qualified interdisciplinary support to the research and/or educational facilities of the university, private partners and third parties requesting it;
2. respect the indications of the individual documents as regards safety, surveillance, health at work, respect for the current fire prevention legislation, ordinary maintenance of the assets acquired in the programme, their safekeeping, storage, operational efficiency, insurance cover, energy and water consumption, heating/conditioning, cleaning services and waste disposal;
4. ensure respect of the threshold set out by the European Community Regulations on any commercial business carried out by the Innovative Technology Infrastructure in compliance, as better defined by Art. 8 of this document, with the provisions of the European Regulations as per Communication no. 198/2014 Art. 2.19;
5. control access to the infrastructure and check respect for the rules defined in the individual documents for the use of the spaces, plant and equipment;
6. correctly administer the resources made available by the public and private bodies involved and the charging of users of the Innovative Technology Infrastructure with fees based on a specific tariff to be applied for research carried in the infrastructure;
7. in consideration of the use of the resources, expertise and information made available by the public and private bodies involved for the partnership form being set up, the latter undertakes not to enter into competition with those bodies in the commercial business that they intend to develop in using the Infrastructure and equipment granted.

The public-private partnership form being set up shall also carry out a function of co-ordinator and stimulator of the aggregation of different research players and, therefore, shall undertake the following work:

- a) the search for contract notices, competitions and tenders to compete in the assignment of joint public-private research projects involving primarily their partners with the requisites and necessary skills, thus generating the preconditions to ensure full support of the innovation and research;

- b) the creation of an organised structure able to guarantee adequate returns for the area trying to attract investment and capital to the area, attracting new researchers from other areas, etc., thus generating adequate returns for the competitiveness and growth of companies through the development of research and innovation initiatives;
- c) ensure respect of all the provisions set out by European and national legislation with special reference to the provisions of EU Regulation 2021/241 and Decree Law 77 of 31/05/2021, as amended by Law 108 dated 29 July 2021;
- d) ensure respect of the 20% threshold of any business carried out by the research facility pursuant to Point 20, Communication 2014/C 198/01 of the Commission;
- e) guarantee that, if the facilities involved in this operation carry out either economic or non-economic activity, the two types, their costs, financing and earnings are clearly separated through separate accounting systems. Further, where the facilities involved in this operation are widespread, such separation must be at individual site and partnership levels;
- f) manage the research facility ensuring the economic-financial sustainability regardless of the market, even after the conclusion of the project, for at least ten years with effect from the final payment to the implementing body and not write off the individual assets until they have completed the normal depreciation cycle without the prior authorisation of the Ministry, and ensure the stability of the project within the limits set out by European legislation;
- g) support the participation of women and young people, also in accordance with the provisions of Decree Law 77 of 31/05/2021, as amended by Law 108 dated 29 July 2021, in relation to the management of the Recovery and Resilience Plan (RRP);
- h) respect the principle of support to overcome regional discrepancies;
- i) respect for the conditions to maintenance the 'no help' regime pursuant to Communication EU 2014/C 198/01 of the European Commission;
- j) respect for the conditions excluding the application of the legislation on projects generating clear earnings both during the execution of the project and after its completion.

Article 7

Acquisition of financial resources

The public-private partnership form being set up is mainly financed through:

- a) participation in research projects in national and international contract notices (non-economic research work);

- b) work carried out in the sphere of agreements and contracts for research or performance of services for companies and technical-scientific consultancy, also through participation in direct tenders or negotiations (economic research and commercial activity);
- c) economic activity carried out respecting the maximum threshold of 20% to third parties in the life sciences field.

Article 8

Ratio of use of the Innovative Technology Infrastructure of economic and non-economic research and commercial businesses

In accordance with the provisions of the European Regulations as per Communication 198/2014 Art. 2.19, 80% of the annual use of the Technological Infrastructure is for 'non-economic' work and concerns the following:

- research work;
- training to obtain more and better qualified human resources;
- independent R&D aimed at the acquisition of greater knowledge and better understanding, including collaborative R&D;
- extensive dissemination of the research results on a non-exclusive and non-discriminatory basis, e.g. through training, the creation of open access databases, 'open access' publications or via 'open source' software; ^[11]_[SEP]
- knowledge transfer carried out by the research facility (including its respective hubs), jointly with other bodies or on their behalf, after which all the profits originating from it shall be reinvested in R&D or the primary work of the research facility.

In detail, as the Technological Infrastructure is mainly used for non-economic activity, where the economic activity absorbs exactly the same production factors (such as materials, equipment, labour and fixed capital) as the non-economic ones, the capacity intended each year for such economic activities must not exceed 20% of the pertinent overall annual capacity of the Technological Infrastructure. In this case, the proposing body and each co-proposer must therefore ensure respect for the maximum threshold of 20% of any economic activity carried out (pursuant to Point 20 of Communication 2014/C 198/01 of the Commission) and, for this purpose, undertakes to keep separate accounting for the economic and non-economic activities.

Article 9

Definition of the access policy to the Innovative Technology Infrastructure

Given the open access nature of the Innovative Technology Infrastructure, access to the features and services shall be subordinate to the authorisation of the governing body of the public-private partnership form being set up and following an access priority based on

assessment principles to be defined. Access shall also be permitted to third parties external to the partnership form.

In addition to partners, access to the instrumentation of the Innovative Technology Infrastructure is permitted to third parties and *both national and international users shall be targeted*, based on the scientific quality and the innovative nature of the projects proposed with a view to stressing the international profile of the operation and extending the basin of potential users.

The public-private partnership form being set up is also inspired by the principles and guidelines expressed in the *European Charter for Access to Research Infrastructures*, published by the European Commission June 2015, in defining the rules and conditions for access to the Innovative Technology Infrastructure. Users accessing the Innovative Technology Infrastructure are required to acknowledge the contribution given by the Infrastructure and any partners involved by mentioning it in the 'Acknowledgements' section of scientific publications and any other product arising from the research conducted within its confines, and are required to offer 'co-authorship' to researchers if they have made a significant contribution to the achievement of the scientific results.

The Innovative Technology Infrastructure offers open access through the commitment to make the results obtained by its users and operators public, always respecting the intellectual property rights and protection of privacy. The Innovative Technology Infrastructure elaborates a transparent storage policy and access to data and is proactive in the dissemination of results relevant for innovation, involving the community of researchers and innovators in their use.

Access to the features and services shall be subordinate to the authorisation of the governing body of the public-private partnership form being set up subject to a formal request made through the completion of a form, entering one's personal data and the information on the research project or work to be fulfilled.

When selecting the projects and/or work to accept to use the Innovative Technology Infrastructure, the governing body of the public-private partnership form being set up shall use the opinion of the Scientific Committee and the Research Manager (Manager of the Infrastructure) who shall assess the innovative content of the projects and work, whether they respond to the Infrastructure's mission and the potential expressed for the creation of company spin-offs and the sale of patents.

Account shall also be taken of the following in the assessment of requests for access:

a) restrictions on the methods of access to the infrastructure, open to several users and granted transparently without discrimination (fully respecting the principle of gender equality and the valorisation of young people);

- b) special conditions in support of entities which have contributed to the construction of the Innovative Technology Infrastructure making property or equipment available and which, therefore, can benefit from preferential access at favourable conditions. In order to prevent over-compensation, such access must be proportional to the company's contribution to the cost of investment in the assets granted with loan for use and that these conditions are made public;
- c) the need to give partners who have made equipment and property available the ability to exercise the right to use the equipment;
- d) production capacity of the Innovative Technology Infrastructure assigned each year to the economic activity which does not exceed 20% of the overall annual capacity;

Once an application has been accepted, respecting the priorities assigned, the applicant shall receive an offer with an indications of the days, times and overall duration of access to the Technological Infrastructure and the services and technologies requested and made available as well as the relative costs.

After completing access to the desired services and technologies, the candidate shall be asked to complete a feedback form with a report that includes information on the research performed and any pertinent scientific publications.

Article 10

Use of the Infrastructure by its partners

Use of the equipment, spaces and, more generally, the tangible and intangible resources, is regulated by Art. 9 above.

This document defines that the governing body of the public-private partnership form being set up shall appoint a manager responsible for managing access and the use of the property, machines, equipment and tangible and intangible resources respecting these Regulations, checking the necessary skills with respect to the safety legislation pursuant to Legislative Decree 81/2008. The manager shall also be responsible for recording the length of time the technological infrastructure and equipment is used for the calculation of the payment to cover the correlated costs, envisaged in the budget of the project to fulfil.

With reference to the research work and/or service of interest to one or more partners, each entity can apply to the governing body to use the Technological Infrastructure, presenting a plan of the work they intend to carry out with the detail of the machinery and equipment to be used, the estimated time of use and, if necessary, the staff and materials needed. After discussions with the Scientific and Technical Committee and the support of the Access Managers for the Infrastructure, in the event of multiple requests to use the infrastructure or individual pieces of the equipment at the same time, the governing body must define a

calendar that ensures precedence to the projects and initiatives of public partners and respect for third parties and balancing of the commercial work with research, respecting national and Community legislation on the contribution dispensed for this infrastructure and the restrictions arising from non-exclusive use.

At the end of these compatibility checks, the partner shall be advised of the times they can use the Technological Infrastructure and the amount to pay, normally within 5 days of the application, to cover the relative correlated costs, calculated based on the provisions of Art. 12 below.

The user shall assume responsibility for the insurance cover of their staff, also in relation to activities carried out in the laboratories of the Technological Infrastructure and answers for any damage that may be caused to the partners' assets and also third parties in the execution or during the performance of their work and, as a result, they shall undertake to hold harmless the partnership form being set up and its partners from any claim made by anybody having reason, title or cause in any way connected with their activities.

Use of the Innovative Technology Infrastructure by staff pertinent to its partners may be:

- direct, without assistance, for partners' specialised staff with a sufficient level of autonomy in using the equipment;
- with technical assistance, for partners' non-specialised staff (including trainee staff) or other users' staff who need assistance from specialised staff of the partnership form being set up and its partners.

Permanent university staff members (professors, researchers and technical staff involved in work and research projects accepted by the Infrastructure) and others who are not permanent and in training (when they are not specialised staff, the following categories may fall within the definition: holders of research awards, post-graduate students interested in carrying out experimental theses, research and industrial doctorate courses, specialisations and Master's courses, holders of co-ordinated and continued collaboration contracts, holders of professional assignments with a VAT number or consultants) and also technical-scientific staff indicated by the partners, such as their employees or consultants, can access the laboratories based on the agreements stipulated with the partnership form being set up to carry out research projects and commercial work and also to use their own machinery. In special cases linked to the performance of joint research projects, external users may indicate staff. However, access to the Infrastructure shall be regulated by the acceptance procedure described in the Articles above and managed by the Access Manager under their direct responsibility and co-ordination.

Article 11

Use of the Technological Infrastructure by third parties

The Innovative Technology Infrastructure can be used for research of interest by third parties, i.e. entities other than the individual partners, in accordance with the following.

Universities, public and private research bodies and other scientific and research institutions can apply to use the Infrastructure presenting a specific application for access setting out the research project, the programme of activities, times, equipment necessary and the services required. After discussions with the Scientific Committee on the research project and/or the activities presented by the third party and the compatibility with the Infrastructure's mission, the governing body of the partnership form being set up shall advise the entity concerned of the decision made on the use of the Infrastructure and the relative payment following the procedures set out in the Articles above and based on the tariffs shown below.

It remains understood that the user must assume the cost of the insurance cover for their staff, also in relation to activities carried out in the laboratories of the Infrastructure and also answer for any damage that may be caused to the partners and also third parties in the execution or during the performance of their work and, as a result, they undertake to hold harmless the partners from any claim, made by anybody, having reason, title or cause in any way connected with their activities.

Use of the infrastructure by third parties is permitted respecting the threshold set out by the European Community Regulations and these Regulations, and subject to the availability of the Infrastructure.

The staff of third parties may only access use of the Infrastructure and individual pieces of equipment with the assistance of the staff of the individual partners.

The technologies and instrumentation of the Technological Infrastructure shall be accessible to the following types of user:

- mobile researchers. The infrastructure can host foreign researchers involved in joint research programmes with in-house groups so that the technologies implemented to respond to the biologic questions under study can be applied;
- the scientific and institutional world. The first beneficiaries of the facility will be scholars of regional and national public and private research institutes;
- private entities working in the life sciences, artificial intelligence and advanced materials sectors (e.g. pharmaceutical, biotech and ICT companies etc.);
- entities of the National and Regional Health Services;
- young people taking Master's degrees and/or doctorates in branches of knowledge connected to the Infrastructure's subject matter;
- national and international researchers who would like to access the results of research disseminated through the organisation of congresses, and the construction of a website.

Article 12

Tariffs

The tariffs for the use of the Infrastructure by the partners (for the part which is not for exclusive, free use) and third parties shall be decided by the governing body of the partnership form being set up, in some cases also setting out different tariffs depending on the type of user, and shall be made public on approval.

After discussions with the Scientific and Technical Committee on the research project, the governing body shall prepare an Offer Sheet for each individual project/service suggested by partners or third parties to be carried out in the Infrastructure, indicating the equipment and any other elements made available by the partners, detailing the costs for each production factor requested based on the time indicated in the project multiplied by the tariffs relating to the individual services. The Sheet shall specifically show the tariff, calculated based on the estimated quantity and time of use of the Infrastructure for the project/service. If accepted by the user of the Infrastructure, the Offer Sheet shall be considered as an economic agreement between the parties, showing the costs that individual entities must bear to access the Infrastructure separated into Variable Costs, Industrial Fixed Costs and Administrative and Management Fixed Costs. At the end of the project, all the amounts of goods supplied and the hours the equipment and the Infrastructure were used for and also any hours of partners' staff made available to the project or activity shall be charged to arrive at the balance if different from the amount shown on the Offer Sheet.

The price lists should enable costs for the use of the Infrastructure falling within the categories below to be covered, based on the volume of work performed:

- 1) Variable Costs (e.g. materials, hours/technical staff assisting, on request, the user in use of the equipment);
- 2) Industrial Fixed Costs (e.g. hours the machinery and equipment is used for);
- 3) Administrative and Management Fixed Costs (e.g. maintenance costs of the Infrastructure, insurance, other functional and general expenses shown on a flat-rate basis).

The tariffs for sharing the Infrastructure, whose specific pricing is referred to the governing body with a specific document, are defined as follows:

Tariff A: sets the coverage of just the Variable Costs of the materials (if requested), the Industrial Fixed Costs (for partners, only calculated on the part of use of the IR exceeding the % of exclusive use allocated to them); the Administrative and

General Variable Costs (for partners, only calculated on the part of use of the IR exceeding the % of free use allocated to them);

Tariff B: in addition to coverage of the Costs as per Tariff A above, also sets out coverage of the Variable Costs of the hours/assistance staff member requested.

Tariff C: in addition to the complete coverage of the Variable Costs (including the hours/assistance staff member), the Industrial Fixed Costs for the hours of effective use of the Infrastructure and the Administrative and General Fixed Costs expressed as a % of the sum of the Variable Costs and Industrial Costs, and with the application of a margin, to be defined for the different types of work and different users so that resources to promote research projects and staff training can be guaranteed to the partnership form being set up.

Article 13

Safety

As far as the management of problems relating to the safety of operators and the Infrastructure is concerned:

- users accessing equipment must be informed in advance on the contents of the Institute's risk assessment documentation and also the standard and emergency operational procedures on the use of equipment. Transmission of the information must be recorded;
- users are required to leave the equipment and rooms where it is situated in the same state as they found it, in compliance with the provisions of the operational procedures and User Manual on the use of instruments;
- users shall be held responsible for any damage arising from use of equipment which does not comply with the provisions of the operational procedures and the above-mentioned User Manual;
- a register must be prepared for every piece of equipment to note the times of use and report any breakdowns or malfunctions; in addition, a maintenance register must be set up and kept updated;
- any individual protection devices necessary for the safe use of equipment must be made available to users by the facility where the instrument is situated;
- any variation (structural changes to the equipment, variations in the chemicals or biological materials used, variance in standard operational procedures, introduction of additional sources of risk such as carcinogenic mutagen and/or inflammable substances) influencing the risk assessment of the use of equipment must be advised in advance to the Laboratory Manager at the hub where the specific equipment is assigned.

Article 14

Programming and control

For the constant analysis of the dynamics and evolution of the Innovative Technology Infrastructure, with special attention to the economic, equity and financial aspects and, as a result, the sustainability of the services offered, an annual economic and financial budget for the work of the Infrastructure shall also be drafted in addition to the financial statements. The budget shall be approved by the governing body and a final report prepared quarterly by the Management Body or delegate for the administrative area with the aim of providing all the tools necessary to periodically compare the budget results with the final figures and quantify the differences so that the appropriate considerations can be made perspectively.

A management model shall be developed with the drafting of a budget both annually and quarterly, through the attribution of certain forecasting economic-equity and financial variables.

In addition, the reports shall have a description document in which the information on the work carried out shall be summarised. The annual reporting should be able to show that the funding and earnings arising from the commercial activities are able to cover the costs of the Infrastructure. Earnings from any non-economic activities shall be accounted for separately from the funding, costs and earnings arising from the economic activities, based on the accounting principles applied consistently and objectively justifiable.

Article 15

Technology transfer

Given the pursuit of the mission of economic valorisation of the research results and the contribution to the dissemination of an entrepreneurial culture of research and support to the spin-off initiatives, the Innovative Technology Infrastructure targets the creation of specific training and support work to research groups that intend to valorise the results of their research. For this, the partnership form being set up may also establish conventions and agreements with 'business development' experts and entities working in the finance for innovation sector so that *industrial doctorates can be developed and hosted, the links with capital or other types of funding valorised with a view to facilitating the development of new start-ups.*

The selection procedure shall be developed respecting a DNSH ('do no significant harm') assessment and a strategic environmental assessment if it is envisaged that the project shall have a considerable effect on the area.

Article 16

Governance and organisational model

The Innovative Technology Infrastructure shall have an appropriate organisational and management model inspired by an operations management system in accordance with quality criteria and respect for regulatory obligations which guarantee specific accounting codification and allow the implementation of inspections and checks by the relevant bodies, the storage of documents, respect for the information and communication requirements and also easy sharing of the information necessary for monitoring every activity. The organisational model shall be a matrix type, so that every function can be shared with the specific areas of expertise. The management body shall have a Board of Directors within which specific committees are envisaged, mainly consisting of independent directors (Appointments, Remuneration, Control and risks), a Scientific and Technical Committee also made up of international scientific figures chosen from the scientific community and divided into scientific areas of interest, and also a supervisory body regulated in accordance with Law 231/01. The institution of a Grant Office is planned which shall have a direct connection to the scientific committee. The Grant area shall be co-ordinated by a **Grant Manager** assisted by a series of professionals including:

- ✓ **Infrastructure Manager**, with the task of co-ordinating the development of project activities and the 30 research managers necessary for the implementation of the integrated system of research and innovation infrastructures;
- ✓ **Innovation Promoter**: to foster collaboration between infrastructure partners, local businesses and all stakeholders with the aim of ensuring the right connection between research activities and the market;
- ✓ **Knowledge Transfer Manager**: the role of a Knowledge Transfer Manager shall be to support companies who can increase the regional economy, helping them to find funding, new partners, suppliers, and above all, opportunities for innovation.

Article 17

Definition of aspects relating to intellectual property, the use and dissemination of the results generated by the research and innovation work

The inventions, projects, knowledge, findings and, more generally, anything else previously developed, achieved or created independently, instrumental to the fulfilment of the work carried out in the Innovative Technology Infrastructure (hereinafter 'Background') shall remain the exclusive property of the interested party and cannot be used by others subsequent to the closure of the initiative or, however, outside it without the prior consent and written agreement of the proprietor.

Each entity involved in the partnership form being set up grants the other entity a free licence for use of their Background for the fulfilment of the work covered by the Innovative Technology Infrastructure.

The intellectual property of the results of the work carried out by the entities involved in the partnership form being set up shall remain the propriety of that entity. The intellectual property of the results of the work carried out in collaboration in the Innovative Technology Infrastructure shall be the property of the entities involved. If the industrial and intellectual property rights consist wholly or partly of intangible assets that may be subject to registration or patenting, the companies may deposit applications aimed at obtaining the corresponding patent in Italy or abroad. In other words, the industrial exploitation remains with the companies.

In the event of scientific publication, any work must specifically show references to the Innovative Technology Infrastructure with wording to be established by the governing body of the partnership form being set up. The list of co-authors shall be agreed based on international academic standards.

Article 18

Confidentiality obligation and dissemination of results

The Technological Infrastructure is open access with the commitment to making the results obtained by its users and operators public, always respecting intellectual property rights and protection of privacy. The Technological Infrastructure should develop a transparent policy of storage and access to data and disseminate the results relevant for innovation proactively, involving the community of researchers and innovators in their use. As a result, public bodies should give appropriate prominence to the results achieved in the Infrastructure through scientific publications, participation in congresses and dissemination and training.

The bodies involved in the partnership form being set up undertake to maintain all the information they become aware of related to the technical work, research and the projects carried out in the Innovative Technology Infrastructure private and confidential, even after the conclusion of the initiative, and undertake to not disclose it to third parties and refrain from using it, for any use and in any form, unless they have the prior consent of the entities involved.

Without prejudice to the confidentiality commitment above and the intellectual property rights, which shall remain the property of the party carrying out the work, the entities involved undertake to give adequate prominence to the results obtained, especially through scientific publications, taking part in congresses and dissemination and training initiatives.

Article 19

Duration

These Regulations come into force on the day of approval by the governing body of the partnership form being set up and shall remain in force for the duration of the initiative.