European
IP Helpdesk

www.iprhelpdesk.eu
ec.europa.eu/ip-helpdesk

European IP Helpdesk

Stay ahead of the innovation game.

IP Strategy in ERC Proof of Concept: Turning Frontier Research into Innovation Value

A practical guide to managing intellectual assets in the PoC validation phase.

Claire Fritz
08.12.2025

Outline

1. IP in ERC PoC
2. What matters for evaluation
3. Identifying key assets
4. Background & access
5. Ownership
6. Protection strategy
7. Exploitation logic
8. Conclusions

Why IP matters in ERC PoC (and *not* in the main ERC grants)

- PoC aims to test whether ERC-generated results have innovation potential.
- Demonstrating credible use of results requires clarity on rights.
- IP strategy ≠ patenting; it means choosing the right protection and timing.
- Clear IP foundations enable collaboration, investor dialogue, and exploitation planning.

Why IP matters in ERC PoC

- Over **2,200 patents and other IPR applications** stem from ERC projects.
- ERC grantees have founded **400+ start-ups**.
- ERC-funded research has won **Nobel Prizes, Fields Medals, Wolf Prizes**, etc.

This shows a paradox:

→ **ERC funds ideas because they are scientifically excellent**

→ **Many of these ideas become commercially or societally ground-breaking later**

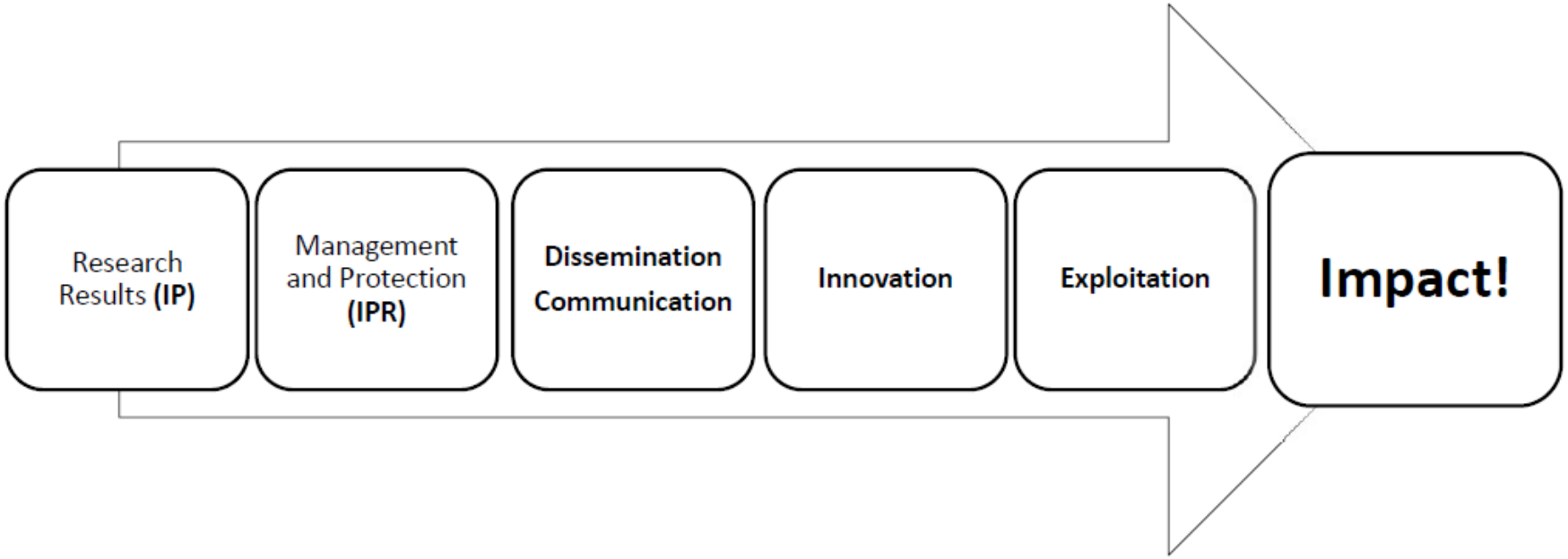
- The PoC helps grantees recognise and manage this transition *early* — and IP is the first building block in that process.

What PoC evaluators expect in the IP section

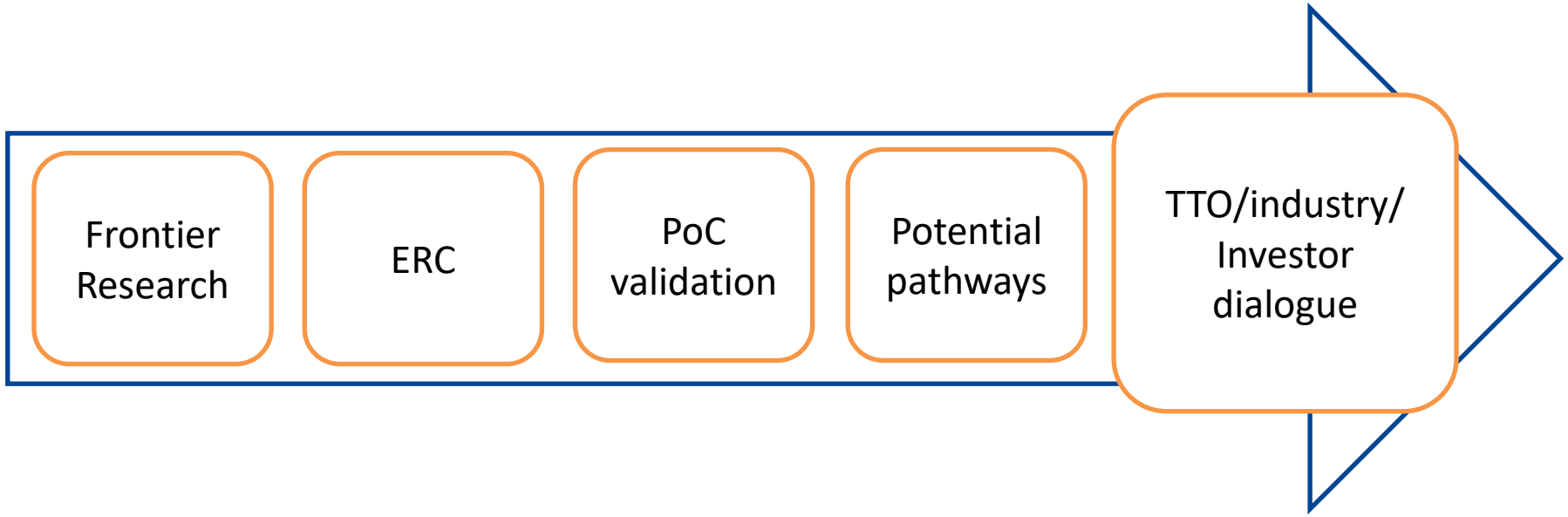
Four elements:

1. **Ownership clarity** (GA: “Results belong to the beneficiary that generates them.”)
2. **Protection strategy**
3. **Background and access rights**
4. **Credible exploitation logic**

The path from results to impact – in HEU



From Results to Impact (PoC as an acceleration tool)



Identifying Key Intellectual Assets (ERC-context)

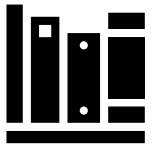
Typical ERC outputs:

1. **Novel methods, models, data** → Trade secrets, copyright, patents (if technical), database rights
2. **Prototypes, algorithms, biological material** → Patents, utility models, trade secrets, MTAs
3. **Software and computational tools** → Copyright, licensing models, trade secrets, patents (CII)
4. **Unique datasets** → Database right, copyright (structure), trade secrets, data agreements
5. **Conceptual frameworks with application potential** → Copyright, trade secrets, patents (if technically implemented)

Intellectual Property Rights

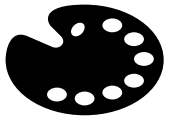
Patents & Utility Models

→Technical Inventions



Copyright

→Artistic, literary, scientific works
→Software or other visual works (videos)



Industrial Designs

→Aesthetic aspect of an article

Trade marks

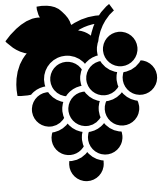
→Business identity (trade names /logos/slogans…)

Trade Secret

→Valuable business info (processes, clients lists)

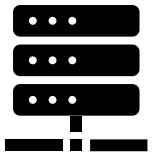
Plant Variety Rights

→Botanical varieties



Geographical Indications

→specific geographical origin



Database Rights

→ sui generis form of IP

Background vs. Results (PoC edition)

- **Background** = pre-existing ERC results, prior patents, software, datasets
- **Results** = outputs generated in the PoC
- **Access rights** = ensure institution allows PoC team to use necessary background

→ Especially important if PoC uses prior ERC foreground or institutional IP.

Protection Strategy (refined for ERC culture)

- Protect only what is reasonable, feasible, and aligned with institutional policy.
- Common PoC choices:
  - maintain results confidentially during validation
  - use copyright for software
  - use trade secrets for methods
  - file a patent only if sufficient data exists
- Emphasise timing – beware premature publication

It‘s all about „Key Exploitable Results“

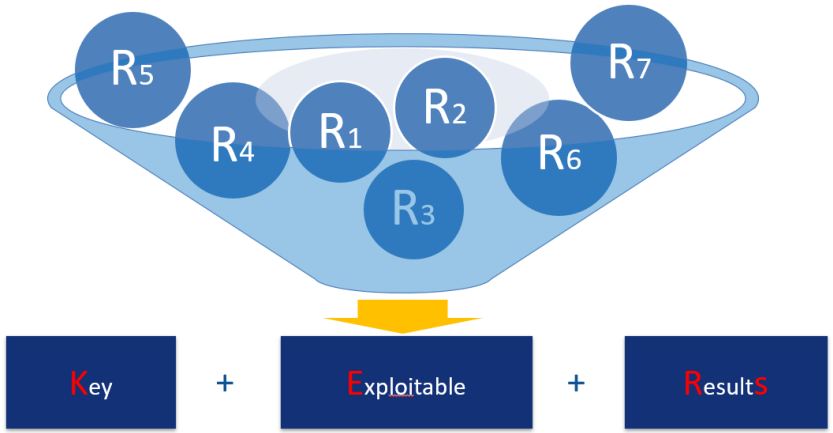
- A **Key Exploitable Result (KER)** is an identified main interesting result (as defined below) which has been selected and prioritised due to its high potential to be “exploited” – meaning to make use and derive benefits- downstream the value chain of a product, process or solution, or act as an important input to policy, further research or education

- A **Result is defined as**: “Any tangible or intangible output of the action, such as data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights”

(Source: EC Research & Innovation Participant Portal Glossary/Reference Terms)

Key Exploitable Results (KERs)

- validated algorithmic performance
- functional prototype tested with users
- improved biological assay
- new dataset enabling downstream applications
- process optimisation with market relevance



→ KERs do not need to be market-ready — they need to be meaningful, prioritised and linked to clear next steps.

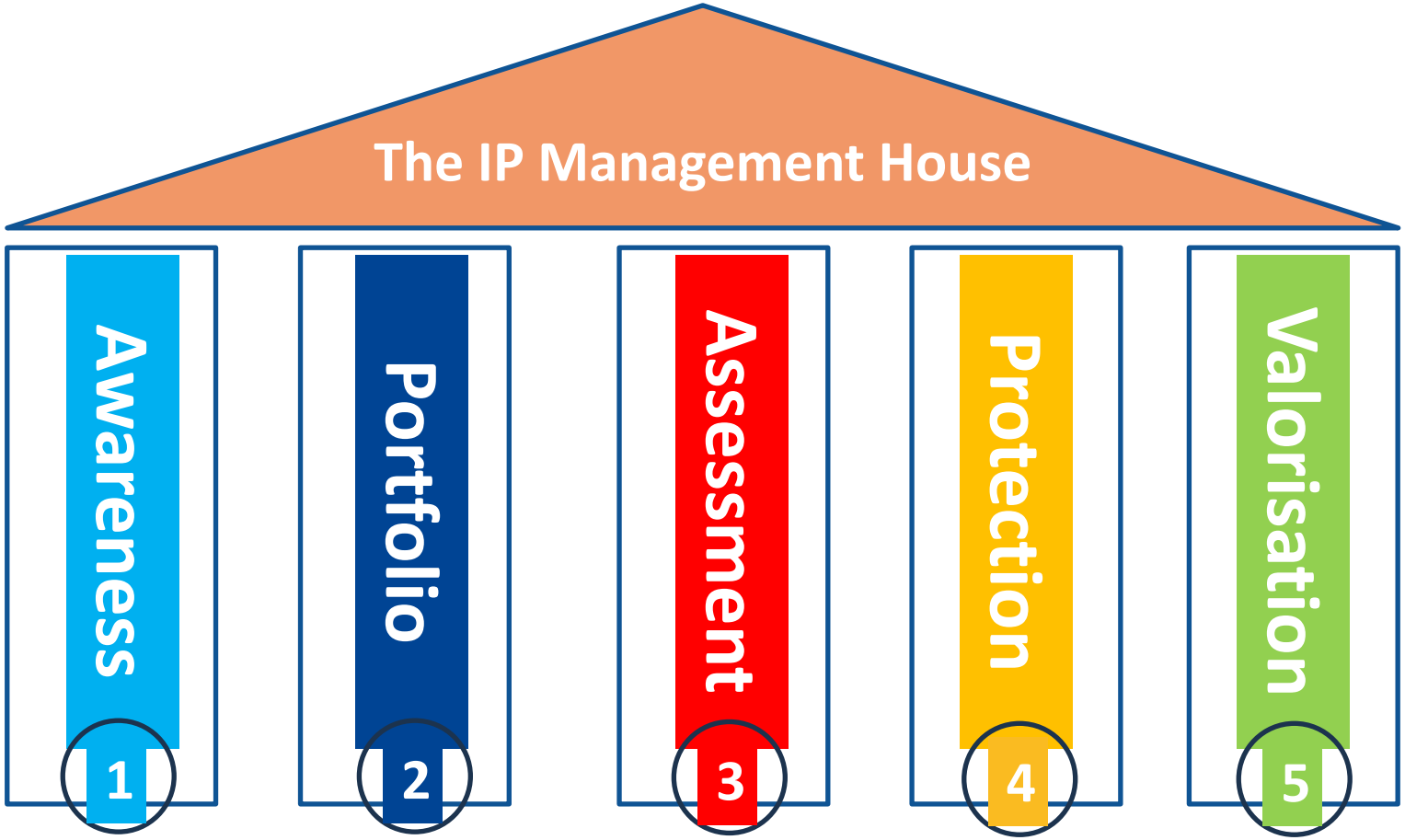
Exploitation Roadmap

! PoC = feasibility + clarity on direction, not final exploitation.

A Roadmap includes:

- Early FTO-light or landscape assessment
- Prototyping/testing milestones
- Stakeholder validation (industry, clinicians, regulators, standards bodies)
- IP decision points
- Next funding opportunities (EIC Transition, national valorisation funds)

The IP Management House (tailored to ERC PoC)



What a Strong PoC IP Section Looks Like (now more precise)

- **Background clarified**
- **Protection aligned with maturity**
- **Realistic exploitation route**
- **Risk awareness**

Strong vs Weak Statement:

Weak

“We will patent everything and create a company.”

Strong

“We will validate the application potential and select the most appropriate protection route based on evidence.”

How the European IP Helpdesk Supports PoC Applicants

- Confidential guidance on IP & exploitation
- Interpretation of Horizon Europe IP rules
- Proportionate protection & strategy advice
- Practical tools, guides, and trainings
- Collaboration with NCPs & TTOs

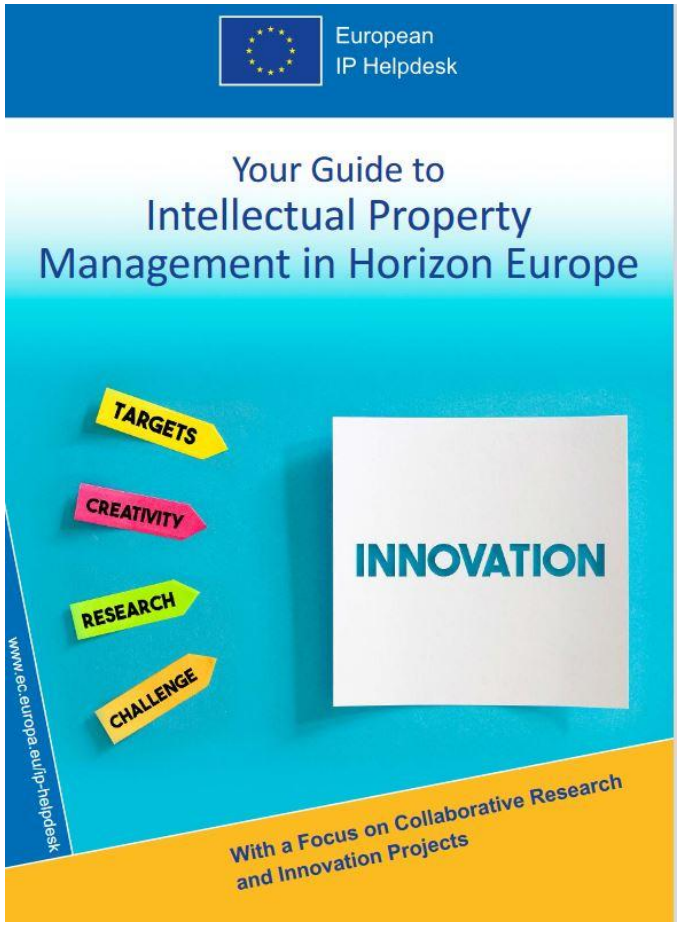
Our goal:

Enable clear, credible, and well-reasoned IP strategies that support PoC feasibility.

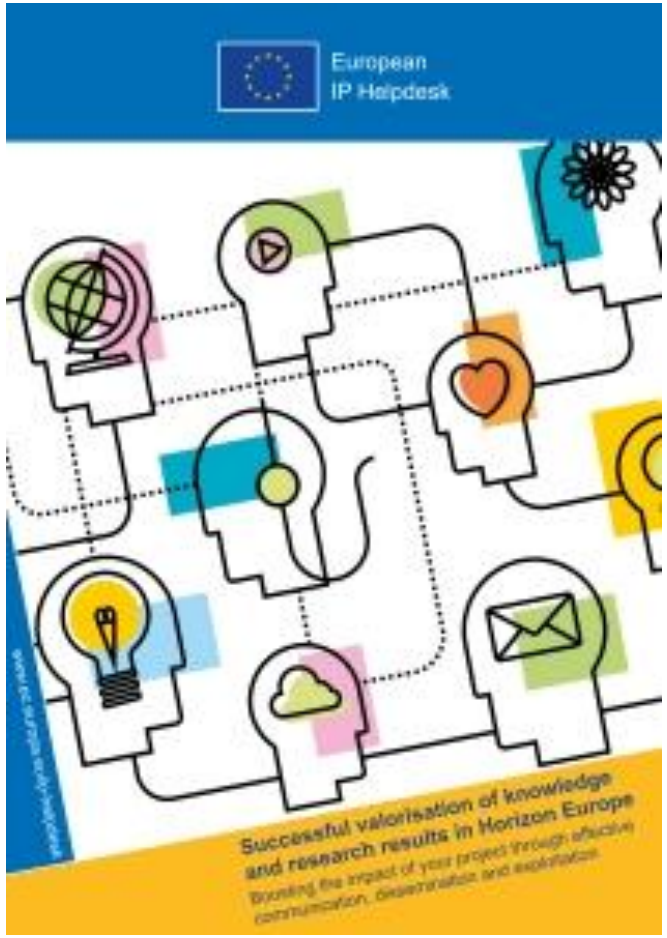
We do not replace TTOs or write proposals – we complement institutional support.

Final Take-Home Messages

1. IP is a **tool** for reducing uncertainty, not an end in itself.
2. ERC PoC rewards credibility: **clarity on ownership**, **risks**, and next steps is key.
3. A **proportionate** IP strategy strengthens **impact pathways** without jeopardising academic freedom.
4. Your institution's TTO is an essential partner — PoC evaluators appreciate coherent institutional support.



Your Guide to Intellectual Property management in Horizon Europe



Successful valorisation of knowledge and research results in Horizon Europe : boosting the impact of your project through effective communication, dissemination and exploitation

Thank you!

Get in touch

- helpline@iprhelpdesk.eu
- training@iprhelpdesk.eu

Follow & connect

/european-ipr-helpdesk

@iprhelpdesk

Sign up for our newsletter

https://ec.europa.eu/newsroom/eismea/user-subscriptions/2163/create

DISCLAIMER

The European IP Helpdesk provides free-of-charge first-line support on IP-related issues aiming to help current and potential beneficiaries of EU-funded projects, as well as EU SMEs, manage their Intellectual Property assets.

The European IP Helpdesk is managed by the European Commission's European Innovation Council and SMEs Executive Agency (EISMEA), with policy guidance provided by the European Commission's Directorate-General for Research and Innovation (DG RTD).

The information provided by the European IP Helpdesk is not of a legal or advisory nature and no responsibility is accepted for the results of any actions made on its basis. Moreover, it cannot be considered as the official position of EISMEA or the European Commission. Neither EISMEA nor the European Commission nor any person acting on behalf of EISMEA or of the European Commission is responsible for the use which might be made of this information.

© European Union, 2025