



The EU Framework Programme
for Research and Innovation

HORIZON 2020



H2020 Programme

Open Innovation Test Beds Guidelines for Internal Management and Access Conditions

Work Programme 2018-2020
5ii Nanotechnologies, Advanced Materials, Biotechnology and
Advanced Manufacturing and Processing

Version 1.0
15 May 2018

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HISTORY OF CHANGES

Version	Publication Date	Change	Page
1.0	15.05.2018	▪ Initial version	

1. PURPOSE & APPLICABILITY

This paper presents general guidelines concerning internal management and access conditions to Open Innovation Test Beds¹. They are intended to guide members of Open Innovation Test Beds as regards to internal management and access policy.

2. DEFINITIONS

An **Open Innovation Test Bed** is a set of entities, established in at least three Member States or Associated Countries, providing common access to physical facilities, capabilities and services required for the development, testing and upscaling of nanotechnology and advanced materials in industrial environments. The objective of the Open Innovation Test Beds is to bring nanotechnologies and advanced materials within the reach of companies and users in order to advance from validation in a laboratory (TRL 4) to prototypes in industrial environments (TRL 7). In the framework of Horizon 2020, Open Innovation Test Beds projects are subject to Horizon 2020 rules for participation².

Open Access in this context means that any interested user, from Europe and beyond, can access the test beds' facilities, capabilities and services independently of whether this user is part of an Open Innovation Test Beds Horizon 2020 consortium or not. Access should be granted at fair conditions and pricing and with transparent and mutual obligations with regards to, for instance, security, safety and intellectual property rights.

Users can be individuals, teams and institutions from academia, research organisations, small and medium enterprises and industry, from the public as well as the private sectors.

3. OPEN INNOVATION TEST BEDS INTERNAL MANAGEMENT

The following specific actions are recommended to be taken into consideration when defining the internal management of an Open Innovation Test Bed.

Establishing a Single entry point as a legal entity

Open Innovation Test Beds provide common access through one single entry point acting as a legal entity. This legal entity should have the power to sign contracts on behalf of the Open Innovation Test Bed and be held accountable for it.

The choice of legal entity is left to the discretion of the Open Innovation Test Bed, which would decide on the most appropriate model.

Defining Internal arrangements between Single Entry Points and Open Innovation Test Bed members

¹ These guidelines are based on the H2020 Explanatory Notes on Open Innovation Test Beds ([Explanatory Notes on Open Innovation Test Beds](#))

² Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in Horizon 2020.

Specific contractual arrangement between the Single Entry Point and Open Innovation Test Bed members may be useful. This may be reflected in the Open Innovation Test Bed's Horizon 2020 project consortium agreement.

Issues to be considered:

- Governance, organisation, responsibilities, monitoring of the test bed (key performance indicators and impact) and internal procedures.
- Intellectual property measures and ownership rules on respective rights and obligations, including liability and confidentiality arrangements.
- Single entry point transparency and neutrality measures; Open Innovation Test Bed members and their Single Entry Point may wish to agree on a set of transparency measures and rules for executing incoming client requests. As Open Innovation Test Beds members will likely have existing obligations, or may be approached directly by clients, these criteria may need to highlight rules for slot allocation regarding tasks received from private clients and those received via the Open Innovation Test Bed.
- Other general provisions on duration, termination, communication, applicable law, settlement of internal disputes etc.

4. OPEN ACCESS ARRANGEMENTS BETWEEN OPEN INNOVATION TEST BEDS AND USERS.

The following specific actions may be considered when specifying the open access policy of the OITB towards its users:

Provision of facilities, capabilities and services

Via the Single Entry Point, the users would be offered complete and transparent information about the facilities, capabilities and services provided by the Open Innovation Test Bed.

This might include (among others) available facilities, technical capabilities, nature of the services provided, pricing structures and legal conditions.

Open Innovation Test Beds are encouraged to develop active promotional and dissemination efforts to maximise user reach and lower barriers for access. Such efforts may include engaging with existing regional, national and European networks.

Providing user case examples would help in attracting potential users while promoting international quality controls and standards (ISO/CEN) would foster trust. A dedicated customer support service may further help in this regard.

Defining general access terms and conditions

The Open Innovation Test Beds may wish to define general terms and conditions reflecting the nature of the technologies and services provided by its members in relation to the user. These might include:

- Contractual relationships
- Final price, service level, delivery time

- Access rights and conditions
- User/task selection criteria
- Intellectual property rights and obligations and data protection
- Confidentiality
- Health, safety and environment rules
- Guarantee and Liability
- Standardisation guidance
- Disputes settlements

Considerations should also be given to the potential heterogeneity of the users and the need to liaise with users coming from different geographic regions and industrial sectors, especially provisions to facilitate the signing of legal documents without geography or language acting as potential barriers, keeping in mind the wide spread of potential clients from across Europe and beyond.

Market and financial requirements

Access costs and fees for the user could be negotiable and would reflect the type of user (academia, research technological organisation, small medium enterprise, large industry, etc.), the user needs and the complexity of the request. Furthermore, prices should reflect market conditions. A clear pricing structure would specify each facility's access units (for example cost per session/duration/equipment, data usage, data transmission and so on) and the resources and services entitled to the user as part of their contractual agreement with the Open Innovation Test Beds.