

# Procedure file

Basic information		
SYN - Cooperation procedure (historic)	<a href="#">1994/0013(SYN)</a>	Procedure completed
Research RTD: results dissemination of technological and demonstration specific programmes		
Subject 3.50.02.01 EC, EU framework programme		

Key players			
European Parliament			
Council of the European Union			
	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">1803</a>	21/11/1994
	<a href="#">General Affairs</a>	<a href="#">1778</a>	18/07/1994

Key events			
17/02/1994	Legislative proposal published	COM(1994)0012	Summary
18/04/1994	Committee referral announced in Parliament		
25/04/1994	Vote in committee		Summary
24/04/1994	Committee report tabled for plenary, 1st reading/single reading	A3-0271/1994	
03/05/1994	Debate in Parliament		
05/05/1994	Decision by Parliament	T3-0420/1994	Summary
06/06/1994	Modified legislative proposal published	COM(1994)0242	Summary
17/07/1994	Council position published	<a href="#">08147/1/1994</a>	Summary
22/07/1994	Committee referral announced in Parliament, 2nd reading		
13/10/1994	Vote in committee, 2nd reading		
12/10/1994	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0023/1994</a>	
26/10/1994	Debate in Parliament		
27/10/1994	Decision by Parliament, 2nd reading	T4-0063/1994	Summary
21/11/1994	Act adopted by Council after consultation of Parliament		
21/11/1994	End of procedure in Parliament		

Technical information	
Procedure reference	1994/0013(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 1300-p2; EC before Amsterdam E 130J
Stage reached in procedure	Procedure completed
Committee dossier	ENER/3/05696

Documentation gateway					
Legislative proposal		COM(1994)0012	18/02/1994	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0271/1994 <a href="#">OJ C 205 25.07.1994, p. 0004</a>	25/04/1994	EP	
Text adopted by Parliament, 1st reading/single reading		T3-0420/1994 <a href="#">OJ C 205 25.07.1994, p. 0231-0315</a>	05/05/1994	EP	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0749/1994</a> <a href="#">OJ C 295 22.10.1994, p. 0031</a>	01/06/1994	ESC	
Modified legislative proposal		COM(1994)0242	07/06/1994	EC	Summary
Council position		<a href="#">08147/1/1994</a> <a href="#">OJ C 244 31.08.1994, p. 0071</a>	18/07/1994	CSL	Summary
Commission communication on Council's position		SEC(1994)1191	20/07/1994	EC	
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A4-0023/1994</a> <a href="#">OJ C 323 21.11.1994, p. 0006</a>	13/10/1994	EP	
Text adopted by Parliament, 2nd reading		T4-0063/1994 <a href="#">OJ C 323 21.11.1994, p. 0116-0153</a>	27/10/1994	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Decision 1994/762</a> <a href="#">OJ L 306 30.11.1994, p. 0005</a> Summary

## Research RTD: results dissemination of technological and demonstration specific programmes

The proposal for a decision set out the principles applicable to intellectual property rights resulting from RTD projects funded by the Community and laid down the framework rules for disseminating the results of the research. As regards shared-cost RTD projects, the results of these activities were to remain the property of the parties carrying out the work. The latter were to apply and market the research findings in keeping with the Community interests, grant each other licences and users' rights and give rights of access to other interested parties who may need to use the said results. Knowledge which was the property of the Community must be made available to the contracting parties and to interested third parties who were established in the Community or in third countries associated with the implementation of the programmes, under an agreement concluded between the Community and the third country concerned. Contracting parties were to provide other contractors and interested third parties with the necessary knowledge and information, on condition that the legitimate interests of the contractors and the Community were safeguarded. Finally, the Commission was to take steps to ensure that sufficient information was published on new discoveries. ?

## Research RTD: results dissemination of technological and demonstration specific programmes

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The Parliamentary Committee adopted the draft report by Mr Linkohr. ?

## Research RTD: results dissemination of technological and demonstration specific programmes

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The European Parliament approved the Commission's proposal but extended its scope to programmes under the EAEC treaty and proposed that the annual report submitted by the Commission to the European Parliament and the Council should contain information on the implementation of this decision. The Commission was asked to review this decision before the end of the framework programme.?

## Research RTD: results dissemination of technological and demonstration specific programmes

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The Commission's amended proposal incorporates the three amendments made by the European Parliament to the rules for participating in EC and EAEC programmes and the two amendments dealing with rules for disseminating the results.?

## Research RTD: results dissemination of technological and demonstration specific programmes

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The common position takes account of the amendment by the European Parliament, as modified by the Commission. The main changes are as follows: the concept of associated countries has been defined more accurately; a reference to "previous knowledge" has been included; reference has been made to a dissemination plan in order to allow implementation of the rules to be monitored more comprehensively; a committee procedure has been established in order to ensure that the rules are applied; the duration of the rules has been limited to projects under the fourth framework programme, with the facility for subsequent extension or adaptation; the European Parliament's amendment on the inclusion of information on the implementation of the rules in the Commission's annual report to the European Parliament and the Council and on the presentation of a report on the review of these rules before the end of the fourth framework programme has been incorporated.?

## Research RTD: results dissemination of technological and demonstration specific programmes

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The European Parliament approved the Council's common position without amendment.?

## Research RTD: results dissemination of technological and demonstration specific programmes

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This Council decision sets out the principles applicable to intellectual property rights resulting from RDT projects funded by the Community, together with framework rules for disseminating the results of research. - The decision applies to projects under the fourth RDT framework programme for 1994-1998. - In principle, knowledge gained from work undertaken directly by the Community is the Commission's property. - The results of shared-cost RDT projects are owned by the contractors which carried out the work, who may apply and market them in keeping with Community interests, grant each other licences and user rights and grant access rights to other interested parties which may need to use the results. - The Community and the contractors are obliged to develop the knowledge in their possession in keeping with Community interests. - Knowledge belonging to the Community must be made available to contractors and interested third parties established in the Community or in third countries associated with the implementation of programmes under an agreement concluded between the Community and the third country in question. - Contractors must provide other contractors and interested third parties with the necessary knowledge and information, provided that the contractors' and the Community's legitimate interests are safeguarded. - The Commission must take measures to ensure that sufficient information is published on new discoveries. - The Commission will be assisted by a committee made up of representatives of the Member States and chaired by the Commission representative. - The Commission will present the Council with a report on the implementation of the decision, accompanied by proposals to adapt or extend it, before the end of the fourth framework programme.?