Principles for Public-Private Partnerships

Academic industry collaboration

Academic research takes place in a dynamic and multifaceted society. Academic institutions are expected to help shape the future of this society; both individually and by working with industry. However both in research projects and in knowledge transfer the different roles and responsibility of academia versus industry impact the relationship. As a guideline to safeguard these roles and responsibility certain key principles may be identified.

Although each relationship is different and a ‘one size fits all’ solution is neither feasible nor desirable, it is worthwhile to articulate some of the key principles. Many of these principles are already practiced or enshrined in the various public private partnerships. Apart from the institution’s needs and values, these principles are worthwhile to bear in mind when crafting agreements with industry. Therefore, in our opinion these principles should be considered when reviewing an opportunity for a relationship with industry.

1. Freedom to publish own results
2. Freedom to do follow up research
3. Freedom to do follow up research with third parties
4. Freedom to use foreground for educational purposes
5. Ownership of foreground follows inventorship/creatorship
6. No obligatory assignment of foreground
7. Market conditions for access to foreground for commercial use
8. Access conditions include an anti-shelving clause
9. No obligation to grant access to background for use outside the project
10. No automatic access to future results/IP rights (which are not foreground)

foreground: results generated within the collaboration
background: results generated outside (before and during) the collaboration
anti-shelving clause: commitment by the user to use reasonable endeavours to find a relevant opportunity to use results and not lock them away

Concluded VSNU: mei 2010