



CITIZENS AND GOVERNANCE IN A KNOWLEDGE-BASED SOCIETY



**caENTI**  
Coordination action of the  
European Network of Territorial Intelligence

[www.territorial-intelligence.eu/caenti/](http://www.territorial-intelligence.eu/caenti/)

**First and second innovation and  
dissemination management report**

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## **Section 1: Intellectual property rights**

There is a big range of intellectual property rights:

- The patent which aims at protecting the new inventions (product or process) which are likely to be the subject of an industrial application and so implies an inventive activity.
- The French copyright law which protects original, laid out and carried out spirit works.
- Trademarks right which protects the distinguishing feature meant to tell the public (the consumers) the industrial or commercial origin of a product or a provision of a service from reproduction and imitation.
- The drawing and designs right which protects “the aspect of a product or a part of a product, particularly characterized by its lines, its outlines, its colours, its form, its texture or its material”. Any industrial or traditional object, packages, graphic symbols and typological characters are seen as a ‘product’.
- And also... the plant varieties right, geographic terms, the topography of semiconducting products, the Internet domains names etc.

It deals with identifying the different kind of Knowledge (the European Commission gives a definition in the general conditions of the 6<sup>th</sup> FP, annex II of the grant agreement : they are “*results, including information, whether or not they can be protected, arising from the project governed by this contract, as well as copyrights or rights pertaining to such results following applications for, or the issue of patents, designs, plant varieties, supplementary protection certificates or similar forms of protection*”) developed within the framework of the CAENTI Project according to their nature and to the IP right which can be associated with it since a Knowledge (which is a requirement) can be the centre of several IP rights.

There are four types of requirements which can be protected by an IP right.

### **1 - The scientific, literary, pictorial and audiovisual works**

The French copyright law protects creations in an original way when the author personality leaves its mark on them. The condition of protection by the French copyright law is very subjective and its assessment is a matter for the sovereign power of the judges of law and fact (judges of 1<sup>st</sup> and 2<sup>nd</sup> instance). It often deals with making the difference between the idea (cannot be protected) and its formulation that the French copyright law can protect.

That protection is granted from the creation to 70 years after the author's death.

It concerns lots of sources of the CAENTI programme:

- Written reports, scientific articles (WP1, WP4) and guides.
- Meeting acts (WP2).
- Internet and intranet websites (WP3).
- An audiovisual work (WP5: video "research is at territories intelligence service").

## **2 - Database**

A database can be a collection of works, data or other independent elements classified in a systematic or a methodical way and which are available individually thanks to electronic means or any other means.

### A) Protection by the French copyright law.

A database can be protected thanks to the French copyright law if it constitutes an original intellectual creation through the material choice or arrangement.

The French copyright law protects:

- The database original layout.
- The database structure.
- The data arrangement.

### B) Protection by the databases creators' rights.

The database creator seen as somebody who takes both initiative and risks for corresponding investments gets a content-based protection when the putting together, the checking or the presentation of that content attests to a financial, material or human investment which is substantial.

This protection is independent and occurs without prejudice to the one which is the result of either the copyright (see above) or another right on the database or on one of its constitutive elements.

It is granted for fifteen years as soon as the database is finished or when it is at the public disposal.

## **3 - Software (e.g.: PRAGMA)**

### A) Protection by the copyright

The copyright mainly protects the software form, that is to say the expression of this concept (the programme itself seen in a literal or near literal way and if the need arises, some aspects such as the programme structure).

### B) Protection by the patent

Mechanisms and processes which implement a piece of software are considered as patentable if they have a 'technical effect' or if they 'make a contribution to the state of the art in technical field' (requirement accepted by the European Patent Organisation).

On the other hand, a piece of software in that capacity cannot be protected by a patent. As a consequence, the copyright and the patent have different purposes. The patent protects the technical concept (the invention).

We wanted to know if the technical aspect of the concept of a piece of software that a patent can protect, could be extended to another concept (commercial, administrative etc.). That issue has been discussed. Some countries opened up the way: for instance, the United States Patent and Trademark Office (the USPTO) granted the State Street Corporation a patent on a bidding system method on Internet. Nowadays, it's not the case of France. For the moment, the NIPI (National Industrial Property Institute) rejects this type of patent.

#### **4 - 'Methods' (e.g.: CATALYSE method)**

Methods (commercial, financial, economic etc.):

- Cannot be protected by the copyright (they are the result of ideas)
- Cannot be protected by the patents right (because they are not opened to an industrial application).

So there are two ways of protecting a method indirectly:

- Formalizing the method so that it gives rise to an intellectual property right: by writings and software protected by the copyright. That protection is imperfect since it permits to control the works use which formalizes the method but not to control the use of the method itself.
- Keeping silence concerning the method and transferring its content to third parties under confidentiality.

#### **5 - What are the real means of protection?**

The IP rights give to their people entitled a sole right to prohibit and to allow some acts referring to the right purpose. They allow the person entitled to control the use of the right purpose.

For example, the next acts are counterfeiting acts when they are achieved without the suitable juridical act (license for use, transfer of copyright...).

- The fact of using a piece of software, copying a part of software codes or translating a piece of software into another computing language etc.

- The fact of extracting a substantial part of a database.
- The fact of copying out an article, a plan etc.

The copyright exists as soon as there is creation but regardless of any registration of copyright (contrary to the patent for example). Thus, in the event of conflict (most of the time), it deals with proving the date of creation. For a piece of software, a registration of the software source codes to a bailiff or to the French Protection of Programs Agency (APP) is efficient. We regularly practice it in the French Industrial and Commercial Activities Department (SAIC).

Commonly, the French APP allows registering any digital work. They can be texts, videos or database.

Furthermore, transmitting a method or source codes of a piece of software under confidentiality enables an effective control for use.

## **6 - Conclusion**

Thus, it is a matter of **finding the appropriate means of protection** according to the **nature** of the Knowledge (what IP right is connected to it?) and according to its **destination** (what is the Knowledge objective? Is it its dissemination for the great majority of people or the control of its use while keeping silence?).

To my mind, some Model-driven engineering tasks are in close relation with that approach:

- The chapter “arranging of an exploiting strategy” is intimately linked with the knowledge destination.
- The chapter “risks management” is generally composed of a good legal management of the programme (drawing up of partnership contracts, respect for the Consortium...) including a preventive action for possible counterfeiting acts.

The rest of the Model-driven engineering tasks are described within the annex I of the programme which draws up a plan for use and another one for the spread of Knowledge (6.2) and which also describes the approach pertaining to the risks management in 5.3 (with reference to the ethics of the territorial intelligence).

On the other hand, the chapter “quality insurance” is not very expanded within the Annex I which briefly shows wide enough criterions (Quality of both search and developed tools etc).

## **Section 2: Dissemination of the caENTI research activities and results**

### **1 – Context**

At the very end of the first reporting period, Juan Sebastian GONZALEZ RODRIGUEZ left the University of Huelva and consequently resigned of his function of Innovation and Dissemination Manager within the caENTI. Then, the consortium needed some time to find a person or a team able to deal with this issue. During the summer 2007, we finally agreed on a new approach: asking the project manager, Amélie BICHET-MIÑARO, to also coordinate the works in the innovation and dissemination field. We decided she would be helped and advised by specialised key informants, in particular a specialist of intellectual property rights, Elouan KERGADALLAN, and a specialist of innovation issues in the European projects, Jean-François RAMON. As a consequence, this report presents orientations concerning the works that have been performed by the new innovation and dissemination team within the caENTI project since last August.

### **2 - Objectives**

The communication objectives towards the general public consist in informing them on the caENTI research activities, on the participants present actions and on the events linked to the caENTI project, in particular on the annual conference of territorial intelligence. As regards the caENTI scientific papers, their objectives are to present and disseminate scientific bases on thematics the consortium works on, on the work progression and on the results of the research activities we lead, and also to establish an actors' network concerning territorial intelligence.

### **3 - Portal evolution**

During the first reporting period, the territorial intelligence portal was an institutional one. Then, the WP3 led a restructuring process so as to transform it into an editorial one, by adding editorial functionalities. This new version of the portal, accompanied by many services and addressed to the scientific community and the general public,

was put online at the end of September 2007 and presented during the International Annual Conference of Territorial Intelligence of Huelva in October 2007. The portal new version allows developing the range of editorial contents offered by the territorial intelligence website, what can favour a larger dissemination of the caENTI researchers' works. In this new version, the "News and events" feature was improved. Indeed, from this moment on the portal allows adding news with a general workflow management and acceding to the archives. Besides, the new portal allows presenting more editorial information as the information architecture is presently organised in headings. This evolution for example gives a wide access to the project deliverables and to the conferences acts, what eventually increases the visibility and dissemination of the caENTI progress. A new content category was also created: it is called "focus" and it allows feeding the portal with information in addition to those that are given by the editorials, the articles and the news. The home page was also modified by taking into account the versions and the design of effective entry according to the visitor's profile. Besides, an internal search engine was implemented to support the accessibility to the information and documents that are on the portal. We also improved the downward, ascending and transverse circulation within the portal by stressing the available marks during a visit and we improved the caENTI referencing, in particular by improving the URL display. We implemented an information syndication subscription (RSS) that allows the caENTI participants, but also a larger audience, being regularly informed about the innovation published on the portal, in particular the activities in progress and the research results. Lastly, the new architecture of the portal allows each participant taking advantage of its presentation page to highlight its activities in progress or its works results. Thus, the portal new version allows the caENTI participants increasing their actions visibility and dissemination and more generally emphasizing the approaches diversity but common interest of the research activities that are led within the caENTI network. To conclude, the transformation of the territorial intelligence portal from an institutional to an editorial portal is a key-element to improve the dissemination of the consortium research activities and results. This evolution had notable consequences on the visits of the territorial websites during the caENTI first two periods. Indeed, during the first one it received 3.958 visits from 77 countries whereas during the second one it

received 15.837 from 133 countries, that is to say an augmentation of more than 400% of the visits.

Among the work prospects we have concerning the territorial intelligence portal, one of the most important is to make it accessible to handicapped people, what seems extremely important to us because our research and actions aim at reaching equal access and equal opportunities between able-bodied and handicapped people. Indeed, one of our goals is to help people with disabilities more actively participate in the society. At the end of the second reporting period, we have already listed the necessary strategies, guidelines and resources we need to make the territorial intelligence website accessible. Simultaneously, we are working on presenting some videos of the international conference of territorial intelligence of Huelva on the portal and on broadcasting an interactive, and consequently attractive, presentation of the caENTI project, and in particular of its objectives and activities. We consider this innovating presentation could help us better disseminating the network works towards the general public. We are also working on making evolve the territorial intelligence portal towards a meta-portal able to include several dedicated web portals, what is essential to give access some scientific resources and to offer specialised services. The portal will also be able to mobilise information available on syndicated website, in particular on the caENTI participants participants website. We also planned to soon reshape again the territorial intelligence portal headings in a more thematic way (for example distinguishing the activities towards migrants, unemployed people...). The objective is to extend the portal audience and visibility among people or organizations who/that are interested in a precise part of the consortium works. We also want the territorial intelligence portal to become a community center for training, expertise and consulting activities. Reaching this objective will imply the consortium reinforce its relations with ground professionals. Indeed, to deal with the expertise and consulting tasks, a companies and experts network will have to be created and developed with the support of the caENTI participants.

#### **4 - Annual international conferences of territorial intelligence**

The annual international conferences of territorial intelligence aim at regularly gathering all or at least most of the members of the caENTI consortium. This annual meeting allows increasing the consortium integration but also contacts with external organizations also working in the territorial intelligence field. They also aim at widening the visibility of the territorial intelligence concept and at disseminating the results of the caENTI activities. We implemented an important communication strategy to promote these conferences. We mostly did it through the portal, but also on Internet and in the press, in order to get a large audience among researchers and territorial actors involved in issues linked to territorial intelligence and to attract them to the annual international conference of the caENTI project. We organised an online diffusion of the international conferences of territorial intelligence of Alba Iulia (2006) and Huelva (2007) so as remote and interested people can follow the debates and consequently we can better disseminate the results of the consortium annual work. In the same goal, we implemented a real time cover of the international conference of territorial intelligence of Huelva through a blog. We can say we reached our objective, as the visits of the blog regularly increased, from 124 visits during the period from September, the 29<sup>th</sup> 2007 to October, the 23<sup>rd</sup> 2007 (before the conference) to 507 visits during the period from October, the 20<sup>th</sup> 2007 to February, the 29<sup>th</sup> 2008 (after the conference). Regarding the online publication of the conferences proceedings, it is made by several ways, among which the main one is the territorial intelligence portal. Presently, we are contemplating organizing virtual conferences linked to the caENTI thematics. We will broadcast them online and in real time on the territorial intelligence portal, so as to disseminate the caENTI researchers' progress and results, in particular towards researchers who can not afford coming to the annual international conference of territorial intelligence. At the end of the second reporting period, the WP3 is studying the specifications necessary to implement this activity.

#### **5 - Journal of territorial intelligence**

In June 2007, we organized a brainstorming regarding the creation of an international scientific journal of territorial intelligence. It led to the creation of a specific workgroup on this issue which work is in progress. The first edition of this journal will include the

six best contributions of the annual international conferences of territorial intelligence of Huelva. This journal appears to become an innovating and efficient tool to disseminate the results of the research activities in territorial intelligence outside of the caENTI network.

## **6 - Master of territorial intelligence**

During the second reporting period, the University of Franche-Comté, coordinator of the caENTI project, submitted to the French Agency of assessment of research activity and higher education (AERES) two projects of master: one about Territorial Intelligence called “Space Information and Planning” and the other one called “Planning and governance in the Southern countries”, which is a remote one. At the end of the second reporting period, we are waiting for the results of this submission. In case the AERES opinion was favourable, it would be a big step for the Erasmus Mundus European masters of Territorial Intelligence. The universities involved in the caENTI (University of Franche-Comté, University of Huelva, University of Liège, University of Pecs, University of Alba Iulia, University of Ljubljana and University of Salerno) have been working on the project of Erasmus Mundus European master authorization regarding the master “Space Information and Planning” since 2006. Then, in 2007 they defined the programme of this two-year training; it is the following one:

- First year first semester: Upgrading in each original university
- First year second semester: Gathering within the context of an intensive training course in foreign languages and project starting
- Second year first semester: Specialization within the appropriate university, gathering in the University of Huelva with a department concerning the territorial intelligence European news and the projects presentation
- Second year second semester: Master thesis or vocational course in one of the universities involved in the master

If these two masters are accepted, they will become an additional and very efficient tool to disseminate the results of the caENTI researchers’ works towards young

European people and also to train future specialists in the territorial intelligence field at the European scale.

## **7 – Development of the relations with professional organizations**

We are presently working on the idea to develop the relations between the territorial intelligence network and professional organizations. To do so, the annual international conferences of territorial intelligence are and will be a precious and efficient tool. The actors that participate in the territorial intelligence network will be particularly involved in its opening to the professional world, which is starting.

## **8 - Dissemination prospects**

At the end of the second reporting period, we are working on different issues that will increase the dissemination of the territorial intelligence network research activities. Firstly, we are preparing the publication of a directory of territorial intelligence European actors that will include on the one hand the involved organizations and their activities and on the other hand the main experts and their skills. Then, we are contemplating the idea to online publish training supports and the territorial intelligence tools made by the caENTI and by its participants, accompanied by an advice guide and training supports. Lastly, we decided to implement a newsletter system, so as to be able to transmit information about the planned events and the main research progresses not only at the editorial publication time, but at any moment according to the importance of the information to be published. The first newsletter should be published on the territorial intelligence portal at the beginning of the caENTI third reporting period. As we have just shown, all the efforts we are presently making aim at increasing the dissemination of the caENTI network research activities and at favouring the contacts between the researchers and actors involved in the projects and other people or organizations who/that work in the territorial intelligence field or in close ones.