

HEWITSONS

RESEARCH AND DEVELOPMENT CONTRACTS



Research and development contracts take many forms, from straightforward consultancy or commissioned development agreements to agreements for collaborative research and development (R&D) involving many parties with diverse expertise and interests. We have extensive expertise in drafting, advising on and negotiating a broad range of such contracts.

Some R&D projects are wholly or partly funded from the public purse and the terms on which they are carried out have to comply with the conditions upon which the funding is provided. We are familiar with the conditions attaching to many sources of public funding within the UK and elsewhere – for example we have advised, over many years, on multiple projects under the EU Horizon 2020 programme and its predecessor programmes.

We understand the different and sometimes conflicting perspectives and interests of diverse players – for example, universities and other research organisations often have requirements that conflict with those of industry partners – and we have extensive experience of finding creative solutions that work for all.

We understand not just the more technical aspects of R&D contracts – the implications of the technology involved, intellectual property rights and so on – but also appreciate that they must work in the "real world". As well as providing appropriate solutions on the technical aspects, they need to address matters such as project management, and they need to reflect the way in which people actually work.

Carrying out R&D with others, whether consultants or collaborative partners, can be of great benefit. However there are pitfalls. Inappropriate contract terms may result in wasted time and money.

For example, you find you have not secured the required ownership rights or rights to use and exploit the results of the project, or are blocked from exploiting them because you need access to other rights which you cannot obtain.

Or, worse, your business is damaged – for example others (who may be your competitors) obtain greater and freer access to your pre-existing or parallel-developed technology, or to your project results, than you intended.

Our experts can help you navigate this maze and realise the benefits of using consultants in your R&D programme or collaborating with others on R&D, whilst appropriately mitigating the risks.



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This document is written as an outline guide only and any action should not be based solely on the information given here. Appropriate professional advice should always be taken in specific instances.

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