

D2.3

Standardised Legal Contracts for Collaboration within network member and with third parties

Deliverable Information

Related work package(s)	WP 2
Contractual date of delivery	M24
Actual date of delivery	M24
Author (s)	Mariana Moreira (ABEE)
Lead beneficiary	Avesta Battery & Energy Engineering (ABEE)
Contributing participants	TUBS, ABEE
Estimated person months used	2
Version	Final
Dissemination level	Public
Nature	Report

Project Information

Project title	Lithium battery cell pilot lines network
Project acronym	LIPLANET
Project call	H2020-LC-BAT-2019-2020 (CSA)
Grant number	875479
Project duration	01.01.2020 – 30.03.2022



This Project has received funding from the European Union's Horizon 2020 Research and Innovation Programme under Grant Agreement N. 875479

Executive Summary

The LiPLANET partners have decided to create an association under the German law, which will be handed over to the German register of associations. In order to facilitate the interaction among the members of this association, the LiPLANET partners have also decided to create an Association Code.

The Association Code, produced under this deliverable (D2.3), defines the rights and obligations of the pilot lines operators and the organizational structure of the association and complements the Association Statute.

In addition, the Association Code contributes to the reduction of bureaucracy by offering a flexible amendment procedure, differently from the Association Statute.

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1 Introduction

1.1 LiPLANET in brief

The overall objective of the LiPLANET project is to create a European innovation and production ecosystem and reinforce the position of the European Union (EU) in the lithium battery cell manufacturing market. LiPLANET plans to build a more competitive lithium battery cell manufacturing ecosystem and increase the production of lithium battery cells towards industrial scale, by bringing together the most relevant European lithium battery cell pilot lines and the main stakeholders of the battery sector. The project LiPLANET lays the foundation for a network of battery cell pilot lines in Europe. This network allows for the exploitation of synergies between pilot line operators, identification of knowledge and equipment gaps, organization of joint trainings, collaboration with industry and academia, and facilitation of market access. For this purpose, different activities are followed throughout the project:

- mapping of the European lithium battery cell pilot lines and implementation of a network,
- creation of a standardized legal framework and a data exchange platform for the cooperation between industry, academia and pilot lines,
- round-robin test to compare qualification methods,
- development of a roadmap for joint strategies of the network towards industrial scale battery cell production in Europe.

1.2 Scope and objective of this deliverable

The goal of this deliverable is to provide a legal framework for the collaboration between the pilot lines operators. This legal framework consists of a set of documents which define the rights and obligations of the pilot lines operators and the organizational structure of the collaboration.

2 Legal Framework Documents

Three types of contract are developed in in this task as part of deliverbale 2.3 which includes a co-operation agreement which is within the members who are part of the network which includes the NDA and the MTA which is part of the membership agreement. A common collaboration agreement with third parties and within the network has also been formulated. All the documents have been created and have been placed in the association code.

2.1 Association Statute

According to D3.1, the legal form of the association is an “*eingetragener Verein*,” the German version of a non-profit association. This document has been prepared under the legal supervision of TUBS and will be handed over to the German register of associations. The Association Statute will be both written in English and German language and, after registration, it will be attached to the Association Code, which has been produced under Deliverable 2.3.

2.2 Membership Application Form

The Membership Application Form will be filled by the companies or institutions that wish to integrate the Battery Cell Pilot Lines Network. The Membership has been attached to the Association Code as Annex II

2.3 Declaration of Adherence

Once a company or institution has been approved as member of the Battery Cell Pilot Lines Network, it shall sign a declaration of adherence accepting the terms of the Association Code. The Declaration of Adherence has been attached to the Association Code as Annex III

2.4 Collaboration Agreement

In order to collaborate within LiPLANET network and also third parties to offer services related to material testing and pilot line runs a collaboration agreement has been created. The collaboration agreement is valid only in combination with the NDA and MTA transfer (if material exchange occurs).

2.5 Non-Disclosure Agreement

In order to perform their activities as network members, the pilot lines operators may enter into parallel collaborations, performing activities which not involve all network members but only some of them. The exchange of confidential information among the members within the framework of these parallel collaborations will be covered by the Non-Disclosure Agreement attached to the Association Code as Annex IV.

2.6 Material Transfer Agreement

In addition to the exchange of confidential information within the framework of parallel collaborations, the network members may also wish to exchange materials in order to perform research, tests or analysis. The Material Transfer Agreement, attached to the Association Code as Annex V, will cover these materials exchanges.

2.7 Conclusion

Standardized legal contracts have been created to ensure co-operation between network members and industry but at the meantime protect the IP aspects while carrying out such activity. The Association Code, produced under this deliverable defines the rights and obligations of the pilot lines operators and the organizational structure of the association and complements the Association Statute.