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Discussion after the Speech of Dr. Strub

Discussion

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Discussion After the Speech of Dr. Strub

QUESTION, Professor King: A question occurred to me with regard to joint ventures in the EC. Do you foresee any antitrust modifications of the joint venture rules to accommodate cross-border collaborative research?

ANSWER, Dr. Strub: Yes, modifications have already been introduced by the Single European Act so that there would not be a problem if large companies got together for joint research.

QUESTION, Mr. Blackburn: You spoke about the concentration of research and development in three countries and the big difference between the high-tech and low-tech parts of the EC. This problem sounds very familiar to Canadians. How you will deal with it in the Community, and specifically in your area? Are you going to be faced with politicians who will try to spread technology evenly over the Community, or will you be able to concentrate manufacturing in the regions that may be best suited for that technology?

ANSWER, Dr. Strub: We are faced with that problem already, but I am confident that we will achieve a balance. We are obliged, and rightfully so, to support the countries who have a less-developed R&D or technology infrastructure. We must help them strengthen their labs so that they can handle R&D programs for research and later production. Whether the research will lead to production is another point. Not everybody in a race can be a winner, but they must be able to start at the same point.

QUESTION, Mr. Robinson: Who owns the technology that you fund?

ANSWER, Dr. Strub: If we fund by contract research, where not more than 50% of the financial support is coming from us, the contractor owns it. This becomes very complicated because we are working with many multi-partner contracts. Furthermore, there are complicated rules about pre-existing knowledge, how it may be passed to the other partners in order to carry out the research. It is a complicated but not insurmountable problem.

The same approach has been used for the whole Internal Market. Most of the burden is on the contractors. They have to sort out these problems among themselves before they come in and sign the contract; otherwise, we would not sign the contract. At any rate we are not the owners if we do not fund more than 50%.

QUESTION, Mr. Robinson: If you do fund more than 50%, do you commit to license it back?

ANSWER, Dr. Strub: Yes, because we cannot do anything with it.

QUESTION, Mr. Robinson: Is it an exclusive license?

ANSWER, Dr. Strub: That is a good question. For the moment, they are nonexclusive licenses and this is a problem because nobody wants them.

QUESTION, Mr. Mackey: As I recall, the proposed contracts do not encourage participation by countries outside of the Common Market. My question is based on the fact that there is no monopoly on brains in any part of the world. Could you comment on the interest in having participants outside of the Common Market?

ANSWER, Dr. Strub: I will give you a very bureaucratic answer. First of all, we distinguish between the offshore countries. For example, we give preferential treatment to the lesser developed countries and we have special rules for them. In general, we welcome the participation of non-EC contractors where it contributes to the success of the project. There must be an advantage for both sides, or there is no reason to encourage non-EC participation.

We deal with participation on three levels, through framework agreements, participation in programs and participation in definite projects. We can have a framework agreement, such as we had with Sweden and Switzerland, where they can participate, for example, in the whole fusion problem. The framework agreement can also provide for the non-EC country to participate in everything under specified conditions. The other levels include participation at the program level and the lowest, but most interesting level, the definite project level. Here, there must be a convincing reason for non-EC participation. However, these types of priorities are not uncommon in the United States either.