

Intellectual Property, Commercialization, and Spin-off Strategy of the University for Continuing Education Krems 2026

University for Continuing Education Krems



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Preamble

The Intellectual Property and Commercialization Strategy of the University for Continuing Education Krems aims to identify intellectual property, ensure its appropriate protection, and facilitate its effective commercialization, without compromising the fundamental principles of academic freedom and open knowledge dissemination. It establishes an institutional framework that ensures transparency, legal certainty, and a fair balance of interests between researchers, the university, and external partners.

Current Status and Objectives

Research and development at the university generate new insights, methods, and technologies whose protection and commercialization create added value for science, the economy, and society.

The transfer of ideas, knowledge, technologies, and intellectual property is part of the societal responsibility of universities and is regarded as a priority for publicly funded research institutions.

Activities relating to knowledge and technology transfer are defined in the university's performance agreement. Cooperation with companies and public institutions forms a foundation for transferring research results into practical application. The commercialization of the knowledge generated contributes to increasing prosperity and competitiveness. With the Development Plan 2025, the university's key research areas have been further expanded:

- Cultural Heritage
- Educational Technologies and Continuing Education Research
- Evidence-Based Health Research
- Innovation for Cohesive and Sustainable Societies
- Preventive and Regenerative Medicine
- Transnational Societies and Migration

The university's Overall Platform for Sustainable Development supports the visibility of the university's contributions to advancing the United Nations Sustainable Development Goals. Within the framework of the platform, research results are prepared for public institutions and civil society actors in the form of short reports, fact sheets, analyses, and papers. The platform promotes exchange between science and policy as well as between science and the arts, and supports the translation of research findings into the specific contexts of the respective stakeholders (<https://zwischenraeume.co.at/>).

The university leverages the opportunities offered by digital processes, media, and new teaching methods at all levels for the benefit of its students and staff. This includes teaching and research as well as administrative processes. As a university for continuing education, guided by the principles of societal impact, quality, and innovation, the university is particularly called upon to contribute, in the course of digital transformation, to shaping the associated societal changes.

Through its Open Access Strategy, the university supports open access to scholarly information and provides researchers with infrastructure through repositories, with personnel support through advice on legal and technical matters, and with financial support through funding for publication costs.

Due to its target group of working professionals and its large number of external lecturers from companies and public institutions, the university operates in close proximity to society. At the regional level, strong partnerships exist with companies through the Technopoles in Krems (health technologies) and Wiener Neustadt (medical and materials technologies), with the aim of transferring research results into practical application in cooperation with industry partners and the clinical sector. The university continuously contributes to the strategic development of the Technopoles.

With the university in a leading role, the establishment of a Core Facility (<https://www.corefacility-campuskrams.ac.at/>) has enabled the development of state-of-the-art large-scale research infrastructure at Campus Krems. The

Core Facility significantly expands the range of methods available in the fields of flow cytometry, bioimaging, and biomechanics for all participating institutions (University for Continuing Education Krems, IMC University of Applied Sciences Krems, and Karl Landsteiner University of Health Sciences). "Core Facility User Days" are organized several times a year to promote networking among research groups on campus, facilitate knowledge and methods transfer, and foster cooperation with external partners.

The university is a member of the Complexity Science Hub Vienna (CSH), which focuses on understanding complex systems in order to develop solutions to the major challenges of the 21st century. It also participates in the CSH doctoral program "Digital Innovation School."

With its Chair of International, European, and Austrian Copyright Law at the Center for Intellectual Property, Media and Innovation Law, the university has academic expertise in the fields of copyright law, industrial property rights, competition law, and data protection law, as well as in cross-cutting areas such as open innovation, software law, and technology law.

IP-related Objectives of the University

The present Intellectual Property and Commercialization Strategy aims to support the transfer of research results into the economy and society. This includes:

- Measures to raise awareness and to support staff in filing for intellectual property rights. The university pursues a model that, while ensuring appropriate returns for the university, provides for the transfer of intellectual property rights to the respective industry partner at as early a stage as possible.
- The development of an environment conducive to business creation, as well as support for start-ups and the establishment of spin-offs.
- The creation of framework conditions to increase participation in research collaborations, networks, and strategic alliances, in particular national and international consortium projects, EU partnerships, and innovation alliances.
- Measures to increase participation in national and international networks, such as academic associations or the Entrepreneurship Center Network (www.ecn.ac.at).

Expertise in IP Commercialization

At the university, responsibilities for the acquisition and commercialization of intellectual property (IP) are carried out by the Technology Transfer Office (TTO). Key areas of focus include raising awareness and providing training for staff on commercialization and intellectual property rights, supporting patent applications, and facilitating pathways to spin-off, start-up, and entrepreneurship activities. To enhance the visibility of the university's services and offerings, these are presented on the website: www.donau-uni.ac.at/de/forschung/technologietransfer.html.

Members of the university are also supported in the commercialization of research results by tecnet equity NÖ Technologiebeteiligungs-Invest GmbH.

Incentive Systems for IP Commercialization

The handling of employee inventions is governed by a rectorate directive. This includes, among other provisions, the granting of remuneration for employee inventions as an incentive for patenting protectable research results, as well as the proportional distribution of related revenues.

Indicators of the Effectiveness of IP Commercialization

The filing of intellectual property rights is supported and coordinated by the TTO and the Legal Department. Newly filed and granted patents in which the university holds an interest are recorded centrally. These patents are presented on the website with brief descriptions for potential commercialization partners.

Implementation and Measures

In line with the university's objectives, the following measures are implemented in the area of knowledge and technology transfer:

- Establishment of a Technology Transfer Office (TTO) to strengthen knowledge and technology transfer toward the economy, culture, and society.
- Establishment and continuous expansion of awareness, training, and continuing education programs for members of the university, ranging from general advice on intellectual property and copyright issues to entrepreneurship across different academic disciplines and alternative commercialization strategies. These topics are also integrated into PhD programs and are taught, among other formats, as a joint methods module for all doctoral candidates.
- The TTO's core responsibilities include IP and asset management. The identification, evaluation, and protection of intangible assets at the university constitute a central task of the TTO. Its services include freedom-to-operate analyses as well as the evaluation of market potential and solution fit, covering the perspective of integrated IP strategy and portfolio management, regardless of the scalability potential of the underlying research results.
- Promotion of a start-up and spin-off culture at the Krems location through the integration of the local network of tertiary education institutions. Particular emphasis is placed on the development of IP-driven start-ups and the commercialization of developed technologies (see "Spin-off Strategy as a Framework for Company Formation").
- Expansion of the Core Facility Campus Krems to intensify cooperation with other academic and industry partners. Communication with industry partners, as well as the initiation and maintenance of strategic partnerships, is proactively supported by the TTO.
- Participation in and organization of public-facing knowledge transfer events, such as the Research Summit Series and the Long Night of Research, as well as the announcement and awarding of the "tectnet | accent Innovation Award."
- Contribution to shaping the university's framework conditions in the areas of technology transfer and entrepreneurship, drawing on the Intellectual Property Agreement Guide (IPAG) of the National Contact Point for Intellectual Property in Open Knowledge Transfer (NCP-IP), as well as within the framework of the Entrepreneurship Center Network (ECN).

Spin-off Strategy as a Framework for Company Formation

In addition to the possibility of transferring intellectual assets to existing companies, the university supports the creation of new companies ("spin-offs"). The university is committed to the commercialization of intellectual property and – in line with the Austrian RTI Strategy 2030 – to fostering the establishment of spin-offs and start-ups within its ecosystem. It recognizes the personal and financial risks associated with spin-off creation for those involved and seeks to establish an environment conducive to entrepreneurship, providing the greatest possible support to founders.

The present spin-off strategy has been developed with due consideration of the study „Akademische Spin-offs: Ausgründungsrahmen für österreichischen Hochschulen und Forschungseinrichtungen“¹.

Spin-off Objectives of the University

By supporting spin-off companies, the university pursues the following objectives:

- Strengthening entrepreneurial thinking and action within the university.
- Opening up alternative career paths.
- Transferring research results and innovations into practice.
- Providing market-oriented prototypes, products, and services in order to generate economic and societal value.
- Enhancing the attractiveness of the environment for new ventures, with the aim of increasing the number of spin-off formations and strengthening the Krems location.
- Generating commercialization revenues for the university.

The purpose of the spin-off strategy is to provide members of the university involved in start-up projects with clear scope for action as a basis for constructive collaboration in line with university policies. It is intended to increase transparency in the handling of start-up projects, minimize economic risks for the university and its members as far as possible, and help safeguard the university's rights with regard to its intellectual property.

According to the definition of the "Austrian Startup Monitor"², a spin-off is a start-up in which the idea for a new product or business model was developed during, and in thematic connection with, an employment or educational affiliation with the university.

Since early 2025, the TTO has been responsible for activities related to spin-offs, start-ups, and entrepreneurship at the university. The TTO supports members of the university who are interested in starting a business. Decisions regarding the type and scope of support are made based on the specific situation. Support for the commercialization of research results is also offered to members of the university by tecnet equity NÖ Technologiebeteiligungs-Invest GmbH.

To maximize the likelihood of success and impact, the optimal path to commercialization should be defined and pursued through dialogue among all stakeholders.

The founding team submits documents presenting the business idea, which must cover at least the following points:

Problem, solution, and technology – USP – Business model – Target market and market opportunities – Competition – Protection of the idea and necessary IP rights – Team – Status and milestones – Three-year roadmap – Costs and financing, as well as required university resources (e.g., laboratory space).

The IPAG “Spin-off Checklist” supports a legally sound and efficient spin-off process and can serve as a guide for founders. The TTO advises and assists the founding team in preparing the necessary documentation.

The founding team presents the documents to the Rector’s Office in the presence of the TTO. Based on this, the Rector’s Office decides on the spin-off’s eligibility, any potential investment, and issues regarding the use of university resources. Matters related to employment law (e.g., secondary employment, reduced hours, or leave of absence to focus on the spin-off) may be decided at this stage.

The university offers its spin-offs consulting services through the TTO and, where appropriate, arranges for external consulting. University spin-offs are granted access to relevant, protected, or non-public intellectual property to the extent necessary for the company’s business purpose. In any case, a market-based contract (assignment, license) tailored to the specific case must be concluded by the Rector’s Office. To support entrepreneurial activities, start-up-friendly agreements are sought (while avoiding market-distorting preferential treatment). The assignment of IP, or the granting of option rights to assign IP, is considered the standard model with regard to UWK spin-offs.

When granting licenses, terms are typically established for the first three years following the spin-off’s founding to support the spin-off. The fixed and variable components of a potential license agreement are negotiated based on the quality of the underlying IP, the business model, market conditions, the industry, etc.

The valuation of intangible assets is conducted as closely aligned with market conditions as possible, using information from relevant databases (such as QuantIP, ktMINE, etc.) where appropriate. As a guideline, standard and startup-friendly license fees range between 2% and 5% of revenue.

In any case, the university is granted at least a royalty-free, non-exclusive right for the purposes of teaching and research.

A sustainable and economically viable business idea must be in place at the time the contract is signed, and the proposed business must not conflict with the university’s interests or applicable standards.

Individuals with an active employment relationship with the university are required to disclose any conflicts of interest between their work at the spin-off and their work for the university. Organizational arrangements appropriate to each individual case must be established to address conflicts of interest (e.g., signature policies). Close family relationships and holdings in the spin-off by individuals with an active employment relationship with the university must also be disclosed to the university. Members of the Rectorate are prohibited from holding interests in spin-offs.

Individuals with an active employment relationship may not tailor their research to the needs of the spin-off or grant access to unpublished research results in order to intentionally give the company a competitive advantage, unless this is done within the framework of a valid research or cooperation agreement with the spin-off.

Section 7 of the Patent Act applies to individuals who are employed both by the spin-off and by the university. Research results (in particular those related to the development or further development of intellectual property that may have been licensed, as well as new developments) that were achieved because a) either the activity that led to the research results was part of the person’s official duties with an active employment relationship, or b) a person with an active employment relationship received the inspiration for the research results through their work at the university, or c) the achievement of the research results was significantly facilitated by the use of the university’s experience or resources, are research results attributable to the university. Separate agreements must be concluded regarding rights to research results attributable to the university.

Unless otherwise agreed upon by the parties involved, the university and the founders of the spin-off shall treat all start-up plans and business information (such as the business concept, business plan, financial plan, licensing terms, etc.) as confidential, but shall provide the University Council with the relevant information.

The university does not provide direct funding for spin-offs, except for any initial start-up costs, provided that the university takes an equity stake in the spin-off.

A swift and effectively implemented spin-off process represents a significant competitive advantage. Based on the average times cited in the BMBWF’s spin-off framework for Austrian (10.8 months) and international (8.9 months) reference values, the target duration for the negotiation process is 9 months until an agreement is reached. To ensure the rapid implementation of commercialization activities, available contract templates – preferably those from the National Contact Point for Intellectual Property in Open Knowledge Transfer (<https://www.ncp-ip.at/>) – will be utilized whenever possible.

Implementation and Measures

In line with the university's objectives, the following measures are being implemented to strengthen spin-off activities:

- Establishment of a Technology Transfer Office. The aim of this measure is to strengthen the areas of entrepreneurship and spin-offs.
- The establishment and ongoing expansion of awareness, training, and continuing education programs for members of the university ranges from general advice on intellectual property and copyright issues to entrepreneurship in various academic disciplines and alternative commercialization strategies. These topics are also addressed within the PhD program and are taught, among other things, as a joint methods module for the university's PhD students.
- The "Creative Pre-Incubator" program is being implemented in collaboration with accent Inkubator GmbH. A series of events on "Sciencepreneurship" is being held in cooperation with tecnet equity NÖ Technologiebeteiligungs-Invest GmbH.
- A vibrant start-up and spin-off culture in Krems is being fostered with the involvement of the local network of higher education institutions. Particular attention is being paid to the conceptualization of IP-driven start-ups and the commercialization of developed technologies.
- Contribution to shaping the university's framework conditions in the areas of technology transfer and entrepreneurship, including with reference to the Intellectual Property Agreement Guide (IPAG) of the National Contact Point for Intellectual Property in Open Knowledge Transfer (NCP-IP) and within the framework of the Entrepreneurship Center Network (ECN).

References

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