

Article 13

Rights to results and exploitation of project results, open access to results

1. The rights to the project results belong to the beneficiary or other participants in the project. The exploitation of the project results is governed by the provisions of Article 16(4) of Act No. 130/2002 Coll. The rights of authors, originators of the project results and outputs, and owners or executors of rights are subject to specific legal provisions.
2. The beneficiary must ensure that reusable project results and outputs are adequately and effectively protected and must enable the use of such results and outputs to themselves or other users. The use of project results and outputs for the project timeframe and up to three years after its end shall be subject to the beneficiary's information obligation under Article 12(6).
3. The beneficiary must ensure that information on the project results and outputs is actively disseminated to the public and published in such a way that their protection is not diminished.
4. The beneficiary must ensure open access to project-results-related peer-reviewed publications. In particular, the following must be ensured:
 - (a) Deposition of a machine-readable electronic version of the published publication or the final peer-reviewed manuscript accepted for publication (i.e., the version of the publication after incorporating the comments resulting from the peer-review process) in a trusted repository for scientific publications latest at the date of publication.
 - (b) Immediate open access to the deposited publication under the latest available version of the Creative Commons Attribution International Public Licence (CC BY); for monographs and other long-text formats, the publication may be made available under the terms of a public licence that excludes modification of the publication or its commercial use (e.g., CC BY-NC, CC BY-ND, CC BY-NC-ND).
5. The metadata of publications deposited in the repository must be publicly accessible and machine-readable in line with FAIR¹ principles and must include information at least about the following: title of the publication, names of the authors, date of publication, type of publication (e.g., peer-reviewed article, scholarly book), and language of the publication. It is also recommended to include other data such as: persistent identifiers for the publication, grant information (such as grantor and project ID), licensing terms, persistent identifiers for persons, organisations, and grants. Metadata should also include persistent identifiers for other project outputs (e.g., research data) or a persistent link to any other tools necessary to validate the conclusions of the publication.
6. The beneficiary must ensure that research data collected or generated during realisation of the project are managed in line with FAIR principles. This does not apply to research data whose disclosure would breach the right of intellectual property protection, the right of privacy and personal data protection, the right of trade secret protection, cause a threat to the state security, or to other legitimate interests of the beneficiary or other project participants. In particular, the beneficiary must:
 - (a) Develop a data management plan in line with FAIR principles and regularly update it. The up-to-date data management plan shall be submitted to the grantor as part of the interim or final report.
 - (b) Deposit research data in a trusted repository in line with the data management plan.

¹ I.e., as open as possible, as closed as necessary.

- (c) In line with the data management plan, ensure open access to research data deposited in the repository as soon as possible, in line with FAIR principles and according to the nature of the data, metadata processing status, and security, where possible, preferably under the terms of one of the existing public licences. Open access to research data follows the principle 'as open as possible, as closed as necessary', considering privacy, personal data protection, confidentiality, legitimate commercial interests, and intellectual property rights of the third parties, or where this would conflict with other legal constraints. If open access to (some or all) research data is not provided, reasons must be justified in the data management plan and a regular re-evaluation of these reasons must be done and provided to the grantor.
 - (d) Provide sufficient information on other project results or tools and instruments needed to re-use or validate the research data (e.g., through the repository).
 - (e) Manage the metadata of the deposited research data in line with FAIR principles and in a way that they are publicly accessible to the extent in which authors' legitimate interests are protected, machine-readable, and include information at least about the following: dataset name, date of deposition, names of the authors, dataset description, embargo (where applicable), and license. It is also recommended to include other data such as: persistent identifiers for the dataset, grant information (grantor and project ID), persistent identifiers for persons, organisations, and grants. Metadata should also include persistent identifiers for related publications and other related research outputs.
7. May the third parties claim rights or exercise rights towards the project results, outputs, or research data, the beneficiary must take such measures or enter into such contracts that ensure that these rights are exercised in line with its obligations under this Contract.

In the case of assignment of property rights or exercise of rights towards the results, outputs, or research data of the project to the third parties, the beneficiary must take such measures or enter into such contracts that ensure that these rights are exercised in line with its obligations under this Contract.