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## Will it be possible to release our Horizon 2020 project results (software) under an open source licence?

Category:

[Exploitation and Dissemination](#) <sup>[1]</sup>

The Horizon 2020 general model grant agreement does not contain any general rules with regard to the use of open source licensing in Horizon 2020. In general terms, licensing project results is allowed, provided that it does not get in the way of the grant of access rights. This means that the exclusive licensing of project results should be avoided if it prevents access rights from being granted over the same results.

However, specific rules might explicitly forbid the use of open source. For this reason, we would recommend checking the work programme applicable to the relevant call for proposals, in order to see whether this call bears any specific requirements or recommendations which could impact the possibility to use open source. Indeed, while certain types of projects might imply restrictions to the way the results can be used or disseminated (e.g. security-related projects), others can be more focused on dissemination and therefore the appropriateness of open source will of course depend on the type of project. The European Commission has in fact adopted a [policy on Open Access to scientific publications, as well as a pilot on Open Access to research data](#) <sup>[2]</sup>, therefore showing a greater focus on 'open' dissemination in Horizon 2020.

If the work programme remains silent on this matter, we would conclude that no particular restriction applies with regard to the adoption of an open source licence over the project results. Furthermore, using open source licensing might provide for better visibility, outreach and re-use of the results and could therefore be beneficial to the overall impact of the project on the scientific community.

Finally, since many open source licences are by nature not restrictive, licensing project results under such terms (i.e. letting the public use, copy, modify, publish, distribute the software) might have for some of the partners the same effect as that of a lack of IPR protection ? it could for instance be considered as going against their own commercial interests. For this reason, it would be good practice to discuss the adoption of the open source licence internally amongst the consortium, so that all partners are given an opportunity to raise some concerns in relation to their legitimate interests.

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[1] <https://www.iprhelpdesk.eu/taxonomy/term/180>

[2] [http://ec.europa.eu/research/participants/data/ref/h2020/grants\\_manual/hi/oa\\_pilot/h2020-hi-oa-pilot-guide\\_en.pdf](http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/oa_pilot/h2020-hi-oa-pilot-guide_en.pdf)