

Job - PhD position within the EIPIN Innovation Society ITN/EJD Marie Skłodowska-Curie project, Faculty of Law



Job expires on 29 March 2017, 23.59 CET

PhD position

Specifications

Location	Maastricht, Faculty of Law, Bouillonstraat 1-3, 6211 LH, Maastricht, the Netherlands (visiting address)
Function types	PhD positions
Scientific fields	Humanities or social sciences, legal studies
Hours	38.0 hours per week
Salary	€ 2.191 - € 2.672
Education	University Graduate
Job number	EIPIN Innovation Society ESR 8
Translations	en
About employer	Maastricht University (UM)
Short link	http://www.eipin-innovationsociety.org/People/vacancies

Job description

EIPIN Innovation Society is a comprehensive project at the forefront of multidisciplinary research, examining the role of intellectual property (IP) as a complex adaptive system in innovation. The ambition is to enhance Europe's capacity to foster innovation-based sustainable economic growth globally. The primary research objective of the programme is to provide political leaders and stakeholders reliable conclusions and recommendations in the form of doctoral IP research on how to deal with the adaptive complexities of innovation cycles that secure economic benefits and uphold justice in the innovation society.

Fifteen Early-Stage Researchers (ESRs) are trained to present their research findings on a number of topics of great societal interest, and to guide inventors and entrepreneurs through the lifecycle of IP-intensive assets that takes human creativity into the marketplace. The research and training programme provides for an unprecedented environment for ESRs that aims at educating a new generation of professionals and academic researchers who are properly equipped to face these challenges of fostering

innovation-based growth. It consists of a research and a training part, which are closely connected and mutually inform each other.

The involvement of industry associations representing numerous undertakings provides great access to non-academic actors. The ESR positions are open to candidates from all domains of sciences, providing a solid foundation for cross-cutting research in the area of innovation policies, while overcoming a traditional separation of disciplines.

The EIPIN Innovation programme, coordinated by Maastricht University, is a **Marie Skłodowska-Curie Innovative Training Network project**, funded by the European Union. This project sets up a European Joint Doctorate programme which will lead to the conferral of joint and double doctoral degrees from two of the five participating universities. These Universities are:

- Queen Mary Intellectual Property Research Institute, University of London (QMUL)
- Magister Lvcentinvs, University of Alicante (UA)
- Intellectual Property Law and Knowledge Management (IPKM), Maastricht University
- Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg
- Munich Intellectual Property Law Center (MIPLC), University of Augsburg

In total, 15 PhD projects are part of the programme, each investigating different, as yet under-explored aspects of the adaptive complexities of innovation cycles. For more information, see <http://www.eipin-innovationsociety.org/>

In the framework of the Marie Skłodowska-Curie ITN/EJD project EIPIN Innovation Society, the Faculty of Law of Maastricht University is recruiting a PhD researcher for a period of three years.

The research project concerns: **ESR 8 - Balancing the Quality of Patents with Effective Enforcement of Invalidity Claims in the Pharmaceutical Industry in Europe**

Supervisor 1: Prof. Pugatch (Maastricht University)

Supervisor 2: Prof. Drexl (University of Augsburg/MIPLC)

Co-supervisor: Dr. Surblyte (University of Augsburg/MIPLC)

Project Description:

Patents are granted for “new” technology against the backdrop of the existing state of the art. They are thereby designed to signal innovation. Yet, especially in the pharmaceutical industry, the ratio of invalid patents has turned out to be particularly high. The reasons for this are manifold. One problem arises from an imbalance of information, characterized by the fact that the examiner at the patent office may be less-well placed than the applicant to know about the state of the art. Another problem

relates to the very high number of patent applications also in the pharmaceutical industry. Therefore, claims in favour of raising patent quality are not necessarily economically sound since only a very few of these patents will result in viable and economically valuable drugs. This draws the attention to the judicial proceedings that are available for the nullification of patents. In sum, an innovation system that grants patents relatively easily should have very effective procedures for the nullification of patents. In Europe, the EPO provides a centralized system for the patent grant, but the national systems for invalidating patents remain very diverse. The thesis should explore what a more integrated European system should look like. Thereby, it should also evaluate the rules of the Agreement on a – future – Unified Patent Court as well as the regulation of the marketing of pharmaceuticals, which has an obvious impact on the incentives of firms to challenge the validity of patents. The topic is highly relevant for the functioning of the European innovation society. Wrongfully granted patents may prevent competitors from investing in the same field of technology, and invalid patents allocate income to right-holders without sufficient ground of innovation.

Patents should signal innovation. However, pharmaceutical patents fail to fulfil this function if they are invalid. The thesis is expected to come up with proposals for reforming the yet national systems and the upcoming system of the Unitary Patent Court for the enforcement of invalidity claims in order to optimize the European innovation system, at the same time allowing broader and quicker market access of generics.

International mobility plan

ESR	Primary - Institution	Fellow months in Primary institution	Secondary Institution	Fellow months in Secondary institution	Secondment Entity	Fellow months in Secondment institution
8	UM	24	MIPLC	6	EFPIA	3
					Hovione	3

Requirements

- A relevant Master’s degree or equivalent in law, the humanities or social sciences, or sciences relevant for the individual research topics, such as pharmacology, nanotechnology, agricultural;
- A demonstrable affinity with intellectual property law;
- The ability to speak, read and write in English;
- High scholarly abilities, as testified by your previous academic record, particularly by the quality of your masters-level thesis;
- Be highly motivated;
- Creativity and high level of independency;
- Experience in conducting research;
- Strong analytical capacity;
- Good organisational skills;
- Affinity with work in an interdisciplinary and highly international environment;
- Willingness and proven ability to work in a team;
- Willingness to relocate to (the vicinity of) Maastricht.
- In light of the mobility requirements set by the European Commission for this project, at the time of recruitment by the host organisation, you may NOT have resided or carried out your main activity (work, studies, etc.) in the Netherlands

for more than 12 months in the 3 years immediately prior to taking up the position. Compulsory national service and/or short stays such as holidays are not taken into account.

Example: Dutch nationals can be eligible for recruitment at a University located in the Netherlands if they have resided or carried out their main activity outside of the Netherlands for more than 24 months in the 3 years immediately prior to their recruitment.

- Candidates must fulfil the definition of an Early-Stage Researcher set by the European Commission: ESRs shall, at the time of recruitment by the host organization, be in the first four years (full-time equivalent research experience) of their research career and not yet have been awarded a doctoral degree. Full-time equivalent research experience is measured from the date when a researcher obtained the degree which would formally entitle him or her to embark on a doctorate, either in the country in which the degree was obtained or in the country in which the researcher is recruited. Part-time research experience will be counted pro-rata.
- It is the policy of the EIPIN Innovation Society project to promote equal opportunities between men and women and stimulate gender balance.
- Members of ethnic minority groups and disabled people are explicitly invited to apply.

Conditions of employment

We offer a 3 year full-time PhD contract. The first year will be a probation period, after a positive assessment the position will be extended with another 2 years. You will be employed by the Faculty of Law.

The full-time gross monthly salary amounts to € 2.191,00 in the first year according to salary scale PhD ('promovendus'), increasing to € 2.672,00 in the third year; on top of this there will be an 8% holiday and an 8,3% year-end allowance. Non-Dutch applicants could be eligible for a favourable tax treatment (30% rule).

The salary and terms of employment for this position will correspond to the provisions set out in the Collective Labour Agreement of Dutch Universities (CAO-NU) and to the provisions of the Marie Skłodowska-Curie Actions.

We offer a dynamic and challenging job in an internationally-oriented organisation where young people receive an advanced education and scholars conduct exciting research.

You will participate in the research training sessions in the framework of the EIPIN Innovation Society ITN/EJD Marie Skłodowska-Curie project.

You will be provided with shared office space and a PC.

Contract type: Temporary, We offer a 3 year full-time PhD contract.

Organisation

Maastricht University is renowned for its unique, innovative, problem-based learning system, which is characterized by a small-scale and student-oriented approach. Research at UM is characterized by a multidisciplinary and thematic approach, and is concentrated in research institutes and schools. Maastricht University has around 16,000 students and 4,000 employees. Reflecting the university's strong international profile, a fair amount of both students and staff are from abroad. The university hosts 6 faculties: Faculty of Health, Medicine and Life Sciences, Faculty of Law, School of Business and Economics, Faculty of Humanities and Sciences, Faculty of Arts and Social Sciences, Faculty of Psychology and Neuroscience. <http://www.maastrichtuniversity.nl/>

How to apply?

Send your application by e-mail before 29 March 2017, 23:59 CET, to: info@eipin-innovationsociety.org. Please mention the vacancy number and EIPIN Innovation Society ESR 8.

The following documents must be submitted with your application:

- (a) Application form, including a research proposal, available on [EIPIN Innovation Society website](#);
- (b) Written documentation concerning prior education, including a certified copy of your Master certificate and list of grades (with certified translation for languages other than English, Dutch, German, Spanish or French);
- (c) Evidence on English proficiency (native speaker, having completed a master in the English language, the Academic IELTS certificate with a minimum score of 7, or an internet-based TOEFL certificate with a minimum score of 95);
- (d) A personal letter of motivation, indicating why you wish to conduct this research project offered by Maastricht University, and why you expect that you will be able to complete the programme successfully;
- (e) A detailed curriculum vitae, including – if applicable – relevant publications;
- (f) Two references from academic referees, using the form available on [EIPIN Innovation Society website](#);
- (g) A substantial piece of writing in English, such as a (draft) master thesis.

Selection procedure

What?	When?
Deadline for submission applications	29 March 2017, 23:59 CET
Candidates pre-selected for interviews will be informed	14 April 2017
Selection interviews (candidates may be asked to give a short presentation on the influence of intellectual property on innovation)	15 – 17 May 2017, in Alicante, Spain
Successful candidates will be informed	Last week of May 2017
Acceptance by successful candidates	12 June 2017
Start of employment	1 September 2017



Selection criteria

Criteria	Rate
Relevant academic background (including the quality of the substantial piece of writing)	0-30
Motivation statement	0-10
Relevant publications/work experience	0-15
Draft project proposal, including timeline	0-30
Mobility (during Bachelor and/or Master)	0-5
Evaluation by referees	0-10

Information

For questions related to the research topic, please contact Prof. Pugatch, meir.pugatch@maastrichtuniversity.nl.

For all other questions, please use the following email address, clearly indicating the vacancy number and EIPIN Innovation Society ESR 8: info@eipin-innovationsociety.org