

Big Data Value Association and European Factories of the Future Research Association Memorandum of Collaboration (“MoC”)

By and between

the European Factories of the Future Research Association (“EFFRA”), an international non-for-profit association (AISBL) under Belgian law, having its registered office in the Bluepoint Building, A. Reyers 80, B-1030 Brussels, Belgium, herein represented by EFFRA Board member Riikka Virkkunen, on the one hand,

and,

the Big Data Value Association, (“BDVA”), a Belgian international not-for-profit association (AISBL), having its registered office at c/o INDRA, Rue Froissart 95, 1040 Brussels, Belgium, herein represented by its President Laure Le Bars, on the other hand.

EFFRA and BDVA are hereinafter individually referred to as “Party” and collectively referred to as “Parties”.

PREAMBLE

Whereas,

- The main objective of EFFRA are to:
 - contribute to the development of a research and innovation-focused manufacturing industry, based in Europe, which produces state-of-the-art goods and create highly-skilled jobs;
 - contribute to maximising the benefits of both public and private resources by allocating them to the most promising manufacturing technologies;
 - bring together industrial companies, research organisations and other stakeholders and provide to them an efficient networking and decision-making platform;
 - develop, in a transparent manner, a research and innovation roadmap from which industry-relevant projects are generated;
 - leverage both public and private R&D Investments, by implementing the take-up of research results in European manufacturing industries;
 - engage with the European Commission in the Factories of the Future PPP and contribute to the Horizon 2020 work programmes and calls for proposal;
 - monitor and accompany the progress of the FoF PPP.

- The main objectives of BDVA are to:
 - strengthen competitiveness and ensuring industrial leadership of providers and end users of BIG DATA VALUE technology-based systems and services;
 - promote the widest and best uptake of BIG DATA VALUE technologies and services for professional and private use;
 - establish the excellence of the science base of creation of value from BIG DATA;
 - In the fields of Big Data Value and Artificial Intelligence: to provide “Data Innovation Recommendations”; to develop the Innovation Ecosystem to enable the data-driven digital transformation in Europe; to guide standards and to provide input for the respective “Standardization organizations”; and, to improve the adoption of technologies through “Know-How and Skills” and best practices exchange;

- be the private counterpart to the European Commission in the Big Data Value Public Private Partnership (BDV PPP);
 - maintain and fulfil a Strategic Research and Innovation Agenda (SRIA) for Big Data Value domain;
 - contribute to the Horizon 2020 work programmes and calls for proposal;
 - monitor the progress of the BDV PPP.
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- EFFRA and BDVA have certain common goals as well as organisations that are also members of both organizations, EFFRA and BDVA.
 - FoF PPP focuses on increasing EU industrial competitiveness and sustainability through the launch of physical demonstrators and other R & I activities ranging from production technologies to supply chain management.
 - The BDV PPP programme focuses on the development of technology and of vertical industry-specific applications, as well as on the construction of an innovation ecosystem supporting the growth of the European big data economy.
 - EFFRA and BDVA already cooperate very well with each other.

Now, therefore, the Parties declare their willingness on the following for their mutual collaboration (hereinafter the “Collaboration”).

OBJECTIVES AND SCOPE OF THE COLLABORATION

Considering that data plays an ever-increasing role in manufacturing and in manufacturing supply chains, and;

Considering that both EFFRA and BDVA work in common technical domains such as CPS, Simulation, Data Management, Data Analytics, Artificial Intelligence, Data Protection, Data Processing Architectures, 5G, Cloud and High Performance Computing, IoT, Edge and Fog Computing, etc;

The Parties agree to cooperate more intensively in the future and in particular in the following areas:

- **Contributing to the European Digital Agenda** and to the **Digitising European Industry Initiative**, by joining forces in developing strategic roadmaps, papers, pilots and other joint activities in order to accelerate the use, the integration and value creation of Big Data and AI technologies in the Manufacturing sector.
- Work jointly on the identification of **migration pathways** from today’s industrial state-of-play towards the vision of Factories of the Future, with data processing having an ever-increasing role.
- **Exchanging practices and approaches from existing and future projects** of the Big Data PPP and the Factories of the Future PPP, that involve the collection and processing of large amounts of data for the optimisation of manufacturing, from material processing up to supply network operations.
- Support in a joint manner, and in collaboration with the European Commission, the **organisation of events** focused on scaling Industrial cooperation models in the Digital Economy and in extracting value from Next Generation Digital Infrastructure (5G, HPC, Cloud, IoT, Big Data, Edge Computing and AI).

EFFRA and BDVA are interested in helping the EFFRA members and BDVA members to realise the benefits expected from the FoF PPP and BDV PPP programmes and to more efficiently exploit its results.

To promote these objectives, the Parties hereby declare their intention to collaborate, including collaborations through the BDVA and EFFRA members. Such collaborations, if and when agreed, will be detailed in separate work plans, which shall be the subject of specific agreements between the parties involved, including BDVA Members or EFFRA members. In such specific agreements, the parties concerned will typically deal with aspects such as resources, security, confidentiality, intellectual property rights, liability, and any other aspects they deem to be appropriate.

GENERAL

- Notwithstanding any other provision in the present MoC, the signature of this MoC can in no way be construed as an obligation to engage into certain activities or projects with legally binding commitments, or as a restriction for the Parties in their activities in any other way.
- The existence of the present MoC and the content thereof will not be considered as confidential information. However, each communication by either Party that will refer to the other Party will be subject to the prior approval of the latter.
- This MoC shall not be construed so as to create any legally binding commitments or any liabilities between the Parties and the Parties shall not be under any obligation to pay any damages under this MoC. However, should such exclusion of liability not be enforceable under the applicable law, any liability or damages which either Party may face however caused or arising and irrespective of the specific theory of liability giving rise to or supporting such liability or damages, shall not in any case (even in case of gross negligence) exceed the amount of 5.000 € in the aggregate. Furthermore, no Party shall be liable under this MoC for any indirect damages which, for this MoC, shall include (without limitation): damage to reputation, loss of revenue, loss of profit, unrealised anticipated savings and third party claims.
- This MoC shall be governed by and construed in accordance with the laws of Belgium.
- Any disputes which cannot be amicably settled shall be referred to the courts of Brussels which shall be sole competent.

TERM

The date upon which this MoC enters into force shall be the last date the MoC has been signed by duly authorised representatives of the Parties. In the event that either of the Parties would decide not to pursue with the collaboration under this MoC, it shall notify the other Party with thirty days written notice.

SIGNED on March 27 in Paris,

On behalf of BDVA,

On behalf of EFFRA,

Laure Le Bars
BDVA President

Riikka Virkkunen
EFFRA Board member