

Station F – JOB OFFER – LEGAL OFFICER



Adrien Migeon

Phone: 06 08 30 06 39

email: adrien.migeon@wanadoo.fr

STATION F

We are looking for someone who has previously drafted contracts, agreements and letters of intent. Please give an example of a contract you have worked on and explain what some of the challenges or complexities of this contract were.

Working as the head of legal department for the CNRS Technology Transfer Office, I have faced a situation in which a private company had sprouted in a public research laboratory, led by a private individual who had conducted informal collaborations with public researchers for several months, gathering inventions from the shelves and willing to improve their TRL in order to transfer them to companies in the wood and oil industry.

The complexity of the operation was that we had to regularize the status of this structure and its hosting in the laboratory, determine the co-ownership exploitation rules under the patented improvements, but also define the conditions of a license under such patents to a very important industrial in the field which, in the same operation, was granting a significant funding support to the company, secured by a pledge on those industrial property titles we co-owned.

The complexity lied in the diversity of the interests prevailing in this tripartite relation, and in the variety of skills needed to assess the whole scheme. The challenges had to be dealt with one by one, but it was also necessary to focus, with a problem-solver attitude, on the final goal we wanted to achieve.

Looking further allowed us to do not put the deal at risk and to finalize the signatures within two months.

Please name one recent law or regulation that would apply to our organization and explain how you would manage its implementation.

While awaiting for the "PACTE" law which should be enacted in 2019, GDPR and the French law regarding the personal data protection are the legislative package with the greatest importance for French companies that occurred recently.

First of all, these regulations apply to all data of all European residents, whatever their nationality, thus imposing a consistent treatment on entrepreneurs and co-living tenants information. Special attention must be paid to minors under the age of 15, since Station F is already open to very young profiles.

Compliance and accountability replaced the declaration and authorization logic that existed previously, and "privacy by design" as well as "privacy by default" principles commit to conduct internal education and trainings, as well as audits of the IT system and HR tools, even when they are outsourced. Modifying internal procedures in order to ensure that specific rights such as information, access, rectification rights or the right to be forgotten, could be exercised by data subjects.

Lastly, since AI, heavily relying on data, is the second field startups are working in at Station F, I would also propose to create a "seconded DPO" working closely with the CNIL and acting as a relay with the entrepreneurs.

We are opening a co-living space for our residents, which type of contract would you suggest? What are the other legal aspects to pay attention to?

Just like a coder, a lawyer should have resolved the matter before he writes its first line, so the first step would be to discuss the philosophy of the program with the internal stakeholders at Station F, and to identify the need they want to address to make sure contracts are in line. Traditional leases for furnished apartments, and the restrictions usually applying to apartment sharing, with financial safeguards and joint commitments of the tenants, may not be suitable for a flexible and modular housing solution. The recent French law "ELAN" (still under referral to the French Constitutional Council) introduced an interesting "mobility lease" for a one to ten month lease, which might better suit the objective. Hybrid solutions could also be investigated, with a space within the three @Home buildings specialized in very short-term leases (few days or weeks – Hotel uses), and another in longer leases (one or more year), or even adopting the Hackers's House model, which is not based on a rental agreement but which prevents from benefiting public housing assistance.

Among other legal issues to pay attention to, we should consider making sure that offering housing solutions only to Station F entrepreneurs shall not be considered discriminatory, figure out how to stop the rental in case of a termination or expulsion from Station F, and how to implement rules for a fulfilling community life and the use of amenities.