



**IP4SME**

*Your path towards IP valorisation*

**Boosting the use of Intellectual Property with an  
action specifically designed for Innovative  
European SMEs – IP4SME**

**Frequently Asked Questions (FAQ)**

**Updated April 2020**

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## 1 INTRODUCTION

The present document provides a list of Frequently Asked Questions (FAQ) related to the action known as “**Boosting the use of Intellectual Property with an action specifically designed for Innovative SMEs**”, hereinafter referred to as “**IPA4SME**”. The list of questions is preliminary and the document will be continuously updated throughout the life span of the action. The present document will contribute SMEs to solve common doubts regarding the program and/or its application process. More information on IPA4SME can be found in the Guide for Applicants as well as on the IPA4SME webpage (<http://ipa4sme.eu/>).

## GENERAL QUESTIONS RELATED TO IPA4SME ACTION

### 1. What is IPA4SME?

IPA4SME represents the materialisation of **the IP and better access to IP for innovative SMEs COSME project 2019-2021** of the European Union carried out by a consortium composed of CARSA (Leader and Coordination Centre), the University of Alicante and Gopacom.

### 2. What is the aim of IPA4SME?

IPA4SME, as part of the initiatives to promote growth and to strengthen the competitiveness and sustainability of enterprises in the European Union, is an action that **aims to extend SMEs international opportunities and innovation prospects in the Single Market and beyond supporting highly innovative SMEs with the potential for exploiting their intellectual property**. The action is focused on those which have been awarded with the Seal of Excellence (SoE) provided by the framework programme Horizon 2020. Moreover, IPA4SME aims to provide SMEs the opportunity to integrate and develop IP strategies which fit their contexts and needs, based on their competencies and capabilities.

### 3. Why is intellectual property (IP) important for SMEs?

Intellectual Property (IP) as a corporate strategy is a crucial factor in order to provide SMEs the opportunity to return their investment on innovation as well as to run global businesses extending their scope from local to international; IP provides SMEs the required tools to increase their revenues, their competitiveness, to extend their capabilities and competences, to enlarge their market opportunities and to enhance their protection mechanisms towards global competitors regarding ideas, products and services. Therefore, IP is a key issue for



promoting innovation and creativity, developing employment, and improving business growth and sustainability in the short, mid and long-term among SMEs.

### 4. Who does IPA4SME target?

IPA4SME targets both EU SMEs and SMEs from COSME member states that hold a Seal of Excellence (SoE) from the H2020 SME Instrument program. Though for the moment, only companies incorporated in the 11 countries mentioned in the Guide for Applicants are eligible for Service 1 described below, it may target other innovative SMEs from COSME member states that volunteer to perform those IP pre-diagnostic services.

### 5. What does IPA4SME provide eligible SMEs?

IPA4SME provides financial and expert support for IP protection and valorisation services to SMEs.

### 6. What Services can SMEs apply for in IPA4SME?

IPA4SME has been designed to help SMEs exploit the potential of their IP, as well as their capabilities and competences taking into consideration their context, needs and requirements. The three services SMEs can apply for are the following:

- Service 1: Pre-diagnostic services (IP scanning) – **Discover your value**
- Service 2: Financial contribution for the costs of EPO fees – **Safeguard your future**
- Service 3: Financial contribution for the costs of external legal advice by IP attorneys – **unlock your potential**

### 7. What type of support does Service 1 provide?

Service 1 is focused on providing **comprehensive IP pre-diagnostic (scanning) services to booster SMEs' IP capabilities and competencies free of charge**. An IP Pre-diagnostic service provides SMEs the opportunity to work with a qualified expert in the field of IP and Business Strategy in order to identify both the advantages and potential opportunities of using intellectual property, as well as to identify their main limitations and areas of development to strengthen their competencies in the field of IP and foster their business competitiveness.

## **8. What type of support does Service 2 provide?**

Service 2 provides financial aid to cover 75% of SMEs' patent application fees before the European Patent Office (EPO), up to 2 500 EUR per application. SMEs will have the opportunity through the action TYPE 2 to obtain financial support to cover up to a maximum of 5 patent application fees; the aid can be totally requested in one of the cut-off dates or partially among the 9 cut-off dates foreseen within the action.

## **9. What type of support does Service 3 provide?**

Service 3 provides partial reimbursement of the costs of hiring an IP attorney (Professional Representative) in the field of external legal advice entitled to act before the EPO for the purposes of either preparing the filing for a European Patent or to discontinue an initial idea of patent application. The aid will cover 50% of the costs incurred, up to a maximum of 2 000 EUR per eligible SME per patent application process.

## **10. What are the requirements for the IP attorneys mentioned in Service 3?**

The IP attorneys (professional representatives) chosen by SMEs for the purposes of either preparing the filing for a European Patent or to discontinue an initial idea of a patent application must fulfil the criteria displayed in EPO's regulation in order to be entitled to act before the EPO. Information regarding EPO's regulation and criteria for IP attorney acknowledgment can be found using the following links:

<https://www.epo.org/applying/online-services/representatives.html>

<https://www.epo.org/service-support/useful-links/attorneys.html>

## **11. Can SMEs receive reimbursement for IP attorney fees under Service 3 even if no patent application is submitted?**

Yes. If an IP attorney recommends that the SME not proceed with the patent application process the fees can be reimbursed. The decision to cease the patent application process must be briefly explained in the documentation provided by the SME prior to reimbursement. More specifically, reasoning will be given simply by choosing one of the 3 options provided in Annex I: Model statement of discontinuation of Patent Application Process within the "Guide for Beneficiaries"

## 12. What is the maximum amount a SME can perceive among IPA4SME support actions?

SMEs may receive up to a total of EUR 15.000 from IPA4SME, regardless the type of services granted. Please see the Guide for Applicants for more information regarding the limits on specific service types.

## 13. When does IPA4SME start?

The IPA4SME action started 1<sup>st</sup> February 2019. Its Open Call has been launched 26<sup>th</sup> April and will be officially open on May 6, 2019.

## 14. When will IPA4SME end?

IPA4SME is planned to last 3 years so end date is 30<sup>th</sup> January 2022. However, all beneficiaries must consider the last day on **December 31, 2021**. This date corresponds to the "Final Request of Reimbursement Deadline", i.e. the last day on which beneficiaries will be able to request a second payment in order to reach the maximum total reimbursement allowed for each service granted (in case this maximum was not achieved in the first payment request). However, this second request opportunity is only given to beneficiaries which have successfully activated the service.

There are 9 planned cut-off dates for the IPA4SME Open Call during that time. A calendar of the cut-off dates can be found on Article 9 in the "**Rules for Implementation**".

## GENERAL QUESTIONS RELATED TO THE APPLICATION PROCESS AND THE ELIGIBILITY CRITERIA

### 16. Who is eligible to participate?

In order to be eligible to participate in any of the three types of services foreseen within IPA4SME, applicant SMEs must fulfil the following requirements:

- ✔ Be a **holder of a Seal of Excellence (SoE)** awarded in the context of the H2020 SME instrument. The SoE must have been awarded to the SME during the last 3 years prior to the cut-off date.





- ✔ Be incorporated in the EU or a COSME member state<sup>1</sup>.
- ✔ Meet the EU definition of an SME: Employ fewer than 250 persons and have an annual turnover not exceeding 50 million euro, and/or an annual balance sheet total not exceeding 43 million euro."
- ✔ **To be eligible for Service 1**, SMEs must be incorporated in one of the following EU Member States:

- 📍 Austria
- 📍 Denmark
- 📍 France
- 📍 Germany
- 📍 Greece
- 📍 Ireland
- 📍 Italy
- 📍 Latvia
- 📍 Netherlands
- 📍 Spain
- 📍 Sweden

### 17. Where can SMEs submit their applications?

Applications must be submitted electronically through the IPA4SME electronic submission system (EMS). SMEs can access the system using the following link: <https://ipa4sme.ems-carsa.com/>. SMEs must register and provide all the information requested in the application form.

### 18. What is the IPA4SME electronic submission system (EMS)?

The IPA4SME electronic submission system (EMS) is a cloud-based platform tool developed by CARSA in order to facilitate the application process of SMEs to the IPA4SME program.

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<sup>1</sup> <http://ec.europa.eu/DocsRoom/documents/27019>

Moreover, the platform is an innovative mechanism to manage all the processes related to the Calls.

### 19. How can SMEs register on IPA4SME electronic submission system (EMS)?

In order to register on the IPA4SME electronic submission system (EMS), applicants can access the EMS registration page here: [https://ipa4sme.ems-carsa.com/user/new\\_external](https://ipa4sme.ems-carsa.com/user/new_external). Once the registration is confirmed, applicants will have the opportunity to start with their applications. Further information about EMS works and how applications can be submitted can be found in the “**Electronic Submission System - Manual**” here: <https://ipa4sme.ems-carsa.com/call/detail/3> selecting the tab “**Supporting Documentation**”.

### 20. How long does the application process take?

The whole process, from registration to submission, should not take more than **20 minutes**.

### 21. How many steps does the IPA4SME application process have?

The application process is divided in three steps which are:

- **Application Form (Step 1)**: Applicants must provide the information requested in the application form on the IPA4SME electronic submission system (EMS).
- **Upload documents requested (Step 2)**: Applicants must upload all the required documents:
  - The Seal of Excellence (SoE) certificate in pdf format
  - The Evaluation Summary Report (ESR) corresponding to the proposal awarded with the SoE in pdf format.
- **Comply with declarations (Step 3)**: Applicants will need to confirm that they comply with the following declarations by clicking on the corresponding boxes in EMS:
  - Declaration (I) that the applicant company employs fewer than 250 persons, that in the preceding year the annual turnover did not exceed 50 million euro, and/or that the annual balance sheet total did not exceed 43 million euro.

- Declaration (II) of agreement to the terms and conditions of participation (rules for implementation) to the IPA4SME project
- Declaration (III) of agreement to share information about the SMEs between the Coordination Centre, EASME, the European Commission and the EUIPO, for the purpose of the evaluation of this action.

Once the 3-step process has been completed, applicants will have the opportunity to conclude the application process. The EMS platform will not allow the submission of applications if any of the aforementioned data is missing or if any of the 3 Steps has not been completed.

### 23. In what languages is the IPA4SME application form available?

The Application Form is accessible in a total of ten languages. These languages correspond to the countries eligible for Service 1 (IP Pre-diagnostic).

- Danish (Denmark)
- Dutch (The Netherlands)
- French (France)
- German (Germany and Austria)
- Greek (Greece)
- English (Ireland)
- Italian (Italy)
- Latvian (Latvia)
- Spanish (Spain)
- Swedish (Sweden)

### 24. Can applicants access the application form template before starting the application process?

Yes. The application form template is available as Annex I in the “**Guide for Applicants**”, available here: <https://ipa4sme.ems-carsa.com/call/detail/3> selecting the tab “**Supporting Documentation**”.

### 25. Can applicants modify their applications once they have been submitted?

Yes. Applicants have the option to start and save as many draft versions of their applications as they wish (including the possibility of uploading documents several times) before the cut-off date. The data and documents contained in the **last submission will be the used for the eligibility check, evaluation and ranking once the cut-off date is reached.**



## 26. Can applications be submitted without using EMS?

No. **Only applications submitted via the IPA4SME electronic submission system (EMS) will be eligible.** Applications sent via the IPA4SME project Website or sent to any member of the consortium in any way will be considered as “not submitted”.

## 27. How can applicants verify that their application was submitted correctly?

Once applicants have finalised and submitted their application in the electronic submission system (EMS) platform, they will receive an acknowledgement of receipt via email.

## 28. Who is required to provide a completed Financial ID Form?

Only SMEs which have been granted Service 2 or 3 will need to provide a Financial ID Form. The Financial ID form template is available here:

[https://ec.europa.eu/info/sites/info/files/about\\_the\\_european\\_commission/eu\\_budget/fich\\_s\\_ign\\_ba\\_gb\\_en\\_0.pdf](https://ec.europa.eu/info/sites/info/files/about_the_european_commission/eu_budget/fich_s_ign_ba_gb_en_0.pdf)

## GENERAL QUESTIONS RELATED TO THE EVALUATION AND SELECTION OF APPLICATIONS

### 29. How applications are evaluated?

Once a cut-off date has been reached, all applications will be check for eligibility. All applications which meet the eligibility criteria will be evaluated.

### 30. What are the IPA4SME evaluation and selection criteria?

Eligible applicants will be evaluated using the following criteria:

- ✔ Applicants will be ranked according to the points received in the H2020 SME Instrument report (ESR) that corresponds to the application awarded with the aforementioned SoE.
- ✔ Support actions will be awarded to the highest in rank until the planned budget is exhausted.



- In case two or more applicants have received the same amount of points in the H2020 SME Instrument ESR, preference will be given to SMEs that have not yet been awarded with support from IPA4SME.
- ✔ Among remaining candidates, preference will be given to the companies that have been incorporated more recently. Between companies with the same date of incorporation preference will be given to those with fewer employees.

### 31. Why might applications be deemed ineligible for IPA4SME support?

Applications will be ineligible (not considered in the selection process) for any of the following reasons:

- Applications which do not meet the eligibility criteria described in question 16
- Any application that was not submitted through the IPA4SME EMS platform

## GENERAL QUESTIONS RELATED TO SERVICE IMPLEMENTATION

### 32. Is there any time limitation for justifying EPO and IP attorney fees after a SME has been selected for support under IPA4SME?

Yes, there's a limit for support service activation. If the Support Service has not been activated by this date the support is rescinded unless an extension has been granted. It's important to consider the following:

- **Communication:** Date when notification of support service award sent by Coordination Centre
- **Service Activation Deadline:** Limit for support service activation. If the Support Service has not been activated by this date the support is rescinded unless an extension has been granted.
- **Service Activation Extension:** Beneficiaries will be given an additional 4 months to activate their Service 3 when they activate the corresponding Service 2 from the same

cut-off date (and viceversa). This only applies when beneficiaries have been granted both Service 2 and 3 support from the same cut-off date.



### 33. I'm already working with an IP attorney, are his/her costs reimbursable?

For IP attorney fees to be reimbursed, the person issuing the invoice must be a professional entitled to act before the EPO, who has been hired by the SME for the purposes of preparing the filing of a European Patent. A list of eligible IP attorneys can be found here: <https://www.epo.org/applying/online-services/representatives.html>

### 34. Are all types of patents eligible to be subject of IP4SME support?

Our support (Service 2) exclusively covers **European Patent** registration processes, which for the purpose of IPA4SME is defined as filing an application for a patent before the EPO **covering more than two EU Member States**. Therefore, no costs for IP protection in the US, China, etc. will be covered. Furthermore, no other costs than filing the patent application (the beginning of the process) will be covered. Thus, EPO fees corresponding to other later stages in the process like examination requests, replies, publications, maintenance, etc. will not be covered by IPA4SME.

### **35. What if a Service 3 beneficiary SME does not have a EPO patent application number yet?**

It can be the case where beneficiaries have received legal advice from an attorney for an eventual European Patent, but they do not have a EPO application number yet. In this case, to qualify for reimbursement, IP Patent Attorney invoices must include the following information:

- a) Name of Patent Attorney - The name must be the same as in the EPO database.
- b) Patent application process – The invoice must reference the title of invention or IP being protected.

The model statement to be included, in English, as a part of the Concept or Description field, will be:

“Legal advice to support the patent application process “TITLE OF INVENTION/IP”, provided by <NAME OF THE PATENT ATTORNEY> to <NAME OF THE BENEFICIARY> with PIC <PIC NUMBER> from <START DATE> to <END DATE>”.

These information will be enough for us.

### **36. Is there any specific order for Service implementation? In other words, if awarded with Service 1 and Service2 and/or Service 3, do SMEs have to wait until the IP pre-diagnostic is finished to start benefiting from partial reimbursements?**

NO, there is no mandatory order for the implementation of services. Furthermore, SMEs do not have to wait until the end of IP pre-diagnostics to start benefiting from co-financing services. However, beneficiaries are strongly recommended to plan a meeting with the assigned or chosen expert as soon as possible in order to obtain a clear overview of their current situation, opportunities and limitations to foster the benefits of IP and exploit its advantages. This information may be useful, but not essential, to complete Service 2 and / or 3 and therefore, to start activating these services at the beneficiary’s earliest convenience.

### **37. What is service activation?**

Services 2 and / or 3 can only be considered ACTIVE when beneficiaries have uploaded VALID documents into EMS. Valid documents consist of: invoice and the corresponding proof of



payment. Both documents must meet all the requirements included in the Guide for Beneficiaries

### **38. Where's the Guide for Beneficiaries to be found?**

Beneficiaries can access the Guide through the IPA4SME electronic sending system (EMS) by visiting the "My calls" section in the "My area" menu. Here, beneficiaries will be directed to a new page called "Supporting Documentation" by clicking on "View Call". In these area, all the most important documentation relating to IPA4SME support services are included, among which Guide for Beneficiaries and frequently asked questions - FAQ.

It is strongly recommended to carefully read the Guide for Beneficiaries.

### **39. Is VAT subject of reimbursement?**

No, VAT costs are not taken into account for the reimbursement calculations.

## **GENERAL QUESTIONS RELATED TO CONTACT DETAILS AND OTHER ENQUIRIES**

### **40. Who should SMEs contact if they need help with the application process or more information regarding IPA4SME?**

The IPA4SME Coordination Centre has put at the disposal of potential applicants the following email accounts for support:

**calls@ipa4sme.eu**

Communications with SMEs involved in the submission of applications, beneficiaries of support actions and technical support queries.

**helpdesk@ipa4sme.eu**

General inquiries and communications with the Coordination Centre. This account will be the primary point of contact for SMEs with Centre once the company is a beneficiary.



## PROJECT PARTNERS

Project Coordinator

