



IPA4SME

*Your path towards IP valorisation*

**Boosting the use of Intellectual Property with an action  
specifically designed for Innovative European SMEs –  
IPA4SME**

**Guide for Beneficiaries – 6th cut-off date**

Version October 2020

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## 1. Introduction

This guide is intended to provide beneficiaries with instructions on how to proceed in order to benefit the most from IPA4SME support services in an easy and efficient way. It provides step-by-step directions on how each support service should be activated and managed by the beneficiaries.

As a first general indication for Beneficiaries awarded with several Services, we'd like to emphasize that despite a reasonable approach for service implementation could be performing Service 1 first, then going for Service 3 and finally making use of Service 2, **IPA4SME has not set up a mandatory order**. Furthermore, it is not the intention of the Coordination Centre to force beneficiaries to follow any particular order. Rather, **SMEs can make use of all 3 services (or of the 2 services of any combination) in parallel or one after the other**. They are free to choose whatever order they prefer or their strategy may recommend. This is, beneficiaries do not necessarily have to wait until Service 1 (IP pre-diagnostic) is complete to start activities within Service 2 or Service 3 (or both).

For more information please refer to the IPA4SME website ([www.ipa4sme.eu](http://www.ipa4sme.eu)), the Rules for Implementation, or contact the Coordination Centre at [calls@ipa4sme.eu](mailto:calls@ipa4sme.eu).

## 2. General conditions

In this section the common conditions of IPA4SME support are presented. These include: managing the support service through the IPA4SME Electronic Submission System (EMS), periodically participating in impact and satisfaction surveys, and providing a valid Financial Identification form for those services which involve the reimbursement of fees paid by the beneficiaries.

### 2.1 The use of EMS

All support services will be managed through the IPA4SME Electronic Submission System (EMS). Beneficiaries can access their services by logging into EMS (<https://ipa4sme.ems-carsa.com/login>) and visiting the **"My projects" section under the "My area" menu**. Here beneficiaries will find information regarding the support services they have been awarded as well as be able to upload the required documentation for service activation and reimbursement.

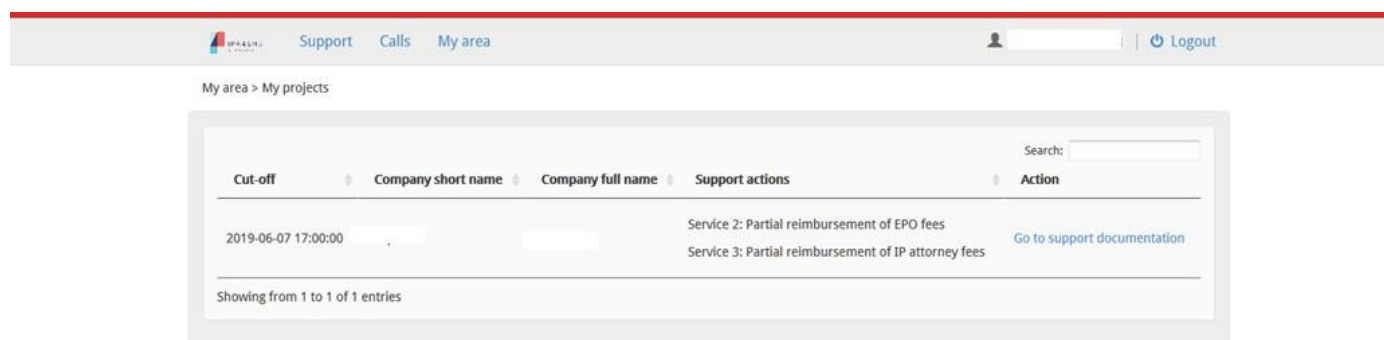
Once a beneficiary has been awarded with an IPA4SME support service, a private space will be enabled in EMS. Such space is accessible logging into the online Platform and clicking the menu area named "My projects". By clicking in "My projects" a table (commonly with just one line, although some beneficiaries may have several) having the beneficiary's name, the cut-off date and the support actions granted will be displayed. Beneficiaries will have to click on **"Go to support documentation"** under the "Action" column. Next screen will show there are two sections:

- 1) **Support documentation**: A place specifically designed for beneficiaries to upload only the required documents that support the subsequent reimbursement (justification).

Each Service awarded will have its part in this section so the beneficiary company can upload the corresponding documentation. Indications on how to operate, the type of formats allowed and other relevant guidance are also to be found there.

- 2) **Reimbursement:** A place only designed for beneficiaries to provide the necessary financial information to receive the grant and complete the process. Since there's no reimbursement foreseen for Service 1 IP pre-diagnostic, this financial data is requested for Service 2 and 3 beneficiaries. Such financial information is composed of two elements:
- The financial identification:** your bank details the Coordination Centre needs to make the transfer. Beneficiaries are requested to download, fill in, sign, scan and upload the template provided there. More information on chapter 2.3 below.
  - The Acknowledge of Receipt (AoR):** When the Coordination Centre has made the corresponding transfer, beneficiaries are requested to download, fill in, sign, scan and upload the template provided there. You are kindly asked to upload as many AoRs as payment requests your company has made (remember there are maximum 2 opportunities to do so).


A screenshot example of the "My projects" section in EMS can be found below:




Cut-off	Company short name	Company full name	Support actions	Action
2019-06-07 17:00:00			Service 2: Partial reimbursement of EPO fees Service 3: Partial reimbursement of IP attorney fees	<a href="#">Go to support documentation</a>

Showing from 1 to 1 of 1 entries

A screenshot example of the Support Documentation Section is the following:


[Support](#)
[Calls](#)
[My area](#)



[Logout](#)


[My area](#) > [My projects](#) > [Support documentation](#)

[Support documentation](#)
[Reimbursement](#)

In this section you can upload the documents needed to finalise the support service process. For each service type you have applied for you will be able to upload the corresponding document type. Once you have uploaded the necessary project documents you will be able to access the financial section for those support services when include partial reimbursements (2 and 3).


Please upload a single PDF or ZIP no larger than 10 MB for each service you have been awarded.

**Service 1: IP Pre-diagnostic**

 **IP Pre-diagnostic confirmation of service and satisfaction survey**

Please download, complete and sign the document once you have received the results from your IP Pre-diagnostic service. The file is an editable PDF form. Please fill it out and respond to the questions. Then print the form, sign it and upload the signed copy here. More information on the Service 1 workflow can be found in the [Guide for Beneficiaries](#).


**Service 2: Partial reimbursement of EPO fees**

 **Invoice and payment receipt from EPO (First payment request)**

The file you submit should include at least 1 invoice from EPO for eligible expenses (Codes 001, 002, 005, 006, 007, 033 – [EPO Schedule of Fees](#)) along with the corresponding payment receipt. Prior to making your request for reimbursement, please make sure your documents meet all of the requirements listed in Section 4 of the [Guide for Beneficiaries](#) - Service 2: Partial reimbursement of European Patent Office (EPO) fees.

Please remember that Service 2 support is limited to 2 partial reimbursement requests. We recommend that you submit as many valid EPO invoices and payment receipts as you have available. The documents can be uploaded as a single PDF file or as multiple PDF files included in a ZIP file.

**Service 3: Partial reimbursement of IP attorney fees**

 **Invoice and payment receipt from qualified IP attorney (First payment request)**

The file you submit should include at least 1 invoice from a qualified IP attorney with reference to the patent application for which the services were rendered along with a proof of payment. To be considered a qualified IP attorney the legal representative must appear on this list: <https://www.epo.org/applying/online-services/representatives.html>. If the patent application has been discontinued as a result of the advice provided the invoice must be accompanied by a statement indicating as such. Prior to making your request for reimbursement, please make sure your documents meet all of the requirements listed in Section 5 of the [Guide for Beneficiaries](#) - Service 3: Partial reimbursement of IP attorney fees.

Please remember that Service 3 support is limited to 2 partial reimbursement requests. We recommend that you submit as many valid IP attorney invoices and payment receipts as you have available. The documents can be uploaded as a single PDF file or as multiple PDF files included in a ZIP file.

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[Legal Notice](#)

The same for the Reimbursement Section:

Support documentation

Reimbursement

**Service 2: Partial reimbursement of EPO fees**


Name of account holder:


Name of bank:

Account reference (IBAN/sort code and number):


BIC/SWIFT:

Financial Identification (Bank details): [Financial Identification + Bank Certificate.pdf](#)

 Invoice and payment receipt from EPO (First payment request)


 Uploaded document: [Reimburs Request 1.zip](#)

Signed AoR of IPA4SME reimbursement (PDF / 10MB max.)

 [Download template](#)

Seleccionar archivo

Ningún archivo seleccionado

 Upload

**Service 3: Partial reimbursement of IP attorney fees**


Name of account holder:


Name of bank:

Account reference (IBAN/sort code and number):


BIC/SWIFT:

Financial Identification (Bank details): [Financial Identification + Bank Certificate.pdf](#)

 Invoice and payment receipt from qualified IP attorney (First payment request)


 Uploaded document: [Reimburs Request 1.zip](#)

Signed AoR of IPA4SME reimbursement (PDF / 10MB max.)

 [Download template](#)

Seleccionar archivo

Ningún archivo seleccionado

 Upload

## 2.2 Impact and Satisfaction Surveys

IPA4SME support service beneficiaries will be asked to participate in a series of surveys as part of their award. These surveys are designed to effectively monitor the impact of the IPA4SME project, as well as to continuously improve the service provided by the Coordination Centre. These surveys are an essential part of the IPA4SME project.

The first survey, the “IPA4SME Self-assessment” will be **required for all beneficiaries** meaning that their support services cannot be activated until they have completed the survey. Beneficiaries who are awarded multiple support services **will only be asked to respond to each survey once**.

The surveys which IPA4SME beneficiaries will be asked to respond to before and after the completion of their support services are presented in the following table:



Support Service	Surveys and Timeframe			
	Prior to Service Activation	2-3 months after Service Completion	12 Months After Service Activation	+36 Months After Service Activation <sup>1</sup>
Service 1	<b>IPA4SME Self-assessment</b>	Service 1 Satisfaction Survey	IPA4SME Impact Survey	Long-term IPA4SME Impact Survey
Service 2				
Service 3				

**TABLE 1: IPA4SME IMPACT AND SATISFACTION SURVEYS**

- **IPA4SME Self-assessment:** This exercise will help us to gain a general understanding of the knowledge level of beneficiaries regarding IP management and protection strategies. The results will remain completely anonymous with the exception of Service 1 beneficiaries whose surveys will be shared with their designated IP pre-diagnostic expert (contained in the award letter)
- **Service 1 Satisfaction Survey:** This form, available and to be filled only online in the following link: <https://www.ipa4sme.eu/form/ipdss-cutoff6> has to be completed exclusively by Service 1 beneficiaries, will cover the same topics as the IPA4SME Self-assessment and will be used to gauge the progress made by Service 1 beneficiaries following their IP pre-diagnostic.
- **IPA4SME Impact Survey:** This survey will be delivered to IPA4SME beneficiaries 12 months after the activation of their support service. It is designed to measure the impact that the support provided through IPA4SME had on the beneficiaries' IP management and protection strategies.
- **Long-term IPA4SME Impact Survey:** Beneficiaries will be contacted by EUIPO after the IPA4SME project has ended to respond to a long-term impact assessment. This questionnaire will gauge the impact of the IPA4SME support on beneficiaries 3 or more years after the activation of their support service.

## 2.3 Financial ID form

For support services 2 and 3 beneficiaries will be required to upload a signed Financial Identification form. The form is available here:

<sup>1</sup> Beneficiaries may be contacted by the EUIPO for this survey after the IPA4SME project has finished.



[https://ec.europa.eu/info/publications/financial-identification\\_en](https://ec.europa.eu/info/publications/financial-identification_en)

Instructions for completing the Financial Identification form are available here:

[https://ec.europa.eu/info/sites/info/files/about\\_the\\_european\\_commission/eu\\_budget/instruction-fiche-2019\\_en.pdf](https://ec.europa.eu/info/sites/info/files/about_the_european_commission/eu_budget/instruction-fiche-2019_en.pdf)

Beneficiaries will only be required to upload their Financial Identification form once unless there are changes to their information. In this case, beneficiaries should contact the Coordination Centre directly at [calls@ipa4sme.eu](mailto:calls@ipa4sme.eu).



## 3. Service 1: IP pre-diagnostic services

### 3.1 Service 1 workflow

The steps involved in activating and receiving the IP pre-diagnostic support service are the following:

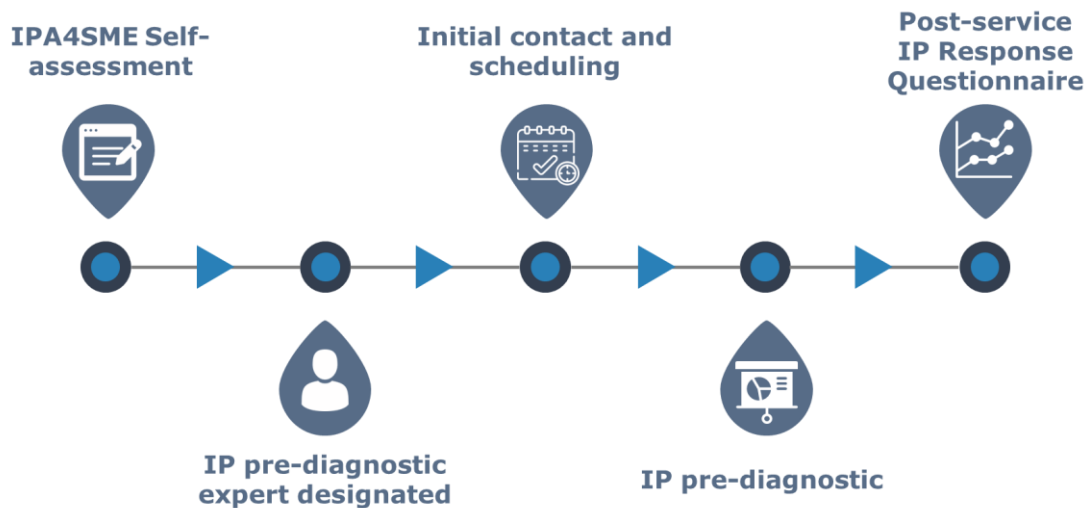


FIGURE 1: SERVICE 1 WORKFLOW

1. **IPA4SME Self-Assessment:** The beneficiary should complete the exercise following the communication of the support award. The IP pre-diagnostic cannot begin until the beneficiary's survey results have been provided to the designated expert.
2. **Designation of IP pre-diagnostic expert:** Once the IP response questionnaire has been completed by the beneficiary the Coordination Centre will facilitate the initial contact between the beneficiary and the designated expert. This process will differ slightly depending on the beneficiaries country of registration:
  - *Expert assigned by national IP Office:* Beneficiaries in **Austria, Denmark, France, Germany, the Netherlands and Spain** will be assigned an expert by their national IP office.
  - *Select expert from list:* The Coordination Centre will provide beneficiaries in **Greece, Italy, Ireland, Latvia and Sweden** with a list of qualified experts in their country to select from.
3. **Initial contact and scheduling:** Once the beneficiary has been assigned or chosen an expert the two parties will begin communication and agree on a schedule for the implementation of the service. Upon reaching an agreement regarding the starting date of the service, the Coordination Centre will share the beneficiary's IP pre-diagnostic survey responses with the expert.
4. **IP pre-diagnostic:** The IP pre-diagnostic service will consist of the following main steps:
  - *Initial analysis:* The expert will analyse the competitive environment of the beneficiary and their survey responses to gain an initial understanding of the beneficiary's IP situation.

- *Visit and interview<sup>2</sup>*: The expert will visit the beneficiary and conduct an in-depth interview which should last between 2 and 4 hours. This could also be done virtually if both parties agree on it.
  - *Final results*: The expert will deliver the results of the complete analysis in a report and explain the suggestions to the beneficiary either in person or via video/teleconference.
5. **Confirmation of Service**: Upon completion of the service the beneficiary will be asked to respond to a Satisfaction Survey, which will include questions regarding their overall satisfaction with the IP pre-diagnostic service.

### 3.2 Understanding the IP pre-diagnostic service – how to be prepared best

The IP Pre-diagnostic is a service offered to SME with the aim of identifying both the advantages and potential opportunities of using intellectual property for the further development of the SME's business. Thanks to this service, SMEs have the opportunity to identify their main limitations and development areas to strengthen their competencies and capabilities in the field of IP and foster their business competitiveness.

The nature of the IP pre-diagnosis service does not require in-depth discussion of the technical details on a specific innovation project. On the contrary, it is a broad analysis of the IP environment of SMEs, with the aim of:

- Introduce the company to the strategic aspect of intellectual property;
- Give recommendations on which IP-aspects are most important for this specific SME at this moment;

Therefore, the IP Pre-diagnostic service is about every aspect of your IP, such as:

Value creation	Protection	Third party rights
• Alignment of IP to business strategy	• Patents	• Database searching
• Exclusivity	• Trademarks	• Monitoring competitors
• Licensing out	• Designs	• Freedom to Operate
• Investor Readiness	• Copyright	• Inspiration
• Exit	• Contracts	• Information
• ...	• Confidentiality	• Licensing in
	• Know how	• ...
	• Ownership	
	• ...	

While, the IP Pre-diagnostic service is NOT:

- A freedom-to-operate analysis;

<sup>2</sup> Due to the current especial situation caused by the **COVID-19 pandemic outbreak**, experts will carry out the interview via any of the digital platforms available for teleconference and virtual meetings.

- The filing of IP;
- Assistance with conducting IP litigation;
- Writing of a contract.

During the interview, the below mentioned 4 key aspects of your company could be considered in order to carry out a strengths / weaknesses analysis. This analysis will serve as a basis for recommendations and for the identification of issues worth changing in the corporate's IP setup:

1. Identification of business model and strategy of the company
  - a. Business model employed and business strategy
  - b. Markets and customers addressed
  - c. Available resources and market access
  - d. Marketing and branding strategies
  - e. Relevance of technologies and R&D
2. Identification and analysis of existing IP and IP-relevant intellectual assets
  - a. Domain names
  - b. Trade secrets
  - c. IP in contracts
  - d. Defensive publications, and other soft forms of IP protection
  - e. Trademarks
  - f. Patents
  - g. Designs
  - h. Copyrights
3. Usage of IP searches
  - a. Usefulness and how to conduct a patent search
  - b. Trade mark search
  - c. Design search
4. IP Management – this section could deal with issues and recommendations on how to perform IP management
  - a. Organisational and governance issues
  - b. Strategy formulation and integration into the business strategy/plan
  - c. IP in communication and marketing (company-internal/external)
  - d. Integration of IP searches into the IP management processes
  - e. Potential sharing of IP
  - f. IP Risks
  - g. Cost/benefit and financing

Please, make sure you have all this information (or related documents) in hand prior to the interview with the expert.

Additionally, in order to assist our expert in carrying out an in-depth analysis, together with the completion of the IPA4SME Self-Assessment, the following additional information may be requested in advanced:

- SME Instrument application;
- Documents relevant for their IP-strategy;
- Names of competitors;
- Countries important for SME;
- IP-related questions they have at the moment;

Finally, regarding the interview's organisation, it is strongly recommended that at least the following persons will attend:

- CEO
- CTO
- IPR responsible (if any)

To conclude: bear in mind that the contents of the IP Pre-diagnostic report, the IP Pre-diagnostic interview and of the IPA4SME self-assessment questionnaire are and will remain confidential.

### 3.3 Timeframe

The IP pre-diagnostic service should be completed within **4 months** of date of communication of the support service award (*date of communication is 8<sup>th</sup> October 2020 for companies selected in IPA4SME's 6<sup>th</sup> cut-off date*).

## 4. Service 2: Partial reimbursement of European Patent Office (EPO) fees

### 4.1 Service 2 overall workflow and timeframe

The following picture shows the workflow established for Service 2 beneficiaries:

#### SERVICE 2 timeline

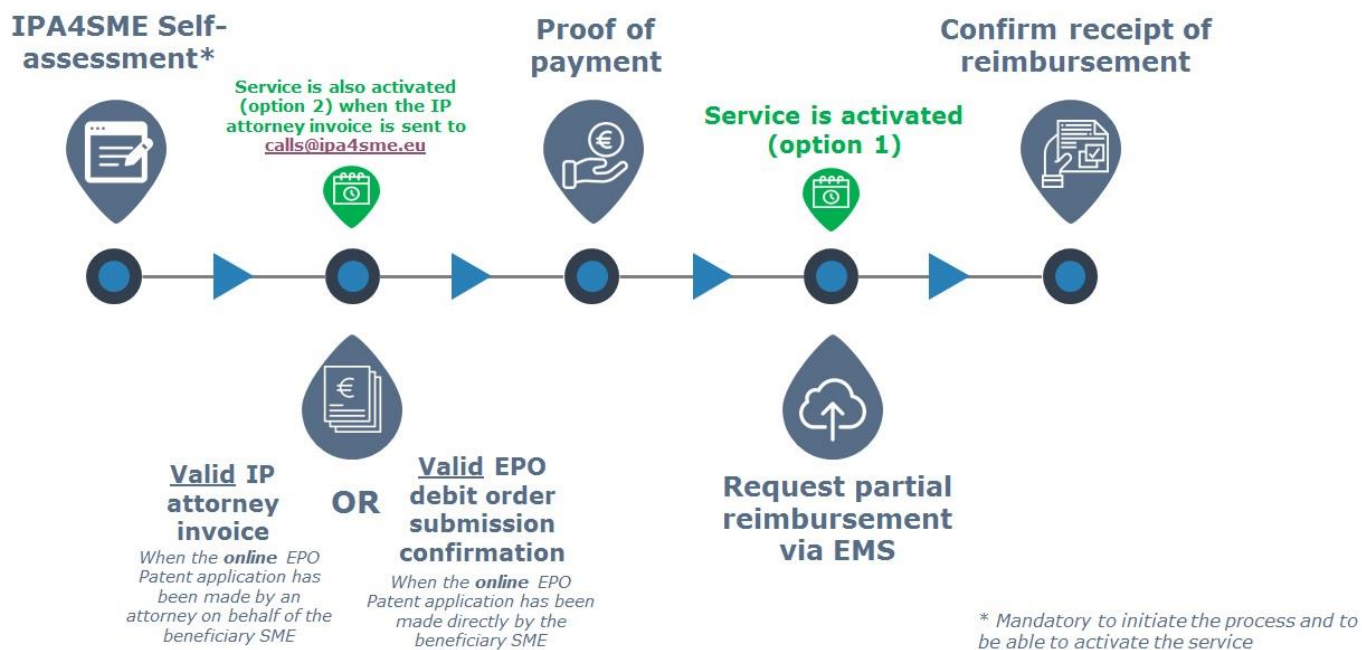


FIGURE 2: SERVICE 2 OVERALL WORKFLOW

Those are the activities and documentation required in order to successfully complete the process. During its implementation, the Coordination Centre will be responsible for two basic elements:

- Monitor the whole process, the documents provided and that the corresponding deadlines are respected
- Proceed with the payments to beneficiaries (reimbursement)

Having completed the **Self-Assessment** is a mandatory requirement to start the process in our IPA4SME Program. However, it does not mean the services have been activated. **Service Activation** is a different action that comes after and which proceeding details are described in this Guide for Beneficiaries. Finally, subsequent **Reimbursements** can only be done by IPA4SME's Coordination Centre when a valid service activation is completed. A stepwise approach:

[1. Self-Assessment] → [2. Service Activation] → [3. Reimbursements]

Therefore, all three steps are consecutively exclusive, meaning that one cannot take place without having completed the previous.

The graphic below depicts the specific timeframe established for IPA4SME's third cut-off date beneficiaries:



FIGURE 3: SERVICE 2 TIMEFRAME

**Communication:** Date when notification of 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 2 when they activate the corresponding Service 3 support from the same cut-off date. This only applies when beneficiaries have been granted both Service 2 and 3 support from the same cut-off date.

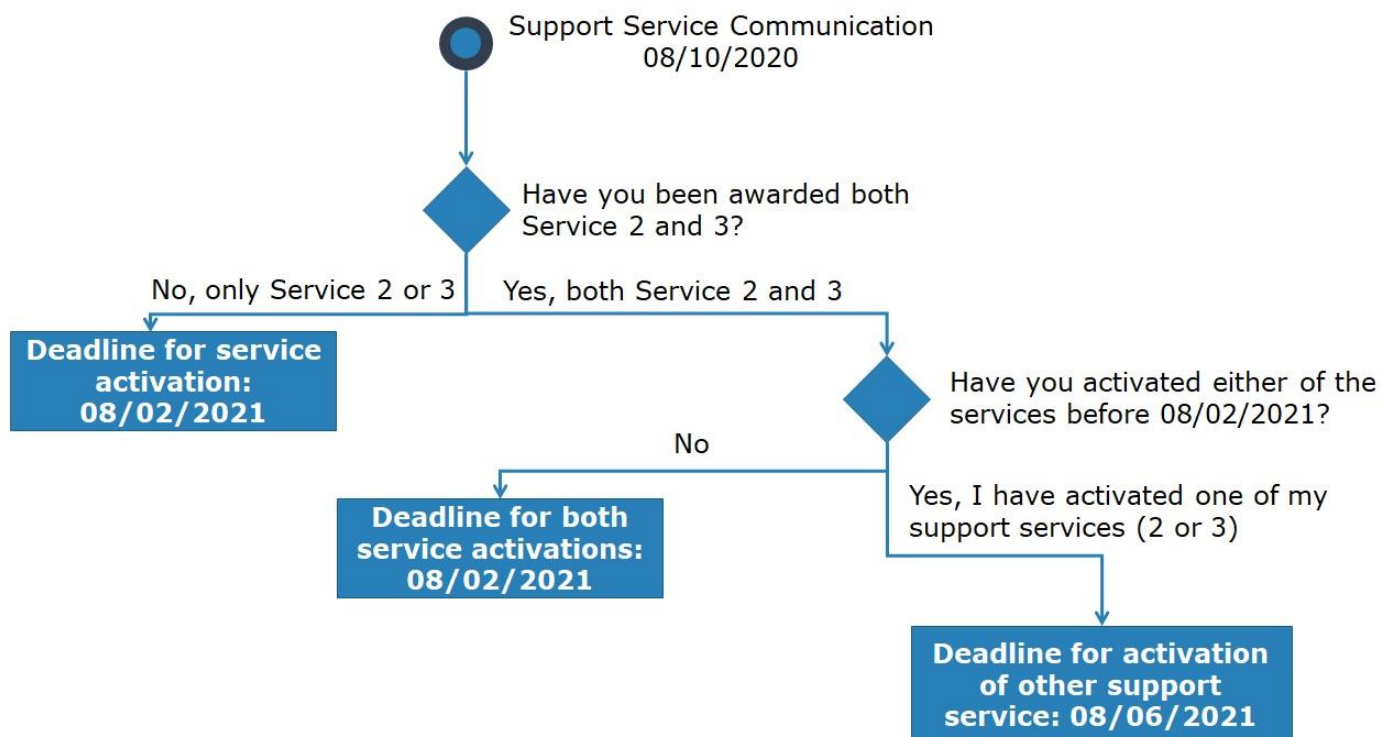
Service 2 beneficiaries must activate their support service **within 4 months of date of communication of the award**. To activate the support, beneficiaries have 2 options:

- *Initial payment request:* The service can be activated with the first request for reimbursement by uploading in EMS either, at least 1 valid IP attorney invoice and its corresponding proof of payment (when the attorney does the online patent registration process), or a valid EPO patent debit order submission confirmation (when the company makes the online registration process).
- *Proof of application:* Beneficiaries can also activate the service by sending a valid IP attorney invoice to [calls@ipa4sme.eu](mailto:calls@ipa4sme.eu).

Once activated, **beneficiaries will have until the end of the IPA4SME project to make their second request for reimbursement**. If a beneficiary does not activate their Service 2 award within 4 months, the support will be cancelled. Beneficiaries who have had a support service cancelled may reapply to the IPA4SME open call without penalisation. In the event that a beneficiary has been awarded both Service 2 and 3 from the same cut-off date, **the activation of either of the support services will automatically extend the time for the activation of the other service by an additional 4 months**.

Beneficiaries are requested to inform the Coordination Centre ([calls@ipa4sme.eu](mailto:calls@ipa4sme.eu)) in case they decide to stop pursuing the EPO patent application process without affecting the fees already reimbursed.

The timeframe is conditioned by other IPA4SME services you may have been awarded with:



## 4.2 Step-by-step process

The steps involved in activating and receiving the reimbursement for Service 2 are the following:

1. **IPA4SME Self-Assessment** - The beneficiary should complete the form as soon as possible following the communication of the support award. The support service cannot be activated otherwise.
2. **EPO Patent registration** - There can be two situations:
  - a) The EPO Patent registration is made by an IP attorney on behalf of the beneficiary company:

Valid IP attorney invoice: Beneficiaries can only be reimbursed once they have one or more valid invoices from an **IP Patent Attorney**. To be considered valid Service 2 reimbursement the invoice must be **dated after the date of communication of IPA4SME support** (8<sup>th</sup> October 2020). To qualify for reimbursement, IP Patent Attorney invoices must include the following information:

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



- iii. **EPO debit order number** and the requested **EPO service (Code)**, which can be one or several of the following services<sup>3</sup>:

Code	Description
001	Filing fee - EP direct - not online
001	Filing fee - EP direct – online
002	Fee for a European search - Applications filed on/after 01.07.2005
005	Designation fee - For all contracting States designated for applications filed on/after 01.04.2009
006	Examination fee - For applications filed on/after 01.07.2005
007	Fee for grant and printing (not more than 35 pages) or fee for grant including fee for publication
033	Renewal fee for the 3 <sup>rd</sup> year

**TABLE 2: ELIGIBLE EPO FEES**

To facilitate the reimbursement process this information should be included, in English, as part of the Concept or Description field of the invoice. **Please use the following model statement:**

"EPO Registration Fees "TITLE OF INVENTION/IP", EPO Debit Order Number <EPO APPLICATION NUMBER> for the EPO Service <CODE OF SERVICE> provided by <NAME OF PATENT ATTORNEY> to <NAME OF BENEFICIARY > with PIC <PIC NUMBER> from <START DATE> to <END DATE>."

- b) EPO Patent registration has been made directly by the beneficiary company:

Valid EPO Debit Order submission confirmation: Beneficiaries can only be reimbursed once they have the pdf document of the debit order submission confirmation from the EPO Online filing software logged by the beneficiary, issued after the date of communication of IPA4SME support.

**IMPORTANT NOTICE:** Be aware to SAVE or PRINT the confirmation immediately after submitting the online debit order in the EPO Online Filing system as you will not be able to do this later.

To qualify for reimbursement, Valid EPO debit order submission confirmations must include the following information:

- i. **Patent application process** – The debit order must reference the title of invention or IP being protected.
- ii. **EPO debit order number** and the requested **EPO service (Code)** from the IPA4SME eligible EPO fees listed in table 2 above.

3. **Proof of payment:** Beneficiaries must provide proof that the IP Patent Attorney invoice has been paid before partial reimbursement can occur. Only bank transfer receipts which

<sup>3</sup> More information on specific EPO fees is available on the EPO website:  
<https://my.epoline.org/portal/classic/epoline.Scheduleoffees>

clearly indicate the name of the beneficiary, the IP patent attorney and the invoice number will be accepted. The date of payment must be after the date of communication of IPA4SME support.

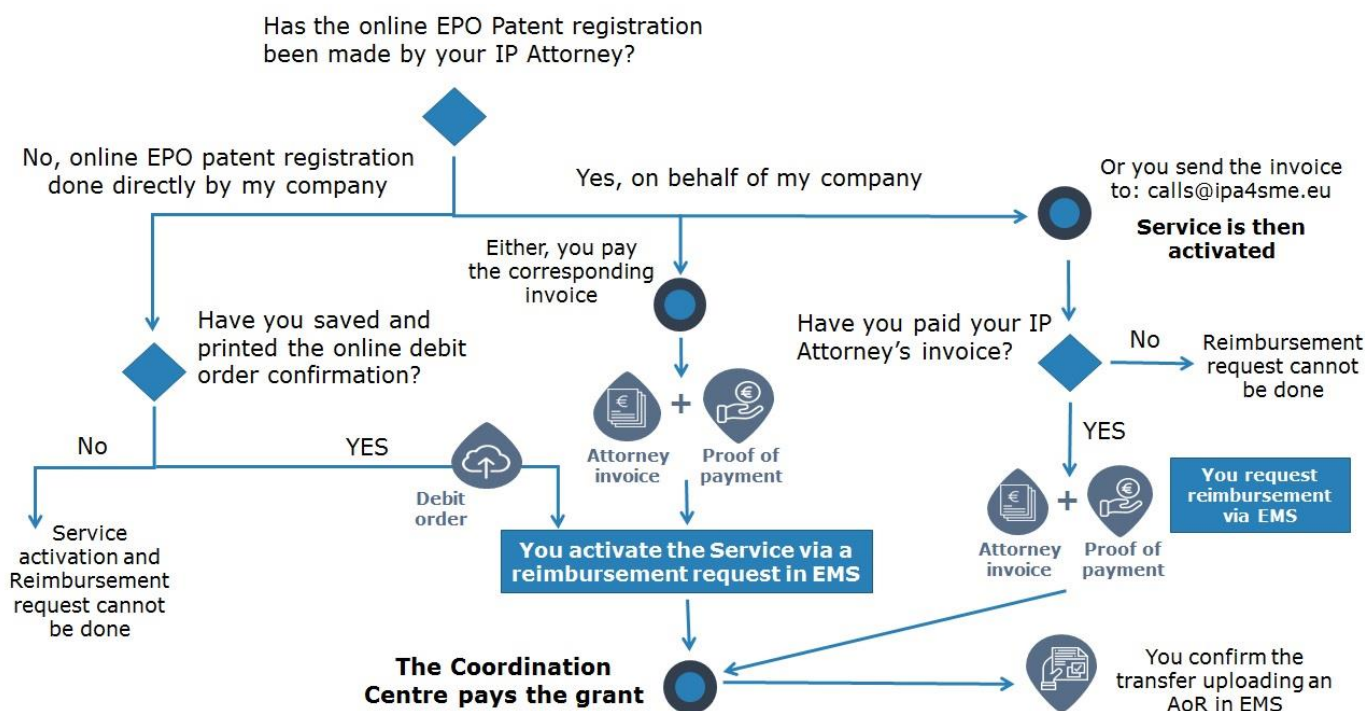
**4. Request partial reimbursement:** To request partial reimbursement, beneficiaries simply need to:

- Case of EPO Patent registration made by an IP attorney on behalf of the beneficiary: Upload one or more valid invoices and corresponding proofs of payment to EMS ("support documentation section"). Documents may be uploaded in a single PDF or ZIP file.
- Case of EPO Patent registration made directly by the beneficiary: Upload one or more valid debit order submission confirmations to EMS ("support documentation section"). Documents may also be uploaded in a single PDF or ZIP file.

**Service 2 reimbursements are limited to 2 requests.** For this reason, beneficiaries may submit as many invoices and proofs of payment or debit order confirmations as they have available for each request. Once beneficiaries have made a second request for reimbursement they will not be able to make additional requests even if they have not reached the maximum reimbursement amount.

**5. Confirmation of reimbursement:** Once the reimbursement has been received from IPA4SME Coordination Centre, the beneficiary will need to upload a signed confirmation, using the model provided in the "Support Documentation" section of EMS. The model will be made available automatically each time the beneficiary makes a reimbursement request.

As already mentioned, depending on the way EPO patent registrations are made a slightly different process has to be followed. The picture below shows the details:

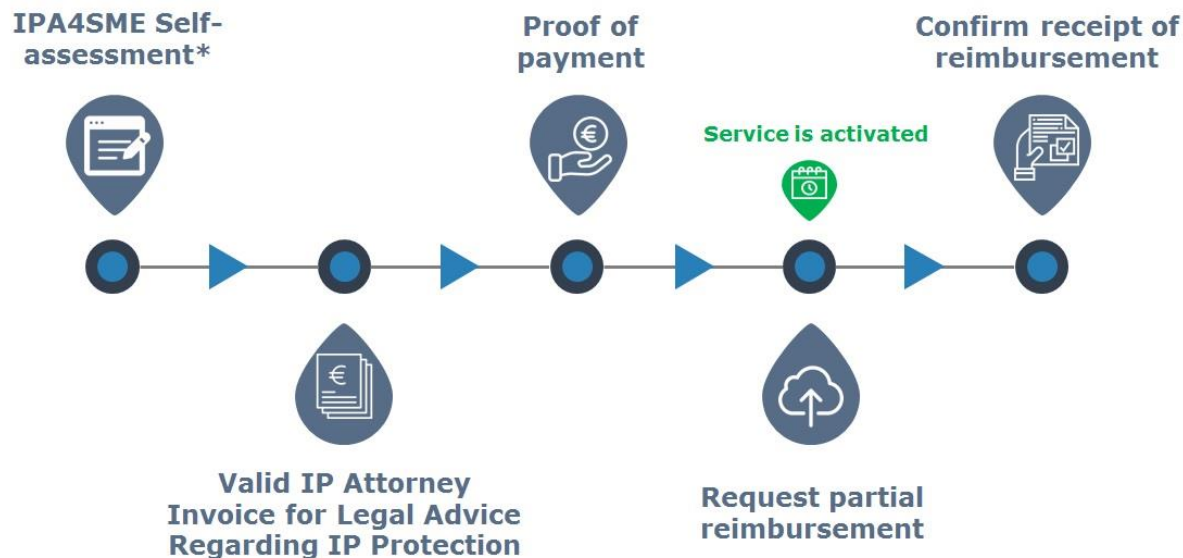


**FIGURE 4: SERVICE 2 DETAILED PROCESS**

## 5. Service 3: Partial reimbursement of IP attorney fees

### 5.1 Service 3 workflow

The following picture shows the workflow established for Service 3 beneficiaries:



\* Mandatory to initiate the process and to be able to activate the service

FIGURE 5: SERVICE 3 OVERALL WORKFLOW

Those are the activities and documentation required in order to successfully complete the process. During its implementation, the Coordination Centre will be responsible for two basic elements:

- c) Monitor the whole process, the documents provided and that the corresponding deadlines are respected
- d) Proceed with the payments to beneficiaries (reimbursement)

Having completed the **Self-Assessment** is a mandatory requirement to start the process in our IPA4SME Program. However, it does not mean the services have been activated. **Service Activation** is a different action that comes after and which proceeding details are described in this Guide for Beneficiaries. Finally, subsequent **Reimbursements** can only be done by IPA4SME's Coordination Centre when a valid service activation is completed. A stepwise approach:

[1. Self-Assessment] → [2. Service Activation] → [3. Reimbursements]

Therefore, **all three steps are consecutively exclusive**, meaning that one cannot take place without having completed the previous.

The graphic below depicts the specific timeframe established for IPA4SME's second cut-off date beneficiaries:



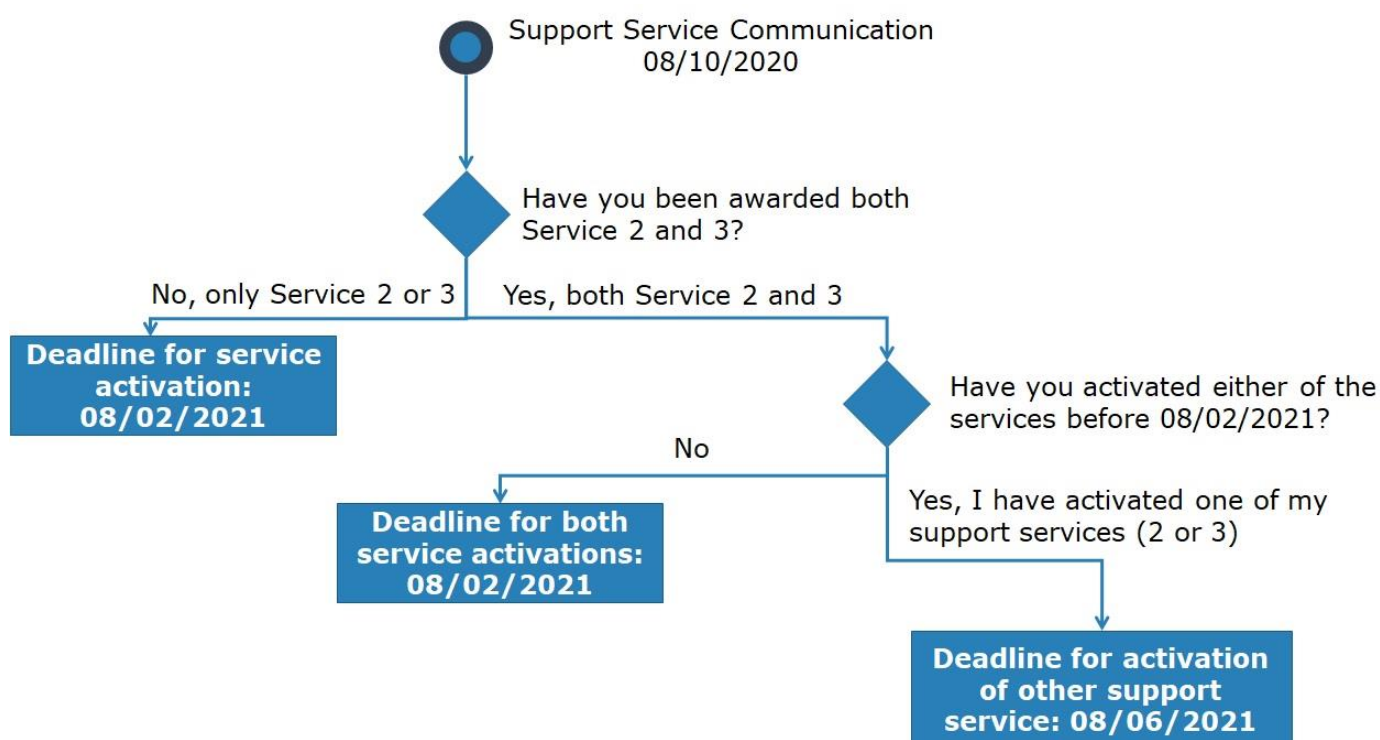
FIGURE 6: SERVICE 3 TIMEFRAME

**Communication:** Date when notification of 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 support from the same cut-off date. This only applies when beneficiaries have been granted both Service 2 and 3 support from the same cut-off date.

Service 3 beneficiaries must activate their support service **within 4 months of date of communication of the award**. To activate the support, beneficiaries have to make a first request for reimbursement by uploading in EMS at least 1 valid invoice from an **IP Patent Attorney entitled to act before the EPO** and its corresponding proof of payment.



Once activated, **beneficiaries will have until the end of the IPA4SME project to make their second request for reimbursement.** If a beneficiary does not activate their Service 3 award within 4 months, the support will be cancelled. Beneficiaries who have had a support service cancelled may reapply to the IPA4SME open call without penalisation. As indicated in the previous page, in the event that a beneficiary has been awarded both Service 3 and also Service 2 in the same cut-off date, **the activation of either of the support services will automatically extend the time for the activation of the other service by an additional 4 months.**

## 5.2 Step-by-step process

The steps involved in activating and receiving the reimbursement for Service 3 are the following:

1. **IPA4SME Self-Assessment:** The beneficiary should complete the exercise as soon as possible following the communication of the support award. The support service cannot be activated if the beneficiary has not completed the survey.
2. **Valid IP attorney invoice:** Beneficiaries can only be reimbursed once they have one or more valid invoices from an **IP Patent Attorney entitled to act before the EPO.** To be considered valid Service 3 reimbursement the invoice must be issued by an IP Patent Attorney who appears on the **EPO list of professional representatives**<sup>4</sup> and be issued after the date of communication of IPA4SME support. 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.
  - c. **EPO patent application number** OR a **statement regarding decision to discontinue patent application process.** A model statement is provided in Annex I of this document.

As we can see, it's been established that each granted Service 3 will be for a unique European patent application process. In other words, when IPA4SME selects an application submitted to its Call, this is just for one single European Patent. If a company has several patent application processes in the pipeline, they may then submit several IPA4SME applications (in the same cut-off date or in future ones). The key univocal correspondence to bear in mind is the following:

***[One patent application process in the EPO] → [One IPA4SME application containing Service 3 (or Service 2) or both Services at the same time]***

Therefore, **valid IP Attorney's invoices will only those which reflect work done in relation with the same Patent application process.**

<sup>4</sup> <https://www.epo.org/applying/online-services/representatives.html>



To facilitate the reimbursement process this information should be included, in English, as part of the Concept or Description field of the invoice. **Please use the following model statement:**

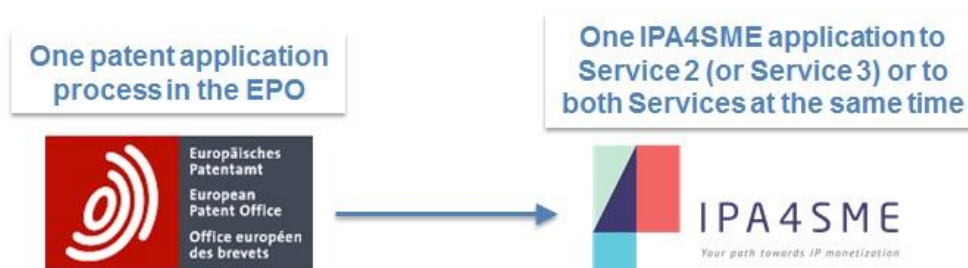
"Legal advice to support the patent application process "TITLE OF INVENTION/IP", EPO Patent Application Number <EPO APPLICATION NUMBER> provided by <NAME OF PATENT ATTORNEY> to <NAME OF BENEFICIARY > with PIC <PIC NUMBER> from <START DATE> to <END DATE>."

It can be the case where a beneficiary has received legal advice from an attorney for an eventual European Patent, but it doesn't have an EPO application number yet. In that case, including in the invoice points **a) Name of the Patent Attorney** and **b) Title of the invention or IP being protected** will be sufficient. The about paragraph would then 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>".

3. **Proof of payment:** Beneficiaries must provide proof that the IP Patent Attorney invoice has been paid before partial reimbursement can occur. Only bank transfer receipts which clearly indicate the name of the beneficiary, the IP patent attorney and the invoice number will be accepted.
4. **Request partial reimbursement:** To request partial reimbursement beneficiaries simply need to upload one or more valid IP Patent Attorney invoices and proofs of payment to EMS. Documents may be uploaded in a single PDF or ZIP file. Service 3 reimbursements are limited to 2 requests. Therefore, beneficiaries should be aware that once they have made a second request for reimbursement they will not be able to make additional requests even if they have not reached the maximum reimbursement amount.
5. **Confirmation of reimbursement:** Once the reimbursement has been received the beneficiary will need to upload a signed confirmation, using the model provided in the "Support Documentation" section of EMS. The model will be made available automatically each time the beneficiary makes a reimbursement request.

## 6. Final important Rules for payment requests

The key basic IPA4SME's univocal correspondence is:



Therefore, documents provided by the beneficiaries to **claim partial reimbursement** must only refer to and **contain information about one single patent**. No documentation containing information about several patents will be allowed, this will disqualify the whole payment request. Furthermore, documentation for payment requests must follow the indications described in the Guide for Beneficiaries. Otherwise it will be disqualified and marked as invalid in the EMS Platform.

**The Coordination Centre will inform neither about validation nor about reasons for invalidation** of the documents provided for payment requests. Beneficiaries are asked to follow-up on this periodically in the EMS Platform and on its bank account based on a clear approach:

- If the documentation is valid: reimbursement will occur at Coordination Centre's earliest convenience
- If the documentation is invalid: beneficiaries will have to strictly follow the indications given in the Guide for Beneficiaries when providing information for that payment request next time.

## 7. Support Service Cancellation Procedure

In the event that a beneficiary does not wish to make use of one or more of the support services awarded to them, they may communicate their decision to the Coordination Centre **at any time prior to the service activation limit date**. To do so, beneficiaries should use the model Support Service Cancellation letter provided in Annex II of this Guide for Beneficiaries. The letter should be **completed, signed, scanned and then sent to [calls@ipa4sme.eu](mailto:calls@ipa4sme.eu)**.

Once the Coordination Centre has received notification of cancellation of the service or services mentioned in the Support Service Cancellation letter **will be deactivated** in the beneficiary's EMS account.

Cancellation of one or more support services **will not affect** any other current or future services the beneficiary may have or receive.

## Annex I: Model Statement of Discontinuation of Patent Application Process

To whom it may concern,

As a result of the advice received by <NAME OF PATENT ATTORNEY<sup>5</sup>>, <NAME OF COMPANY<sup>6</sup>> with <PIC NUMBER> has decided not to continue with the European Patent application for <NAME OF INTELLECTUAL PROPERTY<sup>7</sup>> property at this time.

The reason for this decision is the following (*Please select all that apply*):

- ☐ The decision was made to discontinue the European Patent application process based on feedback received from the EPO.
- ☐ The patent attorney consulted does not believe that the invention meets the requirements to be granted a European Patent.
- ☐ The patent attorney believes that a European Patent is not the most adequate means of protecting the intellectual property in question. The patent attorney's recommendation is to pursue <NAME OF PROTECTION> protection.

Sincerely,

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of legal representative: \_\_\_\_\_

<sup>5</sup> This must be the same name as that which appears on the invoice from the patent attorney

<sup>6</sup> These must be the same as the name and PIC number used for the IPA4SME application

<sup>7</sup> This must be the same as the intellectual property / invention listed on the invoice from the patent attorney





## Annex II: Support Service Cancellation Letter Model

Dear Coordination Centre,

<NAME OF COMPANY<sup>8</sup>> with <PIC NUMBER> has decided not to use the following IPA4SME Support Services awarded to the company on <Date of communication of award> (*Please select all that apply*):

- ☐ Service 1: IP Pre-diagnostic
- ☐ Service 2: Partial reimbursement of EPO fees
- ☐ Service 3: Partial reimbursement of IP attorney fees

Sincerely,

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of legal representative: \_\_\_\_\_

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<sup>8</sup> These must be the same as the name and PIC number used for the IPA4SME application

