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

Guide for Applicants
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1. Introduction

Given the importance to support highly innovative SMEs with the potential for exploiting their intellectual property rights, especially those who have been awarded with the Seal of Excellence (SoE) provided by the framework programme Horizon 2020, the action “Boosting the use of Intellectual Property with an action specifically designed for Innovative SMEs”, hereinafter referred to as “IPA4SME”, as part of the initiatives to facilitate funding and to promote growth and to strengthen the competitiveness and sustainability of enterprises in the European Union, aims to extend SMEs international opportunities and innovation prospects in the Single Market and beyond.

Intellectual Property as a corporate strategy is a crucial factor in order to provide the opportunity to SMEs to run global businesses and extend their scope from local to international; IP provides SMEs the required tools to increase their revenues, their competitiveness and to enhance their protection mechanisms towards global competitors regarding ideas, products and services, and for opening new business and market opportunities.

Bearing this in mind, via the IPA4SME initiative SMEs will have the opportunity to integrate and develop IP strategies fitting to their contexts and needs based on their competencies and capabilities. 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, the University of Alicante and Gopacom.

This Guide for Applicants presents a brief overview of the context and approach of IPA4SME and details the information needed to guide candidate companies in preparing an application to our Call for Expressions of Interest. It provides instructions on structuring and submitting applications as well as information on the objective, the type of support actions to which SMEs can access, level of co-financing and the eligibility and evaluation criteria to be taken into consideration when applying to the call.

Everything contained in this document, the Guide for Applicants itself, is governed by an overarching document entitled Rules for Implementation which has to be also taken as a reference for the application process and further on once selected for support (See documents provided in the EMS Platform). These reference rules govern the implementation of the abovementioned COSME project 2019-2021 and are available for applicants in the Website as well.
1.1 Policy Background

Small and medium-sized enterprises (SMEs) have been considered as Europe’s socio-economic backbone for current and future growth and development, as well as they have been catalogued as the path and mechanism to strengthen Europe’s competitiveness towards international competitors (European Commission, 2018).1 Furthermore, given SMEs capability to support the growth and job creation across the region, they have been considered as crucial stakeholders in reaching the objectives of Europe’s 2020 Strategy.2 Nonetheless, SMEs competitiveness is being affected by a limited exploitation of international opportunities and innovation prospects in the Single Market and beyond, specifically in the field of Intellectual Property (IP).

The European Commission has stated that in an increasingly knowledge-based economy, the protection of intellectual property is key issue for promoting innovation and creativity, developing employment, and improving competitiveness. Moreover, the European Commission has highlighted that only a more harmonized legal system can contribute to a faster and more sustainable development across the region. Therefore, the European Commission continuously works to harmonize laws relating to industrial property rights in EU countries in order to avoid barriers to trade to which companies can be exposed to and to create more efficient EU-wide systems focused on to boost the level of innovation and competitiveness of European companies at local, regional, European and international scope.

According to the European Patent Office (EPO) (2019), Intellectual Property rights (IPR) can be classified either on industrial property or copyrights. IPR helps companies to protect their intangible assets, as well as to profit from their creative and broadly innovative activities. According to the IP SME scoreboard 20164, SMEs only make a minimal use of the IP system. According to the European Commission and the scoreboard mentioned above, the vast majority of SMEs - 99% - do not own any patent, 91% do not own any registered trade mark, and only 0.7% own a registered design. Nine out of 10 SMEs do not own any of the above industrial property rights. On top of that, only few SMEs own EU-wide IP rights titles. Therefore, SMEs throughout the EU and throughout different sectors of economic activity are missing out on substantial growth and development opportunities linked to the use and exploitation of IPR.

Some of the main identified problems among SMEs are the lack of knowledge of the advantages and benefits associated to IPR and the relatively high costs of the IP system. According to the European Commission, SMEs do not have the knowledge about and they do not see the benefits of intellectual property. On top of that, the costs associated to patents’ application/registration fees and external legal advice and potential litigation continue discouraging SMEs to use and access to the IP system. According to the European Commission,

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a business that integrates IP into its corporate strategy is able to generate 32% more of added value than a business without taking consideration IP as a key aspect to growth, to be competitive and to be sustainable. Hence, in order to solve the problems mentioned above, the initiative IPA4SME has been proposed within the COSME work programme 2017.

1.2 IPA4SME: Policy Information

The initiative IPA4SME aims to extend SMEs international opportunities and innovation prospects in the Single Market and beyond based on the use and exploitation of SMEs’ IP competencies and capabilities. The initiative will provide SMEs the opportunity to access to individual advice services identified as IP pre-diagnostic or IP audit in order to evaluate both the products and services of the SMEs, and their business strategies to suggest a matching IP strategy. Moreover, IPA4SME will provide financial resources to cover access to patent attorneys in order to support the drafting of patent applications, as well as to ensure the protection sought that will match the needs of the SMEs.

IPA4SME will exclusively focus on innovative SMEs holding the Horizon 2020 Seal of Excellence (SoE), which are considered as companies with a particularly high potential for exploiting their intellectual property rights. It is important to highlight that the initiative will support the access of SMEs to European patents through the current IP system until the unitary patent system that was designed to offer SMEs major opportunities and cheaper EU-wide protection of their intellectual property is available and working. The implementation of the initiative IPA4SME will count on the support of the European Union Intellectual Property Office (EUIPO) to enhance the quality of the IP pre diagnostic services that will be rendered by designated experts to those SMEs selected within the different Call cut-off dates.

2. Objectives of the Call

The protection of intellectual property is key for the promotion of innovation and the improvement of European SMEs competitiveness. Therefore, the IPA4SME Call aims to facilitate and promote the use of intellectual property among the selected SMEs that are holders of the SoE by providing them with access to:

- Relevant information about their existing technological and knowledge assets along with a tailor-made IP business strategy so a secure and efficient exploitation of those assets can be implemented, ensuring at the same time an increase in the company’s overall performance.
- Co-financing that will partly cover the costs associated with the advice of IP attorneys and the filling of patent applications.
3. General Conditions of the Call

Applicants applying to any of the support actions available under the IPA4SME Call should fulfil each and every criterion displayed in Section 5: Eligibility Criteria of this guide. Moreover, SMEs interested in submitting their Expression of Interest need to follow all the steps outlined in Section 6: Preparation and Submission of Applications.

Applications which are submitted on time and fulfil the requirements presented in this Guideline do not necessarily entitle the applicant to be granted any of the support actions sought. All applications are subject to further review and to the overall availability of funds. It is also important to highlight that those applicants which have met the eligibility requirements but not received the support actions sought are not precluded from applying for the same or other support actions in subsequent cut-off dates of IPA4SME Call.

3.1 Target group of the Call

SMEs which hold a Seal of Excellence (SoE) are regarded as highly innovative companies with high potential to adequately exploit their intellectual property rights (IP) by the programme. Therefore, the IPA4SME Call will specifically target both EU SMEs and SMEs from a COSME member states which have been granted a SoE from the Horizon 2020 SME Instrument programme during the three years prior to the cut-off date to before which they submit their application.

3.2 Available Funding

The available funding will help the selected SMEs to integrate and develop IP strategies which fit their specific context, needs, requirements, capabilities and competencies. IPA4SME makes available a total amount of EUR 3,3M. The specific distribution of this funding, along with the initiative’s timetable, is provided in the rules for implementation.

As described in those Rules, the Call is scheduled to have 9 cut-offs dates. The distribution of those dates has also been presented in the rules for implementation. The total amount which can be provided by IPA4SME to any single SME is limited to EUR 15.000, regardless of the type of support actions granted.

The specific limits per individual SME for each Support Action Type (Service) are provided in the following table:
4. Support actions

This section provides a detailed description of the support actions (Services) designed for the companies selected under any cut-off date of the IPA4SME Call.

4.1 Service 1: IP Pre-diagnostic (IP scanning) – Discover your value

The service offered to SMEs is focused on providing comprehensive IP Pre-diagnostic services to booster SMEs’ IP capabilities and competencies free of charge. An IP Pre-diagnostic service to which a SME can apply for is the perfect opportunity to count on 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 for further development of the SME business.

Moreover, an IP Pre-diagnostic service provides SMEs the opportunity to identify their main limitations and areas of development to strengthen their competencies in the field of IP and foster their business competitiveness.

Therefore, SMEs that apply and are granted for this service will obtain not only a clear diagnostic of its business in terms of IP, but also a clear overview of their current situation, opportunities and limitations to foster IP advantages and exploit IP benefits. The following figure illustrates the workflow foreseen for the provision of this service:
As of point 2 of the above workflow, it will not necessarily be always the SME the one that chooses the expert. It might be occasions when this will be done by the corresponding National Contact Point (NCP).

**The detailed services to be provided will consist on four steps:**

The first step of the service will consist on a thorough analysis of the ecosystem in which is involved the SME. The expert will deeply study key aspects such as the market, the competitors, the sector, the products and services among others from the IP perspective. The second step of the service will consist on the interaction between the SME and the expert. The expert will have the opportunity to visit the SME in order to learn from first hand key information regarding the products, processes and services, as well as the financial situation and objectives of the SME. This step will help the expert to have a holistic overview of the company, especially from the IP perspective.

The third step of the service will consist on the design and development of the pre-diagnostic report in which the main competencies and areas of development of the SME in terms of IP will be highlighted. Finally, the fourth step will consist on the presentation/dissemination of the results obtained from the IP pre-diagnostic service executed. The maximum price of reference for each Pre-diagnostic service is up to EUR 1 500 each. The services will be rendered to the beneficiary SMEs free of charge. Any costs will be supported by the Coordination Centre and paid directly to the expert that provided the IP Pre-diagnostic services, its employer or to the entity that will be indicated by EASME.

**Key message:** Selected SMEs will receive IP pre-diagnostic (scanning) services from a qualified expert free of charge.
4.2 Service 2: Financial contribution for the costs of EPO fees – Safeguard your future

This service offered to SMEs within IPA4SME is focused on providing economic support to cover a percentage of their patents’ application fees before the European Patent Office (EPO). Through this action, the SMEs will have the opportunity to obtain a financial aid to cover up to a maximum of 5 patent application fees. The action will help SMEs not only in their plans and activities to protect their innovative solutions, but also it will extend the SMEs’ economic capabilities and IP exploitation benefits. Each candidate SME can request the co-financing of more than one EPO patent application (up to a maximum of five, either for the same call cut-off dates or different ones).

After communicating the awarding of this support action the beneficiary SME will be reimbursed of 75% of the EPO fees for depositing an application for a European or unitary patent (up to a maximum of EUR 2 500 per eligible SME per patent application) upon delivery of a EPO receipt in the name of the beneficiary SME issued after the date of awarding.

If an applicant asks for co-funding of more than 1 patent application, the second and onwards will be automatically at the bottom of the ranking.

The following figure illustrates the workflow foreseen for the provision of this Service 2:
4.3 Service 3: Financial contribution for the costs of external legal advice by IP attorneys – unlock your potential

The service classified as number 3 offers SMEs the opportunity to access a financial contribution for 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. This financial support will aim at covering 50% of the costs incurred up to a maximum of EUR 2 000 per eligible SME per patent application process. The professional representatives must fulfil the criteria displayed in EPO’s regulation in order to be entitled to act before the EPO. This type of IPA4SME support needs to be related to a patent application co-funded under a type 2 action except in two cases: the attorney advises not to apply of the application is so delayed that it occurs after the end of IPA4SME (or end of available budget if this is used faster). For accessing the economic support provided by action TYPE 3, SMEs need to provide clear information about those patents’ applications supported by action TYPE 2. In other words, whether during the response to an Expression of Interest in any of the cut-off dates available or on a later stage if selected, during the provision of action TYPE 3 services, there is a direct link with the SMEs’ patent applications displayed and presented on action TYPE 2.

Finally, SMEs can request the co-financing of costs of services of a professional representative to fill an EPO patent application more than once, but as aforementioned, each time it needs to be in relation to a patent application supported by a service 2. The following figure illustrates the workflow foreseen for the provision of this service 3:

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**Figure 3. Service 3 Workflow**

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5 [https://www.epo.org/applying/online-services/representatives.html](https://www.epo.org/applying/online-services/representatives.html)

Co-funded by the COSME programme of the European Union
4.4 **Application Form**

The application form has been designed in order to easily support the application process of those SMEs interested on to apply to any of the support actions foreseen within the IPA4SME initiative. The template of the application form can be found as Annex I at the end of this document. SMEs will have the opportunity to fill and submit the application form only through the Electronic Submission System (EMS) platform ([https://ipa4sme.ems-carsa.com/](https://ipa4sme.ems-carsa.com/)). Information about each of the cut-off dates of the call can be found in both the section 6.3 **Submission of Expression of Interest** or the **Rules for Implementation** of the IP4SME initiative. The EMS platform will allow SMEs to work and safe their applications as many times as needed until finally SMEs have totally completed the information requested to submit the application.

The application form designed by the Consortium for the IPA4SME initiative is characterized for being an intuitive and user-friendly application form that facilitates SMEs to provide key information in an agile, organized and precise manner. SMEs must provide all the information requested in the application form, otherwise the EMS platform will not allow its submission. Along the application form, SMEs will be requested to provide the following information considered key for the further evaluation and selection of applicants:

- **The Seal of Excellence** (SoE) certificate awarded in the context of the H2020 SME instrument no longer than 3 years prior to the call cut-off date.
- Evaluation Summary Report (ESR) corresponding to the proposal awarded with the SoE.

*It is important to mention that SMEs will be requested to provide a contact person within the company as contact point between the SME and the Coordination Centre.*
5. Eligibility criteria

In order to be eligible to any of the support actions foreseen within the IPA4SME initiative, 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.

🎯 Meet the financial criteria to be considered an SME by the European Commission (EC): 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 IP Pre-diagnostic (**Service 1**), SMEs must be incorporated in one of the following EU Member States:

- Austria
- Denmark
- France
- Germany
- Greece
- Ireland
- Italy
- Lithuania
- Netherlands
- Spain
- Sweden

Applications must be only submitted electronically through the IPA4SME Electronic Submission System (EMS) platform ([https://ipa4sme.ems-carsa.com/](https://ipa4sme.ems-carsa.com/)).

6. Preparation and Submission of Applications

SMEs that wish to submit their Expressions of Interest to the IPA4SME Call must take into consideration the information provided in this section in order to correctly prepare their applications.

Applicants are advised to start the application process in advance (e.g. registering and creating an account) in order to familiarise themselves with the Electronic Submission System (EMS) platform.
Participant SMEs will be able to create an application simply by clicking on the green “New Application” button once they have logged in and selected the open cut-off date from the list.

6.1 One Stage Submission in 3 steps

Applicants must fill in the information requested in the Application Form (Step 1), upload the documents required (Step 2) and finally press the submission button (Step 3) to complete the process established in the IPA4SME EMS platform. The platform can be accessed at the following link: https://ipa4sme.ems-carsa.com/.

All three steps have their own page in the EMS Platform and are accessible through the menu in the upper left corner once a first draft or a completed Application Form has been saved in the system.

In the picture below we present a summary of the requirements for each of the three steps:

As far as the first Step is concerned, applicants will have the opportunity to read the required contents of the application form before applying in order to verify the information that needs to be included. In Annex I of this Guide, applicants will find the application form template. Applicants are kindly requested to carefully read the fields provided in that template.

For Step 2, the documents that are required to complete the process are the following:

1. The Seal of Excellence (SoE) certificate (in .pdf format)
2. The Evaluation Summary Report (ESR) corresponding to the proposal awarded with the SoE (also in .pdf format)

Finally, in Step 3 applicants will need to confirm that they comply with the following declarations by clicking on the corresponding boxes:
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 initiative.

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 need to press on the green submission button 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.

Applicants will be able to save as many draft versions of their applications as they want (including the possibility of uploading documents several times) in the EMS Platform. The data and documents last introduced before submission will be the ones considered for the eligibility check, evaluation and ranking once the cut-off date is reached.

Please note that only applications submitted via IPA4SME EMS platform will be eligible. Applications sent via the IPA4SME Website or sent to any member of the consortium in any way will be considered as “not submitted”.

The submission of applications will be possible from May 6th 2019 at 08:00h Brussels time onwards, with a first set of cut-off dates foreseen during the year of 2019 being:

- 7th June 2019 at 17:00h Brussels time
- 26th September 2019 at 17:00h Brussels time
- 19th December 2019 at 17:00h Brussels time

As guidance for applicants, only the corresponding next closest cut-off date will be shown in the EMS Platform.

An acknowledgement of receipt will be sent out via email to all successfully submitted applications. However, this receipt will not be a proof that the application is eligible for evaluation.
6.2 Language of the applications

Both the overall submission process and the different pages/indications on the EMS platform are available in English. Nonetheless, the Application Form will also be accessible in a total of 10 languages. These languages correspond to the countries participating in Service 1 (IP Pre-diagnostic). Namely:

- Ireland (English)
- Danish (Denmark)
- Dutch (The Netherlands)
- French (France)
- German (Austria)
- Greek (Greece)
- English (Ireland)
- Italian (Italy)
- Lithuanian (Lithuania)
- Spanish (Spain)
- Swedish (Sweden)

Applicants may select any of the available languages for their Application Form.
7. Evaluation and selection of applications

This section clearly explains the selection and evaluation criteria to be used in order to rank the applications submitted once a certain cut-off date has been reached.

7.1 Eligibility Checking

Once a cut-off date has been reached, all received applications will be checked with regard to the eligibility criteria as explained in Section 5: Eligibility criteria displayed in the current document. Applications meeting the eligibility criteria will be considered in the evaluation and selection process. Applications that fulfil any of the elements highlighted in the figure below will not be considered in the selection process:

![Figure 5: Criteria to reject an Expression of Interest](image)

- Any application submitted after the deadline indicated in the call for interest
- Any application that does not fulfil the eligibility criteria, including incomplete applications
- Any application without the indication of a functioning email address of contact

7.2 Evaluation and Selection Criteria

After assessing the eligibility of the applications, the eligible ones will be ranked following the criteria below and the corresponding IPA4SME funds will be allocated accordingly to the ranking until the funds are totally exhausted.

Criteria that will be applied the selection process:

- Candidate SMEs with Seal of Excellence (SoE) 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.

- After the ranking, 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.
8. Support to applicants

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 the support services granted and technical support queries.

**helpdesk@ipa4sme.eu**

General inquiries about the IPA4SME initiative and general communications with the Coordination Centre.

In addition to this, EMS also enables a Helpdesk accessible by clicking on “Support” in the main upper menu once logged in into the Platform, which allows two types of enquiries:

- **IT Helpdesk**: questions and problems regarding to the functioning of the EMS tool and its processes
- **IPA4SME Call Support**: covering questions regarding the technical and administrative requirements to complete an application (complementing the above email calls@ipa4sme.eu)
9. **Annexes**

**Annex I. Application form - template**

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Select the language for the Application form</td>
<td>English</td>
</tr>
<tr>
<td>Type of support action you want to apply for</td>
<td>Service 1: IP Pre-diagnostic, Service 3: Partial reimbursement of IP attorney fees</td>
</tr>
<tr>
<td>Full name of the company</td>
<td>Full name of the company</td>
</tr>
<tr>
<td>Short name of the company</td>
<td>Short name of the company</td>
</tr>
<tr>
<td>VAT Number</td>
<td>VAT Number</td>
</tr>
<tr>
<td>Year of Incorporation</td>
<td>Year of Incorporation</td>
</tr>
<tr>
<td>City</td>
<td>City</td>
</tr>
<tr>
<td>Country</td>
<td>Spain</td>
</tr>
<tr>
<td>Number of employees</td>
<td>Number of employees</td>
</tr>
<tr>
<td>Annual turnover of the preceding year</td>
<td>Annual turnover of the preceding year</td>
</tr>
<tr>
<td>R&amp;D intensity (sum total of in house and external R&amp;D activities during last year)**</td>
<td>Total value in €</td>
</tr>
<tr>
<td>Innovation intensity (% of total turnover)**</td>
<td>% of total turnover</td>
</tr>
<tr>
<td>Export intensity (% of total turnover)</td>
<td>% of total turnover</td>
</tr>
<tr>
<td>PSC number</td>
<td>PSC number</td>
</tr>
<tr>
<td>Participant Portal reference number</td>
<td>Participant Portal reference number</td>
</tr>
<tr>
<td>Points received (score) in the evaluation report (ESR) of your H2020 SME Instrument application</td>
<td>Enter a number between 10.00 and 15.00</td>
</tr>
<tr>
<td>Date of SME Instrument call for which your Seal of Excellence was awarded</td>
<td>2016-05-03 (Phase 1)</td>
</tr>
<tr>
<td>Where did you hear about this Call for EIs?</td>
<td>Direct communication</td>
</tr>
</tbody>
</table>

I confirm that to this date, the applicant has not been supported by the H2020 SME Instrument Phase 2 programme
I confirm that the Seal of Excellence attached to this application was awarded during the last 3 years

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Co-funded by the COSME programme of the European Union
Annex II. Financial ID Form

The template is to be accessible through the following link:

https://ec.europa.eu/info/sites/info/files/about_the_european_commission/eu_budget/fich_sign_ba_gb_en_0.pdf

Although this information will not be required until a Support Action Type 2 or 3 has been awarded to an SME, we hereby advance the data to be introduced in the Form:

<table>
<thead>
<tr>
<th>BANKING DETAILS ①</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCOUNT NAME ②</td>
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<tr>
<td>IBAN/ACCOUNT NUMBER ③</td>
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<tr>
<td>CURRENCY</td>
</tr>
<tr>
<td>BIC/SWIFT CODE</td>
</tr>
<tr>
<td>BANK NAME</td>
</tr>
<tr>
<td>ADDRESS OF BANK BRANCH</td>
</tr>
<tr>
<td>STREET &amp; NUMBER</td>
</tr>
<tr>
<td>TOWN/CITY</td>
</tr>
<tr>
<td>COUNTRY</td>
</tr>
</tbody>
</table>

| ACCOUNT HOLDER’S DATA AS DECLARED TO THE BANK |
| ACCOUNT HOLDER |
| STREET & NUMBER |
| TOWN/CITY |
| COUNTRY |
| REMARK |

| BANK STAMP + SIGNATURE OF BANK REPRESENTATIVE ⑤ | DATE (Obligatory) | SIGNATURE OF ACCOUNT HOLDER (Obligatory) |