



COSME Programme

Call for Proposals

IP pre-diagnostic and improving access to patent protection for innovative
EU SMEs

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1. INTRODUCTION AND BACKGROUND

1.1. Introduction

Small and medium-sized enterprises (SME) play a crucial role in reaching the objectives of the Europe 2020 Strategy¹. Whereas they are considered as crucial engines for growth and job creation, their competitiveness is affected by a limited exploitation of international opportunities and innovation prospects in the Single Market and beyond.

In this context, the Programme for the competitiveness of enterprises and small and medium-sized enterprises (2014-2020)², hereinafter referred to as “COSME”, aims to promote growth and to strengthen the competitiveness and sustainability of enterprises in the European Union.

The Executive Agency for Small and Medium-sized Enterprises³ (hereinafter referred to as “EASME” or the “Agency”) is entrusted by the European Commission with the implementation, *inter alia*, of parts of the COSME programme.

In this respect, this call for proposals, managed by EASME, implements parts of the COSME Work Programme 2017, as last amended on 11.7.2018⁴.

1.2. Policy Context

In an increasingly knowledge-based economy, the protection of intellectual property is important for promoting innovation and creativity, developing employment, and improving competitiveness. The Commission works to harmonise laws relating to industrial property rights in EU countries to avoid barriers to trade and to create efficient EU-wide systems for the protection of such rights. It fights against piracy and counterfeiting and aims to help businesses, especially small businesses, access and use intellectual property rights more effectively.

Intellectual property rights (IPR) protect a firm's intangible assets, allowing enterprises to profit from their creative and broadly innovative activities. Intangible assets account for more than half the value of companies and their importance is growing. In a world where EU companies compete more on innovation, creativity and quality than on price, intellectual property is a powerful tool for EU enterprises to become more competitive.

Small and Medium-sized Enterprises only make a minimal use of the IP system⁵: 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. Even fewer SMEs own EU-wide IP rights titles. This means that SMEs throughout the EU

¹ COM (2010)2020 final of 3 March 2010 “Europe 2020. A strategy for smart, sustainable and inclusive growth”.

² Regulation (EU) No 1287/2013 of 11 December 2013 (Official Journal of the European Union L 347/33 of 20.12.2013).

³ EASME was set up by Commission Implementing Decision 2013/771/EU of 17 December 2013 establishing the Executive Agency for Small and Medium-sized Enterprises and repealing Decisions 2004/20/EC and 2007/372/EC (Official Journal of the European Union L 341/73 of 18.12.2013).

⁴ Commission Implementing Decision C(2018) 4308 of 11.7.2018 amending Commission Decision C(2016) 1042 of 17.2.2017 concerning the adoption of the work programme for 2017 and the financing decision for the implementation of the Programme for the Competitiveness of Enterprises and small and medium-sized enterprises.

⁵ Intellectual Property (IP) SME Scoreboard 2016, EUIPO 2016.

and throughout different sectors of economic activity are missing out on substantial growth and development opportunities. Although no cause-effect can be firmly established, SMEs that use IP generate 32% revenue more than their peers not using IP.

SMEs point out that they do not have the knowledge about and they do not see the benefits of intellectual property. An individual advice service that looks at all the products and services of the SME and its future business strategy to suggest a matching IP strategy is a response to this situation. Developed in some EU Member States, the IP pre-diagnostic or IP audit, is the exact tool that can help SMEs see the benefits of IP in their individual context and show them a how they can integrate IP in their business strategy.

SMEs also face relatively high costs of the IP system, which includes not only the application/registration fees but also the costs of external legal advice and potential litigation. The advice and the specific competence of a patent attorney in drafting patent applications is a necessary step to ensure the protection sought that will match the needs of the SME. A patent that is not defended, in case it is infringed, loses most of its value. Without adequate legal and technical expertise, and without the financial means to face the initial risks of litigation, a small business cannot afford to litigate. SMEs might be reluctant to take an untested IP right.

The creation of the unitary patent⁶ is designed to offer major opportunities for SMEs to ensure cheaper EU-wide protection of their intellectual property. This will allow for an easier buy-in of the unitary patent system by SMEs.

With this background in mind, the present action intends to facilitate access for SMEs to an effective protection and enforcement of their intellectual property by informing them about the benefits of using IP rights and about the opportunities linked with this new unitary patent, and by reimbursing some of the associated cost of using the new unitary patent.

In order to maximise impact, this action will focus on highly innovative SMEs, such as, the holders of the Horizon 2020 Seal of Excellence⁷, which are considered as companies with a particularly high potential for exploiting their intellectual property rights. In some Member States where Seal of Excellence (SoE) companies are not numerous enough another method of selection of innovative companies may be used.

The implementation of this action will be supported by the European Union Intellectual Property Office (EUIPO). The EUIPO will provide the training to the experts carrying out IP pre-diagnostic services and will support the network of such experts. The monitoring of the grant agreement will be done by EASME, in close cooperation with the European Commission and the Member States through the European Commission's group of experts on the enforcement of intellectual property rights⁸.

The present call will contribute to the package announced in the Commission's Communication *Europe's Next Leaders: The Start-Up and Scale-Up Initiative* - COM(2016) 733⁹ - and further detailed in the attached Staff Working Document *Putting intellectual property at the service of SMEs to foster innovation and growth* - SWD(2016) 373.

⁶ https://ec.europa.eu/growth/industry/intellectual-property/patents/unitary-patent_en

⁷ The 'Seal of Excellence' (SoE) is a quality label, awarded to project proposals submitted for funding under Horizon 2020 the EU's Framework Programme for Research and Innovation. It is given to those projects which succeeded in passing all the stringent selection and award criteria of the Horizon 2020 evaluation, but could not be funded under the available Call budget. The 'Seal' identifies promising project proposals which merit funding from alternative sources (public or private), i.e. national, regional, European or international.

⁸ Commission Decision of 16.9.2014 on setting up a group of experts on the enforcement of intellectual property rights - C(2014) 6449 final

⁹ <https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/COM-2016-733-F1-EN-MAIN.PDF>

The present call for proposals is based on the Regulation (EU) no 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of the Enterprises and small and medium-sized enterprise (COSME) (2014- 2020) and repealing Decision No 1639/2006/EC. More particularly, it is based on the Commission Implementing Decision C(2017) 4563 of 6 July 2017¹⁰ on amending the Commission Implementing Decision C(2017) 1042 concerning the adoption of the work programme for 2017 and the financing for the implementation of the Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises and its Annex¹¹. It is foreseen under the action item "GRO/SME/17/B/05 - IP Pre-diagnostics and improving access to patent protection for innovative EU SMEs".

2. OBJECTIVE(S) – THEME(S) – ACTIVITIES – OUTPUTS

2.1 General and specific objectives

The **overall** objective of this call for proposals is to facilitate and promote the use of intellectual property by innovative European SMEs, by allowing a selected number of innovative European SMEs to benefit from one or more support actions¹².

The **specific** objective of this call for proposals is to ensure the provision of administrative and reimbursement services that are necessary in relation to the implementation of the support actions to be offered to the companies.

Those support actions will in particular:

- provide "IP pre-diagnostics" to innovative SMEs, such as, the ones holding the Seal of Excellence
- help these innovative SMEs to apply for European patents, accessing IP attorneys services in relation to these applications.

2.2. Themes and Priorities

2.2.1 Activities

The activities to be carried have to cover the six areas listed below. Proposals shall outline in detail how they will be implemented.

Furthermore, the activities to be implemented under this call for proposals shall respect the rules and procedures outlined in Annex II Rules for Implementation. This document includes the eligibility criteria for innovative SMEs to receive support services and the procedures for registration/validation of innovative SMEs in order to be offered the service (support action type 1) or partly reimbursed for a support action (support actions type 2 and 3), including deadlines to be respected.

¹⁰ <http://ec.europa.eu/DocsRoom/documents/24803>

¹¹ http://ec.europa.eu/research/participants/data/ref/other_eu_prog/cosme/wp/cosme-wp-2017_en.pdf

¹² The term "support actions" refers to the actions that will support the use of the IP services by the SMEs as outlined under section 2.2.1.c

a) Setting up a Coordination Centre

A Coordination Centre to be established through this call for proposals will reach out to the SMEs that have received the Seal of Excellence within a period of three prior years. It will:

- receive applications from the above mentioned SMEs for one or more of the three support services (see below);
- transmit the list of applications received to EASME;
- receive the list of SMEs that will be entitled to the support services;
- make the co-financing payments to the supported SMEs for these services;
- and put the SMEs in contact with the network of IP pre-diagnostic services.

The Coordination Centre will be responsible for developing the components and contents of the website (see below) and for determining its necessary features/functionalities. The Coordination Centre will, in particular, use the website to recruit the innovative SMEs and assist them to benefit from the support actions.

b) The website

The website shall serve as an informative and operational platform for the execution of the action and an interface between the Coordination Centre, on one side, and, on the other side, the interested SMEs, applicants and beneficiaries, as well as, the experts¹³ on IP pre-diagnostics. The website platform will enable SoE SMEs to apply for the support actions. The Rules for Implementation¹⁴ (Annex X) for the support actions that will be co-financed and all relevant information will be published on the website. The website will be subject to intellectual property rights and personal data protection rules according to the EU legislation in force, including the notification of the publication of personal data according to the Data Protection Regulation and related legislation¹⁵.

The website will provide SMEs with information on the project, including an easy guideline for interested SMEs, an email and telephone of contact for enquiries, the foreseen dates of publication of calls for expression of interest, an online application system, a user's account system for candidate and beneficiary SMEs, and statistical data on the implementation of the project and in particular of the actions applied for, awarded and executed, with information on the evolution per quarter, type of action sought or awarded or implemented and geographical distribution of applicants and beneficiary SMEs. The main website and all its integral parts must be available in English, preferably also in French and German. The application form must be made available in all official languages of the European Union Member States participating in type 1 support actions.

The EU co-financing of the project must also be clearly visible. The applicants will at least include a link to the COSME programme's website on their respective websites, and the European Union logo in their communication tools for the action. Other means of awareness-raising are also encouraged. For more details how to use the EU logo please refer to: <https://ec.europa.eu/easme/en/communication-toolkit>

¹³ As agreed with each individual Member State that joined the pilot project. It can consist of putting SMEs in touch with a contact point, a designated expert or informing about a list of experts.

¹⁴ Rules for Implementation is the Annex setting out the selection criteria for the SMEs. This document should be flexible to any needed changes during the project duration.

¹⁵ http://ec.europa.eu/justice/data-protection/reform/files/regulation_oj_en.pdf

EASME may at any moment request the ownership of the website established during this action - including the entire software architecture as well as any subscriptions to domain name ownerships. All other IP developed during this action remains the property of the beneficiary.

The innovative SMEs will be directly informed (via targeted email) by the European Commission and EASME about the website platform and about the available support actions. The Enterprise Europe Network¹⁶ and the Regional funds managing authorities¹⁷ will raise the awareness of the innovative SMEs on the support actions. On top of these communication channels, the applicant will propose a number of events (e.g. Horizon 2020 info days) at which it would try to reach directly potential SoE SMEs with the information about the support measures financed by this action. The intensity of the communication at such events should be significant upfront and decrease with time (e.g. 7 events in the first year, 5 in the second and 3 in the third).

c) Publishing, coordinating and managing the calls for applications

The Coordination Centre will be responsible for preparing and publishing nine (9) calls for applications for SMEs to express interest in being offered IP pre-diagnostic services or reimbursed for the received support actions (as defined below). The Rules for Implementation (Annex X) set the eligibility criteria and the application modality on how to express interest to benefit from the support actions. The applicant SMEs will be ranked by the Coordination Centre in accordance with their compliance vis-à-vis the criteria set in the Rules for Implementation.

The Coordination Centre shall assess, manage and follow-up the online applications from the candidates and advise them whilst ensuring their easy registrations. Equally, the Coordination Centre must not allow any discrimination for reasons of sex, sexual orientation, religion, race, colour, ethnic or social origin, genetic features or membership of a national minority. Furthermore, applicants also need to demonstrate full respect of data protection rules. The application must describe how they intend to organise the management and control of this financial support in an effective and efficient way, including avoidance of any financial abuse.

For the purpose of this call for proposals, the term "support actions" refers at least to one of the following actions:

1. Free of charge advice to the SMEs on the potential of Intellectual Property to the development of their business, also referred to as "IP pre-diagnostics services"¹⁸ (support action Type 1, as laid down in Article 6 of the Rules for Implementation)¹⁹ – (up to EUR 1 500 each, the European Commission has set the amounts of financial support per country in the table provided as Annex to the Rules for Implementation).
2. Support to innovative SMEs by covering part of certain costs related to filing of patents covering more than two countries, before the European Patent Office (EPO), namely, the pre grant fees charged by the European Patent Office (support action Type 2, as laid down in

¹⁶ The Enterprise Europe Network is an initiative of the European Commission that started operating in 2008. The EEN provides services aimed at supporting companies (essentially SMEs) increase their competitiveness mainly by helping them expand into new markets (within and beyond EU borders). The Network is currently present in 63 countries (28 EU, 6 COSME, 29 Third). It is run by approximately 600 partner organisations. <http://een.ec.europa.eu/>

¹⁷ http://ec.europa.eu/regional_policy/en/atlas/managing-authorities/

¹⁸ The IP pre-diagnostic service is organised in four steps:

1. Study of the environment of the SME (sector, market, competitors)
2. Visit to the enterprise (analysis of products and services, processes, financial situation, goals), meetings with the key staff of the enterprise
3. Preparation of the pre-diagnostic report
4. Presentation of the report to the SME (owner or key staff)

¹⁹ SMEs can apply for this support action only once

Article 7 of the Rules for Implementation)²⁰ – co-financing of 75% of the European patent²¹ fee (up to a maximum of EUR 2 500 per eligible SMEs).

3. Support to innovative SMEs by covering part of the costs of external legal advice by IP attorneys to carry out the preparation of patent applications and such filings (support action Type 3, as laid down in Article 8 of the Rules for Implementation)²² – co-financing of 50% of external costs of legal advice related to the grant of a European patent (up to a maximum of EUR 2 000 per eligible SME).

The European Commission and EASME expect the action to finance:

- at least 600 type 1 support actions ,
- at least 440 type 2 support actions, and
- at least 440 type 3 support actions.

However, as the demand for the support action is unknown, the Commission and EASME recognise the need for flexibility. If there is less demand for a given type of support action, the remaining funds should be reallocated to the support action with the highest demand after prior consultation with and agreement of the Commission and EASME.

Depending on the type of support action, SMEs applicants will be offered the service (support action type 1) or will be partly reimbursed for one or more of the above defined support actions that have already been received (support actions type 2 and 3). They will apply through the website platform and they will have to provide the following data and documents:

- Name of the company
- Contacts of the representing person
- Participant portal reference number of their application to the SME instrument and their PIC number
- Agreement to share information about the SMEs between the Coordination Centre EASME, EC and EUIPO, for the purpose of the evaluation of this action
- The Seal of Excellence certificate and the related SME instrument evaluation summary report.

For support actions of type 1, the Coordination Centre will put the SMEs in contact with the Member State's expert²³ for the purpose of programming the IP pre-diagnostic. EASME will provide the list of experts, respective contact details, and the entity to which the reimbursements for such support actions is to be made by the Coordination Centre. The Coordination Centre will facilitate the contact between the beneficiary SME and the chosen expert. The amount to be reimbursed for each pre-diagnostic support action is defined in the Rules for Implementation (Annex) and may vary according to the Member States in question. The Coordination Centre will pay the expert that provided a type 1 support action to the SMEs, its employer or the entity indicated by EASME within 30 days after having received the confirmation that the pre-diagnostic support action has been carried out by the expert. The confirmation of both the beneficiary SME and the expert will result in answering a short questionnaire provided by the Coordination Centre

²⁰ SMEs can apply for this support action more than once

²¹ In this action, the European Union will finance costs related to European Patents, which at least designate 2 EU Member States until the creation of the unitary patent. As of that day, the financing will only apply to European patents with a unitary effect.

²² SMEs can apply for this support action more than once

²³ See footnote 15

regarding the generic information on the outcome of the service delivered, difficulties and limitation encountered.

For support actions of Type 2 and 3, the Coordination Centre will specify the documentation needed in order for the costs to be reimbursed at the time of notifying the SMEs that the approved support actions will be reimbursed. The reimbursement will be made only if all requested documentation is received by the Coordination Centre before the end of the overall "Intellectual Property (IP) Pre-diagnostic and better access to Patent Protection for Innovative EU SMEs" grant. The Coordination Centre will reimburse the SMEs within 30 days after having received the complete documentation.

EASME will approve the final list of the SMEs that will benefit from the support actions, the corresponding total amount to be paid to all SMEs and will decide in case there are *ex aequo*²⁴ cases in the evaluation of the applications²⁵.

d) Action impact measurement

The Coordination Centre will be responsible for proposing adequate activities such as running a satisfaction survey, testing IP knowledge before and after by means of an existing on-line self-assessment tool in order to measure the whole impact that the three support actions will have on innovative SMEs.

e) Management, quality control and evaluation

Applications must describe:

- How they will undertake the management of the project, especially the role of Coordination Centre.
- The measures they will take for ensuring that high quality standards are applied by all consortium partners, how they will monitor the achievement of objectives and take appropriate corrective measures such as redistribution of objectives and budget, while ensuring compliance with the Rules for implementation and procedures.
- The main risks that might be encountered and the corresponding mitigating measures should also be described.

f) Reporting

The selected project is expected to report regularly to EASME on calls management, problems encountered, solutions implemented and resources spent. The applicants must describe how they intend to organise this reporting in an efficient and effective way, according to the provisions of the model grant agreement (modalities see Section 13 "Reporting Requirements").

2.3. Expected outputs and deliverables

The Coordination Centre shall develop the following four deliverables:

- The website (to be operational at the latest three months after the start of the action)
- The publication of the 9 call for proposals in the dedicated website
- A monitoring scoreboard
- A report to be submitted at the end of the project to report on the lessons learnt of the activities undertaken

²⁴ In an equal state

²⁵ Against the criteria defined in the Rules for Implementation (Annex II)

2.4 Indicators

The action will be assessed, as a minimum, against the following performance indicators:

Per type of action:

- Number of SMEs applied
- Number of SMEs selected
- Amount reimbursed
- The number of SMEs having answered to the satisfaction scoreboard

Per call:

- Number of SMEs applied
- Number of SMEs selected
- Amount reimbursed
- The number of SMEs having answered to the satisfaction scoreboard
- The number of updates of the satisfaction scoreboard
- Average time taken for the reimbursement of SMEs
- Quality and impact of synergies created with other relevant European, national or regional initiatives, notably the Enterprise Europe Network and the Regional Authorities

Applications must include these indicators and also propose further SMART (Specific, Measurable, Attainable, Relevant and Timely) performance indicators, in relation to the objectives and activities they propose.

The awarded project must report on these indicators and integrate them into their project's monitoring scoreboard.

3. TIMETABLE

Stages	Dates
a) Deadline for submitting applications	(04/09/2018) 17:00 h Brussels time
b) Evaluation period*	(09/2018)
c) Information to applicants*	(10/2018)
d) Signature of grant agreements*	(11/2018)
e) Starting date of the action*	(12/2018)

* indicative dates are marked with

4. BUDGET AVAILABLE AND FUNDING OF PROJECTS

The total budget earmarked for this action is EUR 4.300.000.

The maximum grant amount is EUR 4.300.000 including the full amount for 3rd party financing. EASME expects to fund one proposal.

The grant is limited to a maximum reimbursement rate of 95% of **eligible costs**.

EASME reserves the right not to distribute all the funds available.

5. ADMISSIBILITY REQUIREMENTS

The following requirements must be complied with:

- Applications must be submitted no later than the deadline for submitting applications referred to in section 3;
- Applications must be submitted in writing, using the electronic system specified in section 16;
- Applications must be drafted in one of the EU official languages.

Failure to comply with those requirements will lead to the rejection of the application.

Incomplete applications may be considered inadmissible. This refers to the requested administrative data, the proposal description and requested grant amount, and any supporting documents specified in this call for proposals.

6. ELIGIBILITY CRITERIA

6.1. Eligible applicants

Applicants must be legal entities or legal entities forming a consortium of two or more parties. Each legal entity must:

- be established in EU Member States or countries participating in the COSME programme pursuant to Article 6 of the COSME Regulation²⁶.

Applicants must be a legal entity with a legal personality. This may include both profit-making or non-for-profit legal entities as well as fully or partly public or private bodies. In the case of private bodies, they must be properly constituted and registered under national law. Typical entities applying to this call might be, but are not restricted to:

²⁶ The following groups of countries are eligible for participation in COSME according to Article 6 COSME Regulation:

a. European Free Trade Association (EFTA) countries which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA Agreement, and other European countries when agreements and procedures so allow;

b. acceding countries, candidate countries and potential candidates in accordance with the general principles and general terms and conditions for the participation of those countries in the Union's programmes established in the respective Framework Agreements and Association Council Decisions, or similar arrangements;

c. countries falling within the scope of the European neighbourhood policies, when agreements and procedures so allow and in accordance with the general principles and general terms and conditions for the participation of those countries in the Union's programmes established in the respective Framework Agreements, Protocols to Association Agreements and Association Council Decisions.

The updated list of eligible third countries is available on the following webpage http://ec.europa.eu/growth/smes/cosme/index_en.htm. Proposals from applicants in Article 6 countries may be selected provided that, on the date of award, agreements have been signed setting out the arrangements for the participation of those countries in the programme.

- *Public and private entities responsible for or active in the fields of enterprise, business support or related issues,*
- *Chambers of commerce and industry, chambers of (handi)crafts or similar bodies,*
- *Business support organisations,*
- *Business associations and business support networks,*
- *Public and private entities offering business support services,*
- *Profit making entities*
- *Public or private entities providing IP support services*

Natural persons are not eligible to apply.

Linked third parties, i.e. legal entities having a legal or capital link with applicants, which is neither limited to the action nor established for the sole purpose of its implementation, may take part in the action **as applicants** in order to declare eligible costs.

Eligible consortia

If proposals are submitted by consortia (as opposed to a single legal entity), these consortia must be composed of at least two different legal entities.

6.3 Implementation period

The maximum duration of the action is 36 months.

Applications for projects scheduled to run for a longer period than that specified in this call for proposals will not be accepted.

7. EXCLUSION CRITERIA

7.1. Exclusion

The authorising officer shall exclude an applicant from participating in call for proposals procedures where:

- (a) the applicant is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;
- (b) it has been established by a final judgment or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the authorising officer is located or those of the country of the performance of the contract;
- (c) it has been established by a final judgment or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract, a grant agreement or a grant decision;
 - (ii) entering into agreement with other applicants with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the Agency during the award procedure;

- (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgment that the applicant is guilty of any of the following:
- (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 - (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the applicant is established or the country of the performance of the contract;
 - (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - (iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;
 - (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
 - (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- (e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95.
- (g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:
- (i) facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - (ii) non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 - (iii) decisions of the ECB, the EIB, the European Investment Fund or international organisations;
 - (iv) decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law.
 - (v) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

7.2. Remedial measures

If an applicant declares one of the situations of exclusion listed above (see section 7.4), it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to the declaration. This does not apply for situations referred in point (d) of section 7.1 .

7.3. Rejection from the call for proposals

The authorising officer shall not award a grant to an applicant who:

- a. is in an exclusion situation established in accordance with section 7.1;
- b. has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information;
- c. was previously involved in the preparation of calls for proposals documents where this entails a distortion of competition that cannot be remedied otherwise.

7.4. Supporting documents

Applicants must provide a **declaration on their honour** certifying that they are not in one of the situations referred to in Articles 106(1) and 107 FR, by filling in the relevant form attached to the application form accompanying this call for proposals.

8. SELECTION CRITERIA

8.1 Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out or the year for which the grant is awarded and to participate in its funding. The applicants' financial capacity will be assessed on the basis of the following supporting documents:

- a) Low value grants (\leq EUR 60 000):

- a declaration on their honour.

- b) Grants \geq EUR 60 000:

- a declaration on their honour and,

EITHER

- the profit and loss account, the balance sheet for the last financial year for which the accounts were closed;
- for newly created entities, the business plan might replace the above documents.

OR

- the table provided for in the application form, filled in with the relevant statutory accounting figures, in order to calculate the ratios as detailed in the form.

- c) Grants for an action \geq EUR 750 000, in addition:

- an **audit report** produced by an approved external auditor certifying the accounts for the last financial year available.

In the event of an application grouping several applicants (consortium), the above thresholds apply to each applicant.

The above-listed documents will have to be provided at later stage, via the electronic submission tool and only upon request of EASME.

On the basis of the documents submitted, if the authorising officer considers that financial capacity is not satisfactory, he may:

- request further information;
- propose a grant agreement without pre-financing;
- propose a grant agreement with a pre-financing paid in instalments;
- propose a grant agreement with a pre-financing covered by a bank guarantee (see section 12.4 below);
- where applicable, require the joint and several financial liability of all the co-beneficiaries;
- reject the application.

8.2 Operational capacity

Applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action.

In this respect, the applicant has to submit the following information in the description of the action and its annexes:

- A summary table indicating the position of the staff members in the organisation that will make up the core team responsible for the Coordination Centre with their qualifications and competences as well as providing a list of tasks in the project. to be provided in section B.2.2 of the "Description of the Action").
- A list containing the description of relevant previous projects and activities performed, which are related to business support to SMEs; to design, development and management of web tool/site; to handling and processing invoices and other administrative documents supplied in more than one official EU language; to collecting simple data and processing qualitative analyses (in particular of satisfaction surveys), and simple statistical data. (to be provided in section B.2.3 of the "Description of the Action").
- The organisations' activity reports or any other similar document;
- The description of the technical equipment, tools or facilities at the disposal of the applicant in relation to the setting up a platform website that will enable the publication of the calls for applications

9. AWARD CRITERIA

Eligible applications will be assessed on the basis of the following criteria:

<i>Criteria</i>	<i>Max. score</i>
<p>Relevance of the actions in view of the objectives of the call</p> <p><i>How relevant is the project in view of the objectives of the call: To what extent does the project aim to facilitate and promote the use of intellectual property?</i></p> <p><i>How relevant and user friendly is the proposed website platform?</i></p> <p><i>How well does the action proposed by the applicant complement the outreach to SMEs as mentioned in 2.2.1(b)?</i></p>	10
<p>Quality of the proposed actions</p> <p><i>To what extent are the proposed actions and expected results linked to the identified needs and specific objectives? To what extent is this link well described and justified?</i></p> <p><i>To what extent are the proposed actions and the work plan's methodology clearly presented and defined in terms of schedule, milestones and deliverables?</i></p> <p><i>Is the level of effort (hours and budget) appropriate, per work package, per task and per partner considering their skills and responsibilities?</i></p> <p><i>To what extent is the methodology and Coordination centre set up effective and can ensure the high quality of the action proposed?</i></p> <p><i>To what extent does the proposal comply with the provisions of the Rules for Implementation (Annex XI)?</i></p>	20
<p>Impact on target audience</p> <p><i>Is the proposal suggesting clear, realistic and practical impact indicators?</i></p> <p><i>To what extent does the project contribute to creating a real, measurable impact (in particular vis-à-vis the ratio between the budget allocated to the Coordination Centre resources and the one to funding the SMEs) on the target group?</i></p> <p><i>To what extent does the proposal include elements of follow-up and transferability (including lessons learnt and good practices) at EU level?</i></p>	20
<p>Cost-effectiveness</p> <p><i>To what extent is the budget detailed and clear, as well as coherent with the</i></p>	50

<p><i>work plan of the proposal?</i></p> <p><i>To what extent is the budget effective (main criterion: the ratio between the budget allocated to the Coordination Centre resources and the one to funding the SMEs), to implement the action?</i></p> <p><i>Does the breakdown of the budget, category by category, offer a way of ensuring that the amount of the grant awarded is reasonable in relation to the expected results?</i></p>	
TOTAL	<i>100</i>

In order to be considered for funding, proposals will need to have passed an overall threshold of 70% in terms of total score. In addition, thresholds of 50% will be applied to each individual award criterion described above in order to ensure a consistent minimum quality for all award criteria. Proposals will be ranked according to their total score.

10. LEGAL COMMITMENTS

In the event of a grant awarded by EASME, a grant agreement drawn up in euro and detailing the conditions and level of funding, will be sent to the applicant, as well as the information on the procedure to formalise the agreement of the parties.

Please note that the award of a grant does not establish an entitlement for subsequent years.

The authorising officer may draw a reserve list of proposals that have passed the above thresholds. In the event that the original budget of the action is increased or that selected proposal(s) fail to conclude the grant agreement, a grant may be awarded to proposals from the reserve list, following their order on the ranking list in accordance with the scores obtained.

11. ADMINISTRATIVE REVIEW PROCEDURES

Unsuccessful applicants may request the review of the admissibility and eligibility procedure and the evaluation procedure with regard to their proposal as specified in section V of the Guide for applicants.

12. FINANCIAL PROVISIONS

12.1 General principles

a) Non-cumulative award

An action may only receive one grant from the EU budget.

In no circumstances shall the same costs be financed twice by the Union budget. To ensure this, applicants shall indicate the sources and amounts of Union funding received or applied for the same action or part of the action or for its functioning during the same financial year as well as any other funding received or applied for the same action.²⁷

²⁷ Directive 2014/24/EU of the European Parliament and the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (Official Journal of the European Union L 94, 28.3.2014, p. 65).

b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the grant agreement is signed.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application

c) Co-financing

Co-financing means that the resources which are necessary to carry out the action may not be entirely provided by the EU grant. It may take the form of:

- the beneficiary's own resources;
- income generated by the action;
- financial contributions from third parties.

d) Balanced budget

The estimated budget of the action is to be attached to the application form. It must have revenue and expenditure in balance.

The budget must be drawn up in euros.

Applicants which foresee that costs will not be incurred in euros, are invited to use the exchange rate published on the Info-euro website available at: http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm.

e) Implementation contracts/subcontracting

Where the implementation of the action requires the award of procurement contracts (implementation contracts), the beneficiary must award the contract to the bid offering best value for money or the lowest price (as appropriate), avoiding conflicts of interests and retain the documentation for the event of an audit.

In the event of procurement exceeding EUR 60 000, the beneficiary must abide by special rules as referred in the grant agreement annexed to the call. Moreover the beneficiary is expected to clearly document the tendering procedure and retain the documentation for the event of an audit.

Entities acting in their capacity of contracting authorities in the meaning of Directive 2014/24/EU²⁸ or contracting entities in the meaning of Directive 2014/25/EU²⁹) shall abide by the applicable national public procurement rules. The beneficiary is expected to clearly document the tendering procedure and retain the documentation for the event of an audit.

²⁸ Directive 2014/24/EU of the European Parliament and the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (Official Journal of the European Union L 94, 28.3.2014, p. 65).

²⁹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (Official Journal of the European Union L 94, 28.3.2014, p. 243).

Sub-contracting, i.e. the externalisation of specific tasks or activities which form part of the action as described in the proposal must satisfy the conditions applicable to any implementation contract (as specified above) and in addition to them the following conditions:

- it may only cover the implementation of a limited part of the action;
- it must be justified having regard to the nature of the action and what is necessary for its implementation;
- it must be clearly stated in the proposal.

f) Financial support to third parties.

Financial support to third parties (the innovative SMEs) must be part of the project. The financial assistance paid to third parties shall be included under the corresponding cost heading. It covers the financial assistance paid to innovative SMEs in support of the costs linked to their expenditure for having used the three types of support actions as outlined in section 2.2.1. Details are mentioned in the Rules for Implementation (Annex X). The amount of financial support per third party (per innovative SMEs) must not exceed EUR 15 000.

- an exhaustive list of the types of activities for which a third party may receive financial support

advice to the SMEs on the potential of Intellectual Property to the development of their business, also referred to as "IP pre-diagnostics" (support action Type 1)

costs related to filing of patents covering more than two countries³⁰, before the European Patent Office (EPO), namely, the pre grant fees charged by the European Patent Office (support action Type 2)

costs of external legal advice by IP attorneys to carry out the preparation of patent applications (of support action type 2) and such filings (support action Type 3)

- the definition of the persons or categories of persons which may receive financial support:;

Highly innovative SMEs, such as, the holders of the Horizon 2020 Seal of Excellence³¹, which are considered as companies with a particularly high potential for exploiting their intellectual property rights. In particular, for the purpose of the IP pre-diagnostic services, in some Member States, where there are not enough SMEs with the Seal of Excellence, the Member State in question will identify relevant innovative SMEs, that are also recently established and are of smaller size. Such SMEs will not compete with Seal of Excellence SMEs, but will be introduced to this action on a country quota basis.

- the criteria for awarding financial support: if more SMEs are eligible for financial support following a given call for expression of interest the following criteria will apply: the SME instrument result, the prior award of a support action, the year of establishment of the SME and the size of the SME (employment and turnover)

- the maximum amount to be granted to each third party must not exceed EUR 15 000 in total and will depend on the confirmation of the performance of the service (support action Type 1) or on the submission of the receipt for the cost of support actions 2-3.

³⁰ See footnote 23

³¹ The 'Seal of Excellence' (SoE) is a quality label, awarded to project proposals submitted for funding under Horizon 2020 the EU's Framework Programme for Research and Innovation. It is given to those projects which succeeded in passing all the stringent selection and award criteria of the Horizon 2020 evaluation, but could not be funded under the available Call budget. The 'Seal' identifies promising project proposals which merit funding from alternative sources (public or private), i.e. national, regional, European or international.

12.2 Funding forms

Grants are calculated on the basis of a detailed estimated budget indicating clearly the costs that are eligible for EU funding. The grant amount may neither exceed the eligible costs nor the amount requested. Amounts are indicated in euros.

➤ **Maximum EU contribution requested**

The EU contribution is limited to a maximum reimbursement rate of 95% of eligible costs indicated in section 4. Consequently, part of the total eligible expenses entered in the estimative budget must be financed from sources other than the EU grant (see section 12.1c).

➤ **Eligible costs**

'**Eligible costs**' shall meet all the following criteria:

- ✓ they are incurred by the beneficiary;
- ✓ they are incurred during the duration of the action, with the exception of costs relating to final reports and audit certificates;

The period of eligibility of costs will start as specified in the grant agreement. If a beneficiary can demonstrate the need to start the action before the agreement is signed, expenditure may be authorised before the grant is awarded. Under no circumstances can the eligibility period start before the date of submission of the grant application (see section 12.1 b).

- ✓ they are indicated in the estimated budget of the action;
- ✓ they are necessary for the implementation of the action which is the subject of the grant;
- ✓ they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost accounting practices of the beneficiary;
- ✓ they comply with the requirements of applicable tax and social legislation;
- ✓ they are reasonable, justified, and comply with the requirements of sound financial management, in particular regarding economy and efficiency.

The beneficiary's internal accounting and auditing procedures must permit direct reconciliation of the costs and revenue declared in respect of the action/project with the corresponding accounting statements and supporting documents.

In addition for **unit costs**:

- ✓ the number of actual units must comply with the following conditions:
 - the units must be actually used or produced during the duration of the action;
 - the units must be necessary for implementing the action or produced by it, and
 - the number of units must be identifiable and verifiable, in particular supported by records and documentation.[/](#)

Further details are included in the model grant agreement.

Eligible direct costs

The eligible direct costs for the action are those costs which, with due regard for the conditions of eligibility set out above, are identifiable as specific costs directly linked to the performance of the action and which can therefore be booked to it directly, such as :

A. Direct personnel costs

Types of eligible personnel costs

A.1 Personnel costs are eligible if they are related to personnel working for the beneficiary under an employment contract (or equivalent appointing act) and assigned to the action ('**costs for employees (or equivalent)**'). They must be limited to salaries (including during parental leave), social security contributions, taxes and other costs included in the **remuneration**, if they arise from national law or the employment contract (or equivalent appointing act).

They may also include **additional remuneration** for personnel assigned to the action (including payments on the basis of supplementary contracts regardless of their nature), if:

- (a) it is part of the beneficiary's usual remuneration practices and is paid in a consistent manner whenever the same kind of work or expertise is required;
- (b) the criteria used to calculate the supplementary payments are objective and generally applied by the beneficiary, regardless of the source of funding used.

A.2 The **costs for natural persons working under a direct contract** with the beneficiary other than an employment contract or **seconded by a third party against payment** are eligible personnel costs, if:

- (a) the person works under conditions similar to those of an employee (in particular regarding the way the work is organised, the tasks that are performed and the premises where they are performed);
- (b) the result of the work carried out belongs to the beneficiary, and
- (c) the costs are not significantly different from those for personnel performing similar tasks under an employment contract with the beneficiary.

The costs of the personnel of **national administrations** are eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the project concerned were not undertaken;

A.3 Costs of owners of beneficiaries that are small and medium-sized enterprises ('**SME owners**'), who are working on the action and who do not receive a salary are eligible personnel costs, if they correspond to the amount per unit set out in Annex 2a of the model grant agreement multiplied by the number of actual hours worked on the action.

A.4 Costs of 'beneficiaries that are natural persons' not receiving a salary are eligible personnel costs, if they correspond to the amount per unit set out in Annex 2a of the model grant agreement multiplied by the number of actual hours worked on the action.

Further details of the calculation of personal costs included in the model grant agreement

B. Direct costs of subcontracting (including related duties, taxes and charges, such as non-deductible value added tax (VAT) paid by beneficiaries that are not public bodies acting as public authority) are eligible if the conditions set out in the grant agreement are met.

D. Other direct costs

D.1 **Travel costs and related subsistence allowances** (including related duties, taxes and charges, such as non-deductible value added tax (VAT) paid by beneficiaries that are not public bodies acting as public authority) are eligible if they are in line with the beneficiary's usual practices on travel.

D.2 The **depreciation costs of equipment, infrastructure or other assets** (new or second-hand) as recorded in the beneficiary's accounts are eligible, if they were purchased in accordance with the conditions set out in the grant agreement and written off in accordance with international accounting standards and the beneficiary's usual accounting practices.

The **costs of renting or leasing** equipment, infrastructure or other assets (including related duties, taxes and charges, such as non-deductible value added tax (VAT) paid by beneficiaries that are not public bodies acting as public authority) are also eligible, if they do not exceed the depreciation costs of similar equipment, infrastructure or assets and do not include any financing fees.

The only portion of the costs that will be taken into account is that which corresponds to the duration of the action and rate of actual use for the purposes of the action.

D.3 **Costs of other goods and services** (including related duties, taxes and charges, such as non-deductible value added tax (VAT) paid by beneficiaries that are not public bodies acting as public authority) are eligible, if they are purchased specifically for the action and in accordance with the conditions set out in the grant agreement.

Such goods and services include, for instance, consumables and supplies, dissemination, protection of results, certificates on the financial statements (if they are required by the Agreement), translations and publications.

E. Eligible indirect costs (overheads)

Indirect costs are costs that are not directly linked to the action implementation and therefore cannot be attributed directly to it.

Indirect costs are eligible if they are declared on the basis of the flat-rate of 7% of the eligible direct costs.

Indirect costs may not include costs entered under another budget heading.

Applicants's attention is drawn to the fact that in the case of beneficiaries receiving an operating grant³² financed by the EU or Euratom budget, they cannot declare indirect costs for the period covered by the operating grant unless they can demonstrate that the operating grant does not cover any costs of the action.

³² For the definition, see Article 121(1)(b) of Regulation 2015/1929 of the European Parliament and of the Council amending Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 218, 26.10.2012, p.1): '**operating grant**' means direct financial contribution, by way of donation, from the budget in order to finance the functioning of a body which pursues an aim of general EU interest or has an objective forming part of and supporting an EU policy.

➤ **Ineligible costs**

- (a) costs related to return on capital;
- (b) debt and debt service charges;
- (c) provisions for future losses or debts ;
- (d) interest owed;
- (e) doubtful debts;
- (f) currency exchange losses;
- (g) bank costs charged by the beneficiary's bank for transfers from the Agency;
- (h) excessive or reckless expenditure;
- (i) deductible VAT;
- (j) costs incurred during suspension of the implementation of the action;
- (k) in-kind contributions provided by third parties;
- (l) costs declared under another EU or Euratom grant (including grants awarded by a Member State and financed by the EU or Euratom budget and grants awarded by bodies other than the Agency for the purpose of implementing the EU or Euratom budget); in particular, indirect costs if the beneficiary is already receiving an operating grant financed by the EU or Euratom budget in the same period.

Further details are included in the model grant agreement.

➤ **Calculation of the final grant amount**

The final amount of the grant to be awarded to the beneficiary is established after completion of the action, upon approval of the request for payment containing the following documents:

- a final report providing details of the implementation and results of the action;
- the final financial statement of costs actually incurred;
- a certificate on the financial statements of the action for each beneficiary, if
- the (cumulative) amount of payments it requests as reimbursement of actual costs (and for which no certificate has yet been submitted) is EUR 325 000 or more and
- the maximum grant amount indicated, for that beneficiary in the estimated budget (see Annex 2) as reimbursement of actual costs is EUR 750 000 or more.

In the event of non-execution or clearly inadequate execution of an activity planned in the work programme annexed to the grant agreement, the final grant will be reduced accordingly.

EU grants may not have the purpose or effect of producing a profit within the framework of the action. **Profit shall be defined as a surplus of the receipts over the eligible costs incurred by the beneficiary**, when the request is made for payment of the balance. In this respect, where a profit is made, the EASME shall be entitled to recover the percentage of the profit corresponding to the Union contribution to the eligible costs actually incurred by the beneficiary to carry out the action.

12.3 Payment arrangements:

Pre-financing payment

A pre-financing payment corresponding to 50% of the grant amount will be transferred to the beneficiary within 30 days of the date when the last of the two parties signs the agreement, provided all requested guarantees have been received.

One interim payment shall be paid to the beneficiary. Interim payment(s) is/are intended to cover the beneficiary's expenditure on the basis of a request for payment when the action has been partly

carried out. For the purpose of determining the amount due as interim payment, the reimbursement rate to be applied to the eligible costs approved by EASME shall be rate indicated in section 4.

The interim payment shall clear 40% of the amount of the pre-financing previously paid.

Final payment

EASME will establish the amount of the final payment to be made to the beneficiary on the basis of the calculation of the final grant amount (see section 12.2 above). If the total of earlier payments is higher than the final grant amount, the beneficiary will be required to reimburse the amount paid in excess by EASME through a recovery order.

12.4 Pre-financing guarantee

In the event that the applicant's financial capacity is not satisfactory, a pre-financing guarantee for up to the same amount as the pre-financing may be requested in order to limit the financial risks linked to the pre-financing payment.

The financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the Member State of the European Union. When the beneficiary is established in a third country, the authorising officer may agree that a bank or financial institution established in that third country may provide the guarantee if he considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts shall not be accepted as financial guarantees.

The guarantee may be replaced by a joint and several guarantees by a third party or by a joint guarantee of the beneficiaries of an action who are parties to the same grant agreement

The guarantee shall be released as the pre-financing is gradually cleared against interim payments or payments of balances to the beneficiary, in accordance with the conditions laid down in the grant agreement.

13. REPORTING REQUIREMENTS:

Beneficiaries will be requested to submit the following reports:

- 6 technical progress reports covering each six months of project implementation
- periodic report and financial report after 18 months, linked to a request for payment
- A final technical and financial report, linked to the request for the payment of the balance.

Further details are included in the model grant agreement.

14. PUBLICITY

14.1 By the beneficiaries

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and emblem of the European Commission on all their publications, posters, programmes and other products realised under the co-financed project.

To do this they must use the text, the emblem and the disclaimer in accordance with the details provided in the grant agreement.

If this requirement is not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement.

In addition to the text and logo relevant to the EU programme, the authorising officer will provide beneficiaries with a disclaimer stating that the EU is not responsible for the views displayed in the publications and/or in conjunction with the activities for which the grant is used.

14.2 By EASME

With the exception of scholarships paid to natural persons and other direct support paid to natural persons in most need, all information relating to grants awarded in the course of a financial year shall be published on an internet site of the European Union institutions no later than the 30 June of the year following the financial year in which the grants were awarded.

EASME will publish the following information:

- name and address of the beneficiary
- subject of the grant,
- amount awarded.

Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

15. **DATA PROTECTION**

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EC) No 45/2001³³ on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, the questions and any personal data requested are required to evaluate the application in accordance with the specifications of the call for proposals will be processed solely for that purpose by the Head of Unit A.1 of the EASME. Details concerning the processing of personal data are available on the privacy statement at: http://ec.europa.eu/research/participants/data/support/legal_notice/h2020-ssps-grants_en.pdf.

Personal data may be registered in the Early Detection and Exclusion System (EDES) should the beneficiary be in one of the situations mentioned in Article 106(1) and 107 of the Financial

³³ Official Journal of the European Union L 8/1 of 12.01.2001.

Regulation 966/2012³⁴ (for more information see the Privacy Statement on: http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf).

16. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

Proposals must be submitted in accordance with the requirements of section 5 and by the deadline specified under section 3.

➤ Electronic submission

Applicants are requested to go to <http://ec.europa.eu/easme/en/cosme-eu-programme-competitiveness-enterprises-and-small-and-medium-sized-enterprises-smes> and follow the procedure for submitting an application.

No modification to the application is allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or for the correction of clerical mistakes, the EASME may contact the applicant for this purpose during the evaluation process.

Applicants will be informed in writing about the results of the selection process.

➤ Contacts

EASME is available to answer questions relating to the content of the present call for proposals. All questions must be sent by e-mail to EASME-COSME-IP-PRE-DIAGNOSTICS@ec.europa.eu

Answers will be published in the FAQ section of the Participant Portal at <https://ec.europa.eu/research/participants/portal/desktop/en/support/faq.html>. All answers to this call will be tagged with the keyword “COSME IP pre-diagnostics”.

Additional information about this call, if any, will be published at <https://ec.europa.eu/easme/en/cos-ip-2017-03-ip-pre-diagnostic-and-improving-access-patent-protection-innovative-eu-smes>

17. ANNEXES:

Annex 1 - Template for the Description of Action

Annex 2 - Template for the detailed budget

Annex 3 - Lump sums for IP pre-diagnostic services

Annex 4 - Rules for Implementation

Annex 5 - Model grant agreement

³⁴ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32012R0966>.