



Evaluation of the European IPR Helpdesk

FINAL REPORT

**An evaluation prepared for the European
Commission Directorate-General for Enterprise
and Industry**

This study was carried out for the European Commission by



P O Box 159
Sevenoaks
Kent TN14 5WT
United Kingdom
www.cses.co.uk

Within a Framework Service Contract for the Procurement of Studies and other Supporting Services on Commission Impact Assessments and Evaluations

Interim, final and ex-post evaluations of policies, programmes and other activities

DISCLAIMER

By the European Commission, Directorate-General for Enterprise and Industry

The information and views set out in this publication are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission's behalf may be held responsible for the use which may be made of the information contained therein.

ISBN 978-92-79-35008-5

DOI: 10.2769/89089

© European Union, 2014. All rights reserved. Certain parts are licensed under conditions to the EU. Reproduction is authorized provided the source is acknowledged.

| | CHAPTER | PAGE |
|---------|--|------|
| 1. | Introduction | 3 |
| 2. | The Research methodology | 9 |
| 2.1 | Application of Evaluation Methodology | 9 |
| 2.2 | Overall Approach | 9 |
| 2.3 | The Major Instruments of the Investigation | 10 |
| 3. | The Evaluation Results | 22 |
| 3.1 | Introduction | 22 |
| 3.2 | Relevance of the Helpdesk | 22 |
| 3.3 | Effectiveness | 38 |
| 3.4 | Efficiency | 57 |
| 3.5 | Sustainability & European Added Value | 72 |
| 3.6 | Utility of the Helpdesk | 73 |
| 4. | Conclusions & Recommendations | 75 |
| 4.1 | Conclusions | 75 |
| 4.2 | Recommendations | 84 |
| Annex 1 | Mapping Exercise | 88 |
| Annex 2 | Survey results - users | 96 |
| | Survey results – users – SMEs only | 109 |
| Annex 3 | Survey results – non-users | 122 |
| Annex 4 | Performance Indicators | 128 |
| Annex 5 | List of documents received from the Commission | 132 |

Introduction

1

This document contains the First Findings Report being submitted by the Centre for Strategy & Evaluation Services (CSES) LLP in respect of the assignment: ‘Evaluation of the European IPR Helpdesk’ under Lot VI of the Framework Contract for the Procurement of Studies and other Supporting Services on Commission Impact Assessments and Evaluations (2008/S146-195858).

1.1 Resume of Assignment Aims

This evaluation has been commissioned by the Unit for Industrial Competitiveness for Growth in the Directorate for Enterprise Competitiveness, Industry and Growth Policies of DG Enterprise and Industry in the European Commission. Other Commission services involved with IPR and support for enterprises participating in the study, including DGs ENTR D, CONNECT, MARKT, RTD and JRC. Another party to the exercise is the Executive Agency for Competitiveness and innovation (EACI¹).

The development and protection of Intellectual Property Rights (IPR) has steadily been gaining profile in a range of policies at a European level and especially those promoting entrepreneurship and innovation, since the effective management of IPR and, if necessary their enforcement, have become essential elements of competitiveness in an economy increasingly competing on the basis of ideas and knowledge.

Various studies and policy documents, including the ‘Making IPR Work for SMEs²’ report have emphasised the need to encourage those involved in research and development projects at European and national levels to manage the intellectual property generated by these projects more systematically and to plan its subsequent use and exploitation more carefully. This is seen as a significant way of improving the pay-back on public investment in R&D.

At the same time, the tendency for a greater amount of intellectual property to be incorporated into specific goods in a modern economy and for the forms of intellectual property involved in any one good to become more multi-dimensional and complex means that small and medium-sized enterprises (SMEs) increasingly face a more complex environment, in which intellectual property is often not exploited directly and straightforwardly by single enterprises, but arrangements are necessary between a number of enterprises of different sizes, often based on licensing.

The development of more open forms of innovation, relying on co-operation between different rights holders has strengthened this tendency.

All these circumstances and other features of the developing situation mean that effective support for SMEs in managing their IPR and especially for those involved in R&D projects, is a matter of growing importance.

Since 1999, the European IPR Helpdesk has provided professional first-line advice and information on Intellectual Property (IP) and Intellectual Property Rights (IPR) free-of-charge. Its aim has been to raise awareness of intellectual property and related issues, in EU-funded research and innovation projects and to provide an orientation for SMEs and tailored support³. It assists SMEs through a service that supports beneficiaries of EU funded programmes, notably those under the RTD Framework Programme

¹ Since 1.1.2014, EACI is called EASME – Executive Agency for Small and Medium-sized Enterprises

² IPR Enforcement Expert Group Report ‘Making IPR Work for SMEs’ (drafted by CSES) 2007

³ that should be clearly distinguished from legal advice, which is not provided directly by the European IPR Helpdesk

Introduction

1

and those supported by the Competitiveness and innovation Programme and also SMEs that are involved in cross-border agreements mediated by the Enterprise Europe Network. This service is accessed via a website, helping SMEs with project implementation and in the exploitation of their results. In addition a Helpline, training and awareness actions are provided for SMEs beyond those involved in EU-funded projects and other specialised back-up support is given to the clients of the Enterprise Europe Network that are seeking information on IP matters.

The consortium operating the European IPR Helpdesk has been selected on the basis of a call for tender and the most recent service contract was signed with the current consortium in 2010. The present contract will end on 31st December 2013.

The Commission, and DG Enterprise and Industry in particular, gives general and policy guidance and supervises the project, while the Executive Agency for Competitiveness and Innovation (EACI) manages the project from a technical and financial point of view.

The IPR Helpdesk initiative should be seen in a broader context of European policy relating to research and SME support, industrial policy, IPR policy and innovation policy. It is an instrument that is made use of in all these contexts and works alongside others, such as the China and other external IPR SME Helpdesks, IPorta, the Enterprise Europe Network etc. These interrelationships are a significant consideration in the evaluation.

The Purpose of the Evaluation

The European IPR Helpdesk has been operating since 1999 and has only slightly been modified since its inception. In the meantime, the economic and business environment has changed considerably, not least as a result of the economic crisis and new policy orientations are emerging with the specific objectives of COSME and the more innovation-oriented character of Horizon 2020. An evaluation of the service is now appropriate in order to assess the continuing relevance of the service and possibly identify ways that the services provided can be adapted to meet present and future needs of beneficiaries more effectively.

It is also of relevance that the current service contract for the Helpdesk ends on 31st December 2013.

In 2014, after a 12-months bridging contract, and with the new financial perspective coming into force, there will be a new contract that could run for another 3 years. This, of course, will be after a call for tender. The new contract will take into account the findings of the evaluation and thus adapt the services in the best way possible in order to support European researchers and SMEs in the field of IPR in the most effective manner. An assessment of the practical usefulness of the service is consequently an important consideration for the evaluation.

The overarching objective of the study, therefore, is to evaluate the relevance of the objectives and the mandate given to the European Helpdesk and the effectiveness of the European IPR Helpdesk given its particular policy context. Specifically the study:

1. Identifies, tests and applies methodologies for evaluating the relevance coherence, effectiveness, efficiency and utility of the European IPR Helpdesk;
2. Reviews the relevance of the purpose the European IPR Helpdesk and the mandate allocated to it;
3. Evaluates the impact/utility of the European IPR Helpdesk and based on these findings assesses whether the objectives of the Helpdesk have to be adjusted;

Introduction

1

4. Identifies the best ways to provide IPR support to the different relevant target groups, if the services of the European IPR Helpdesk are found to be no longer relevant;
5. Provides recommendations for modifications of the design of the service and its target group;
6. Analyses whether the structure and the internal organisation of the Helpdesk is the most suitable for the services to be provided.

These aims are being pursued within the normal framework established by the European Commission for conducting evaluations, which require an assessment of the operation of the Helpdesk against standard evaluation criteria (relevance, effectiveness, efficiency, utility, sustainability and European value added). This process involves a review of the coherence of the rationale for the Helpdesk and the relationship between expressed objectives and the actual mechanisms by which the objectives are pursued, as well as a detailed examination of its operation in relation to the various policy contexts and instruments with which it is associated.

On the basis of appropriate methodologies developed by CSES to measure the impact of the project against its objectives, the evaluation examines to what extent the project has achieved these objectives, the relevance of the service to present and future economic and policy environments and the links with other business support services and relevant organisations. Similar services (such as the China IPR SME Helpdesk and the Korean IPR Office) are used for comparison, although it has been decided that because of the differing natures of each organisation, it is not possible to make this comparison on the basis of a benchmarking exercise as was suggested provisionally in the initial proposal from CSES.

The China IPR Helpdesk predominantly focuses on both protecting and enforcing SMEs' IPR in or relating to the Chinese market, but since it encourages SMEs to 'know before you go', it undertakes a considerable amount of activity in Europe with SMEs preparing to move into markets in China. However, the China Helpdesk has a different target audience, in that both its SME clients in the EU and those already present in China tend to be more advanced than SMEs in general, both in terms of their general business activities and of their awareness and knowledge of IP matters. Furthermore, the problems addressed tend to be different, in that the China IPR Helpdesk clearly has to focus on the exercise of IPR in China, whereas the European IPR Helpdesk's activities focus on the EU Internal Market, with its 28 different IP regimes and the systems that apply at an EU level.

The Korean IP Office (KIPO) is different again in that it really corresponds to national IPOs in Europe, in that it is a national institution, providing similar services for South Korea. However, KIPO is particularly interesting in that it has well developed services, helping Korean SMEs, universities and research institutions to manage and exploit their intellectual property and an established programme of commercialisation consultations. Consequently although it was not possible to conduct a benchmarking exercise, discussions with both these agencies and others have helped to put the work of the European IPR Helpdesk in perspective. The policies relevant to the functioning of the European IPR Helpdesk are set out in the policy communications on Industrial Policy, policy statements on Research and Innovation (Innovation Union, Horizon 2020), on SMEs (COSME, Review of SBA) and on Intellectual Property (IPR strategy for the Single Market).

The results of the evaluation will be used by the European Commission for the design of the regime of the future IPR Helpdesks ensuring that they are well-founded, pro-active and highly relevant.

Introduction

1

Evaluation Tasks

The evaluation is focusing primarily on the current service contract and the whole portfolio of services is being covered. Services delivered under former contracts for the European IPR Helpdesk and the developing model for the Helpdesk over the years are used for comparative purposes and for assessing the suitability of the current model for the prevailing economic conditions, but are not be evaluated in themselves.

The specific tasks of the evaluator are to collect, analyse, judge and present primary and secondary data that address the main evaluation tasks, answer the key evaluation questions and on this basis to formulate recommendations. More specifically, the tasks involve:

1. Validating and refining the proposed methodological approach to the evaluation work, subject to the approval of the Steering Group;
2. In collaboration with the competent DG Enterprise and Industry services identifying the means to address the evaluation questions. The evaluators are free to elaborate further evaluation questions if they deem it necessary;
3. Collecting, analysing and presenting the data necessary to answer the evaluation questions, including the development of an appropriate set of indicators, based on those defined in the 2010 CIP-EIP Work Programme and in the Evaluation of the Indicators of the Entrepreneurship and Innovation Programme;
4. Analysis, and if possible measurement, of the value of Helpdesk activities to the users of its services;
5. Explaining the evaluation findings and formulating recommendations in line with the purpose of the exercise and the evaluation questions with a view to adapting and improving the future design of any activities in this area;
6. Presenting findings and recommendations in a final evaluation report in the required format;
7. Preparing and giving a presentation to stakeholders on the final findings and conclusions.

Providing focus for the performance of these tasks, a set of questions, largely on the basis of the questions set in the Request for Services (RfS).

Evaluation questions

The following evaluation questions have been elaborated in order to provide focus for the performance of the tasks set out above. As such, they have acted as a central reference point and guide during the course of the detailed investigations:

Relevance

1. In the current context, are the objectives, functions and mandate initially attributed to the European IPR Helpdesk relevant in providing the most effective support to SMEs and researchers/research organisations on IPR matters?
2. Is the Service delivered by the Helpdesk the service which users/beneficiaries feel they need and want? Are users' expectations being met? If not, is it because a different service needs to be offered, or the existing services offered in a different way, or are expectations unrealistic?
3. Does the Helpdesk comply with generally recognised professional practice in the orientation and delivery of its business support services?

Introduction

1

4. In view of these considerations, what should be the mandate, functions and objectives of the Helpdesk in the future?
5. Should the scope of the assistance offered by the European IPR Helpdesk be broader than its initial focus - IPR aspects of the RTD Framework Programmes, e.g. being extended to aspects relating to the EIT?
6. Should the scope of the European IPR Helpdesk be broadened to any IPR issue potentially faced by EU SMEs (including litigation etc.)?
7. Is the design of the European IPR Helpdesk still the best possible in the present economic and business environment? How could it be improved for future services?
8. Is the definition of target users still ideal or should this definition be modified?

Effectiveness

9. To what extent has the European IPR Helpdesk contributed to the overarching policy objectives as stated in the relevant policy documents and in the call for tender for the current period?
10. Are there any other impacts that the Helpdesk has generated?
11. What is the added value of the Helpdesk for beneficiaries and stakeholders?
12. Is it possible to quantify the monetary value of Helpdesk activities for the users of its services?
13. How could the effective use of IPR by beneficiaries be improved through the Helpdesk?
14. Are there any aspects/means/actors that render certain aspects of the European IPR Helpdesk more or less effective than others, and – if there are – what lessons can be drawn from this?

Efficiency

15. What aspects of the European IPR Helpdesk are the most efficient or inefficient, especially in terms of resources that are mobilised by the contracting consortium during the service contract?
16. How effective is the European IPR Helpdesk as a mechanism to achieve each of the objectives stated in the terms of reference of the Helpdesk?
17. What, if anything, could be done to render the Helpdesk more effective in meeting its objectives?
18. Does the present implementation mode (service contract of 3 years) promote the effectiveness of the service? Should the duration be modified?
19. Does the Helpdesk effectively identify potential beneficiaries and stakeholders; if not, how could that be done better?
20. Are there overlaps/ complementarities between the European IPR Helpdesk and any other Community or Member State action in the relevant areas?
21. How efficient is the Helpdesk in creating synergies between the Helpdesk and other related Helpdesks, NPOs and the Enterprise Europe Network?

Utility

22. To what extent could measures be taken to improve the utility of the European IPR Helpdesk?
23. What lessons from the implementation to date of the European IPR Helpdesk are useful for the implementation of other relevant current or future Community activities?

Sustainability

24. To what extent are any positive changes brought about by the European IPR Helpdesk sustained within enterprises?
25. Are the services best designed to offer sustainable support to the target groups?

Introduction

1

26. How far has the Helpdesk been able to alter the enterprise culture in favour of permanently attributing more weight to IPR and its management?

European Added Value

27. What is the European added value of the European IPR Helpdesk?

It should be noted that although these questions are largely those stipulated in the initial Request for Services, some additional questions have been added and others have been re-allocated to different categories in order to have a clearer distinction between the questions addressing the nature of the effects achieved by the Helpdesk under the 'effectiveness' category and those that address the efficiency of the processes that are used under the 'efficiency' category. In all cases, however, the intention has been that this evolution should be very much in line with the original intention and objectives of the evaluation.

It should also be noted that this particular evaluation exercise has placed a relatively strong emphasis on 'relevance' questions – issues concerning the objectives and orientation of the Helpdesk. This reflects the basic aims of the exercise and has influenced the relative weight attributed to these issues in the investigations undertaken.

The investigations are now completed and conclusions have been drawn again referring to the evaluations questions. The initial implications for future policy development and the design of any future Helpdesk are pointed out, specifically in the form of a series of recommendations. The final conclusions and recommendations are formulated in this report.

1.2 Structure of the Report

The Report is structured as follows:

- **Section 2: The Research Methodology** – provides a structured presentation of the methodological approach developed and the type of data that are relevant to an assessment of the Helpdesk performance;
- **Section 3: The Evaluation Results** – provides an account of the responses to the evaluation questions. The qualitative and quantitative evidence from various research tools is presented with a view to providing a firm basis for the conclusions and recommendations section;
- **Section 4: Conclusions and Recommendations** - presents a summary of the conclusions and recommendations of the evaluation;
- **Annexes: Mapping exercise and surveys results** – the mapping exercise provides an overview of the Helpdesk's main objectives and areas of activity; survey results – users and non-users survey data - are also provided.

The Research Methodology

2

2.1 Application of Evaluation Methodology

The specific questions that the evaluation is expected to address, as set out in the RfS, have already been stated and further elaborated. However, there are broader considerations that have shaped the conduct of the evaluation and have helped to direct its focus and empirical investigations and it is as well that these are briefly reviewed. They fall into two areas, the first concerns the way that the Commission's standard evaluation framework applies in this particular case and the second concerns the particular issue of how the evaluation addresses the management of the Helpdesk service.

The Evaluation Framework

The conduct of an evaluation needs to conform to the Commission's evaluation standards and procedures. These usually see evaluation as part of a cycle that these days accompanies the initial development of legislative proposals with an impact assessment, continues through its early and subsequent implementation with monitoring processes and eventually arrives at a point where an ex-post evaluation aims to establish what legislation or a programme has achieved and how far it has progressed towards its initial objectives. The current evaluation concerns a policy instrument that is more narrowly focused than the major programmes and legislative acts for which this process was designed and it is not appropriate to apply the full range of the standard evaluation mechanism. Nonetheless, the spirit of the normal methodology is still relevant and particularly the processes that involve an assessment of the original rationale and purpose of the instrument, followed by a comparison of its actual performance against the initially stated objectives, with a view to strengthening the practice of evidence-based policy making.

The Specific Context of the Helpdesk as a Policy Instrument

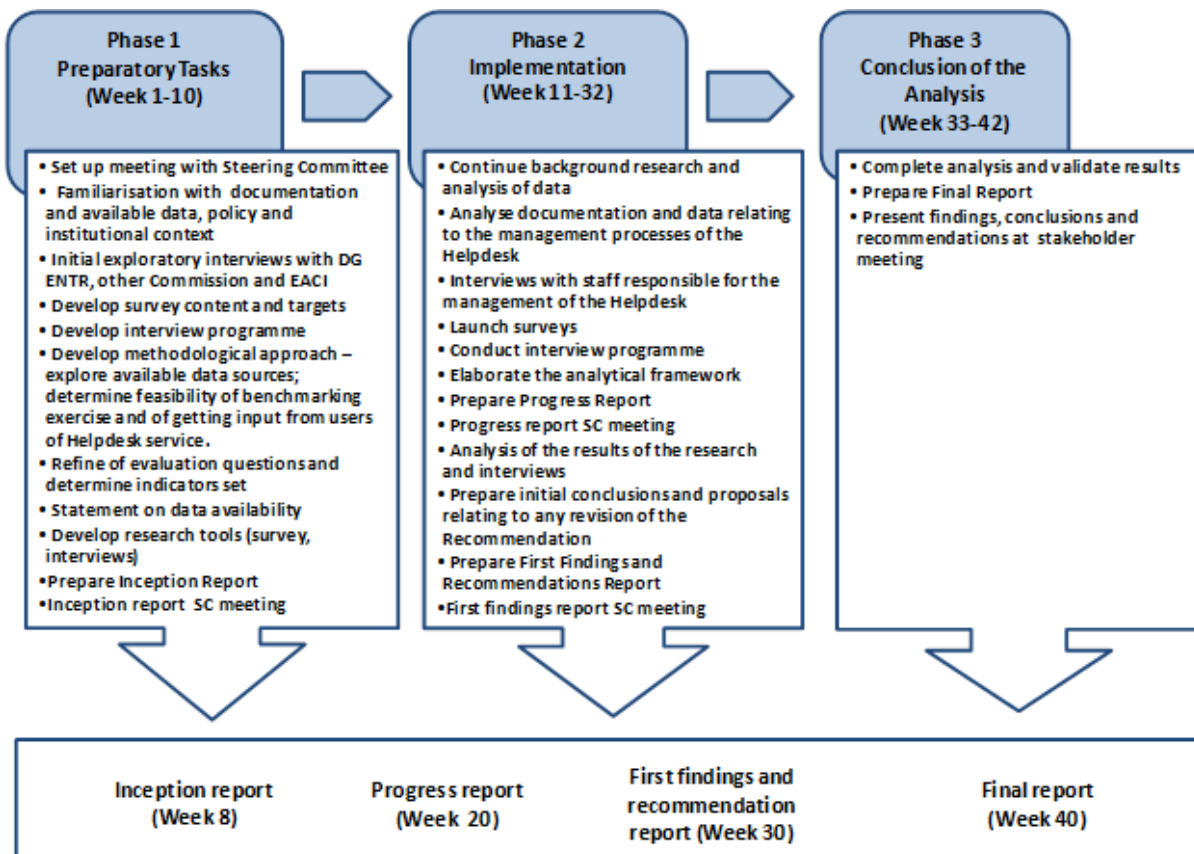
There is also a specific point that arises because of the particular nature of the instrument under review. In addition to the general evaluation framework, consideration particularly of the efficiency of the instrument requires an assessment of the way that it is managed, from the point of view of the efficiency of the delivery mechanisms. Thus, although the exercise is certainly not intended to be an audit or a management appraisal of the consortium operating the Helpdesk, the way that the contractual arrangements and the internal management of the service delivery affect the targeting, quality and impact of the instrument have had to be considered as part of the evaluation exercise.

2.2 Overall Approach

The work undertaken for the evaluation has been organised in three separate phases, each of which has resulted in the submission of one of the required deliverables. These are illustrated in the diagram below which sets out the Work Plan for the assignment and our methodological approach:

The Research Methodology

2



- **Phase 1: Preparatory Tasks** – set up meetings and various preparatory tasks including an initial review of relevant documents and data, a determination of current objectives and indicators; the refining of evaluation questions and the preparation of research tools, leading to an Inception Report;
- **Phase 2: Implementation of the desk research and interview programme and analysis** – continuing desk research, discussion with the consortium currently managing the Helpdesk and the conduct of three surveys, plus an interview programme with a range of stakeholders. The submission of a Progress Report and subsequently a First Findings and Recommendations Report;
- **Phase 3: Further analysis and Final Report** – completion of the interview programme and further analysis, especially in the light of comments made by the Steering Group on the First Findings and Recommendations Report. This has led to this Final Report.

A presentation will be made, if required, of the findings, conclusions and recommendations of the study at a workshop organised by the Commission for Commission staff and stakeholder groups.

2.3 The Major Instruments of the Investigation

It can be seen that the investigations carried out for the evaluation have relied on the following instruments:

- Background policy documents and reports;

The Research Methodology

2

- Management plans and reports of the Helpdesk consortium;
- Surveys of registered users, non-users (other SME participants in FP7) and the Enterprise Europe Network; An interview programme with the main stakeholders.

Each of these instruments has certain strengths and weaknesses in terms of accessing appropriate information. Initially it was important to understand the developing policy framework within which the Helpdesk operates and the background research programme and some of the initial interviews were helpful in this respect. A summary of the broad range of considerations taken into account from the policy context is provided in the next section. The evaluation team then sought to make use of the relative strengths of each instrument in determining how the investigations would be conducted. This is explained in subsequent sections.

The Policy Landscape in which the Helpdesk Operates

Important considerations in assessing the overall relevance of the IPR Helpdesk are the general policy context, and especially recent developments in policy and the management framework of the Helpdesk

Research, development and innovation are key policy components of the strategic framework established by Europe 2020. By fostering market take-up of new, innovative products and services, they contribute to smart growth and jobs and to addressing societal challenges. By paving the way towards increased labour productivity, industrial competitiveness and the development of green and efficient resources, they are also at the heart of sustainable growth.

Recognising that Europe's future growth relies to a large extent on research and innovation, the European Council reaffirmed in March 2010 that the overall R&D investment level should be increased to 3% of EU GDP as part of improving the conditions for research and development. Building on the launch of the "Innovation Union" flagship initiative, the Commission has developed a Research and Innovation Plan to re-focus R&D and innovation policy on the major societal challenges, strengthen the knowledge-base and research capacity across Europe and achieve a single market for knowledge and innovation.

Horizon 2020 is the proposed framework programme for implementing the Innovation Union, running from 2014 to 2020 with an €80 billion budget, and as the EU's new programme for research and innovation, it is a part of the drive to create new growth and jobs in Europe. Horizon 2020 represents a major simplification in research and innovation support, combining all the research and innovation funding currently available through the FP for Research and Technical Development, the innovation related activities of the CIP and the EIT. The main support proposed within the Horizon 2020 is presented in the table below.

The Research Methodology

2

The proposed support for research and innovation under Horizon 2020:

- Strengthening the EU's position in science with a dedicated budget of € 24 598 million. This will provide a boost to top-level research in Europe, including an increase in funding of 77% for the very successful European Research Council (ERC).
- Strengthening industrial leadership in innovation € 17 938 million. This includes major investment in key technologies, greater access to capital and support for SMEs.
- Providing € 31 748 million to help address major concerns shared by all Europeans such as climate change, developing sustainable transport and mobility, making renewable energy more affordable, ensuring food safety and security, or coping with the challenge of an ageing population.
- Tackling societal challenges by helping to bridge the gap between research and the market by, for example, helping innovative enterprise to develop their technological breakthroughs into viable products with real commercial potential. This market-driven approach will include creating partnerships with the private sector and Member States to bring together the resources needed.

A key characteristic of the new framework to be established by Horizon 2020 is an increased emphasis on applications of research and support for innovation. This aspect of the framework is particularly significant for the future operation of the Helpdesk, especially when it is put alongside the growing appreciation of the role of IPR management in the processes by which research results find their way into products and services on the market.

There are also implications for the Helpdesk in other new features of Horizon 2020, such as moves to integrate the European Research Area, by greater co-operation between EU and national research funding programmes and flexible opportunities for SMEs under Horizon 2020's SME Instrument. While such moves generally increase the flexibility of the programme, they also increase the number of contractual arrangements and the possibility for different arrangements in relation to IP management. It is likely therefore that there will be a greater need for the Helpdesk to provide advice on the appropriate forms of IP management under the new arrangements.

At the same time other aspects of the environment in which the Helpdesk operates are changing significantly. In its communication of 25 May 2011, the European Commission emphasized that the answer to the fragmentation of the IPR landscape in the EU is the creation of a Single Market for IPR in order to boost creativity and innovation. A major element in this Single Market for IPR is the "patent package", leading to the implementation of a unitary patent in the EU, covering 26 Member States (all except Italy and Spain) with associated institutional arrangements, such as the Unified Patent Court.

The increase in international trade has put the spotlight on the international dimension of IPR. At the same time, the growth in IP infringements creates the need to focus on a robust global enforcement strategy, in accordance with fundamental rights. All forms of IPR are cornerstones of the new knowledge-based economy. Much of the value, market capitalization and competitive advantage of Europe's companies will in future reside in their intangible assets. Consequently, IP is the capital that feeds the new economy. Better use of IP portfolios by means of licensing and commercial exploitation is central to successful business models.

The Research Methodology

2

Together with the modernization of the trademark system, the creation of a comprehensive framework for copyright in the digital single market and measures to counteract counterfeiting and piracy, these changes all have important implications for the Helpdesk, in terms of the content and nature of the services offered, the extent of the demand for IPR services (given the cost advantages and reduced administrative burden of the new regime) and the relationships with other actors, whose own roles are changing – notably the national Intellectual Property Offices. The tendency to make use of EU-wide frameworks, for instance, makes it easier for the Helpdesk as well as the enterprises concerned to deal with issues that have a cross border element. Detailed comparisons of national regimes and procedures can be reduced. However, there may be a tendency of enterprises to make more reference to sources of assistance at a European level, rather than approaching national providers. This could cause a shift in the pattern of enquiries received by the Helpdesk.

These changes have important implications for the Helpdesk services. The change in emphasis in research programmes towards applications suggests a need for a greater concentration on the management of IP in the exploitation area and in specific areas within this, such as the management of licensing arrangements and relations with other partners. At the same time, developments in the Enterprise Europe Network and in the national Intellectual Property Offices suggest that the European added-value of the Helpdesk consists more and more in providing support specifically on IP matters relating to participation in EU research programmes rather than in general IP management. These potential implications of changes in the policy framework need more detailed consideration, both in terms of the conceptual coherence and relevance of the services offered and the practicalities of configuring new services to respond to different objectives. The issues are raised again in various parts of the detailed consideration of the evidence, but particularly in the section on the relevance of the Helpdesk's services as far as the conceptual design of the services is concerned and in the efficiency section, when it is a matter of the practicalities of the arrangements and particularly the relations with other service providers.

Development of the evaluation framework

This particular evaluation has required a relatively pronounced emphasis to be placed on issues to do with the relevance criterion among the set of criteria by which the Helpdesk has been assessed. Nonetheless questions of effectiveness and efficiency also have their place in forming a view on the past performance of the Helpdesk and the appropriateness of the current arrangements for the policy challenges that need to be faced.

In this context and in addressing issues such as the relationship between the Helpdesk and other business support organisations that can have a 'multiplier' role, much of the investigation has had a qualitative aspect and has made use of discussion with stakeholders, principally through the interview programme. Nonetheless, in principle, it was also deemed that it should be possible to throw light on some aspects of the performance of the Helpdesk by seeking quantitative data.

The approach taken during the Inception period was to start with the evaluation questions and to pursue a systematic analysis of which aspects of the issues they raised could be best answered by the various tools that are available for the investigation. The evidence in the reports from the Helpdesk consortium on the performance of the service under the current and previous contracts has been supplemented by evidence gathered by the surveys of both users and non-users of the Helpdesk. The intention has been to make use of the relative strengths of surveys in obtaining quantitative data on performance, by addressing all of the registered users of the services and also a large proportion of all

The Research Methodology

2

potential users, given the currently defined targets, by surveying all participants in FP7 supported research and supplementing this with a short survey of members of the Enterprise Europe Network.

By contrast, the interviews have sought to explore a series of issues with a range of stakeholders in a format that deliberately allowed the interviewees to raise matters that they consider important within the broad context defined by the interview checklists. With their looser structure, interviews are generally less able to generate consistent quantitative data, but they do allow a better understanding of the central issues to be developed and unanticipated matters to be raised and explored.

The formulation of the questions for both of the surveys and for each of the interview checklists was therefore derived directly from the evaluation questions on the basis of a view in the case of each question of the quantitative and qualitative evidence to be sought.

An exercise was then conducted to ensure that adequate evidence would be collected on each of the evaluation questions through different research tools. The open nature of the interview programme and some of the background research made it difficult to define further the nature of the qualitative evidence that the investigations were expected to generate. However, in relation to the quantitative indicators, it was possible to characterise the nature of the evidence that the examination of the reports and the surveys were likely to generate. A large part of these related to the outputs of the Helpdesk service, which is appropriate, given that an important part of the evaluation is concerned with the management of this facility. However, the opportunity was also taken, especially in the survey of users, to try and obtain information on longer term results and impacts.

The indicators for which the investigations were expected to provide data were as follows:

Output Indicators

- Number of training events organised;
- Geographic and thematic coverage by user profiles of training events;
- Number and thematic coverage of training modules;
- Number of webinars provided;
- Number of awareness raising initiatives;
- Number of awareness raising events by thematic coverage and profile of audience;
- Number of participants reached;
- Number of marketing materials produced and distributed;
- Number of helpline enquiries and responses;
- The extent of the geographic and thematic coverage by user profiles
- Response times;
- Website Use: Number of users;
- Number of documents downloaded and types downloaded;
- Number of users subscribed for services; Newsletter; Other publications;
- WP2 Helpline satisfaction;
- WP3 Training satisfaction;

The Research Methodology

2

- Value of services;
- Changes in awareness, knowledge and skills;
- Changes in intended action;
- Changes in organisational capacity, i.e. IPR problem solving skills;
- Improved relationships with other organisations;
- Numbers reporting subsequent formal registration of IP
- Increased performance of the organisation;
- Increased knowledge of IPR issues;
- Increased employment/turnover/research results in the organisation.

Result and Impact Indicators

- Changes in awareness, knowledge and skills;
- Changes in intended action;
- Changes in organisational capacity, i.e. IPR problem solving skills;
- Improved relationships with other organisations;
- Numbers reporting subsequent formal registration of IP
- Increased performance of the organisation;
- Increased knowledge of IPR issues;
- Increased employment/turnover/research results in the organisation.

In the event it has turned out that the data provided through the surveys and interviews have not been sufficient to accurately assess the IPR Helpdesk's performance, particularly against the longer-term indicators, since many respondents failed to provide clear answers to the relevant questions. In particular, the data regarding the long term effects on SMEs and improvements in their performance were not sufficient to evaluate the impacts of the services. Nor has the Helpdesk collected data on these longer-term indicators. To a certain extent, these difficulties were to be anticipated in that it is precisely the problem of not being able to attribute unambiguously the effects of the services of the Helpdesk and similar business support agencies that characterises the market failure in this area that then gives rise to the public intervention in the form of business support. If it were possible to identify clearly the effects of the Helpdesk, there wouldn't be a need for such provision in the first place. Enterprises would be able to calculate the extent of the benefit received in comparison to the cost and seek providers in the market. However, that is not to say that no evidence at all can be brought to bear. Some responses were provided in the survey to questions on the overall impact of the services provided by the Helpdesk and with clearly defined indicators it may in future be possible to collect more feedback on the longer term effects of Helpdesk services. Rather, it is a matter of understanding the limitations on the possibility of assessing longer-term performance in the current exercise and the implications of this for the conclusions that are to be drawn.

These issues were already highlighted in the Progress Report and discussed at a subsequent meeting with the Steering Committee. Comments from the Commission side emphasised the importance of result and longer term impact indicators, but also underlined the continuing significance of outputs and

The Research Methodology

2

short term impacts. A review of the relevance and effectiveness of existing performance indicators, with a view to proposing a revised set for the next call for tenders is provided in Chapter 3.

The Development of a monitoring framework

Related to the determination of the anticipated evidence for the evaluation, there has been consideration given to the development of a framework for the future monitoring of the Helpdesk. In fact, one of the specific tasks set for the evaluation was ‘the development of an appropriate set of indicators, based on those defined in the 2010 CIP-EIP Work Programme and in the Evaluation of the Indicators of the Entrepreneurship and Innovation Programme’.

Recent developments in the application of evaluation principles to specific areas of policy under the responsibility of DG ENTR have led to an increasing emphasis on the on-going monitoring of legislation and programmes as a complement to the episodic conduct of evaluations. This has been a feature of developments under the Competitiveness and innovation Programme (CIP) and has been given a particular profile in the proposals for a successor to the CIP.

The system to be proposed should therefore build both on the broader developments that have been taking place and on the monitoring arrangements that already exist under the current framework. In particular, it is important in developing the indicator system further to make reference to the relevant frameworks for monitoring and indicators established by the Commission and by DG ENTR in particular, as well as the specific requirements stemming from developments under the CIP and in the decisions on COSME. New indicator systems should not be developed without regard for the accountability and reporting procedures to which they will ultimately contribute. At the same time, it should not be necessary to re-invent the arrangements that are already in place provided they remain relevant. Monitoring of the Helpdesk is already supported by reporting requirements that form part of the current contractual arrangements. Any development has had to build on these arrangements.

The evaluation itself has both made use of, and added to, the evidence derived from on-going monitoring. This included a review of reports from the Helpdesk but also additional evidence from the survey and interview programme which has served to check to a certain extent on the information provided in the reports, but also to add additional information on performance of the Helpdesk the context in which it operates. Subsequent sections of the First Findings Report provide additional information on the nature of the evidence that has been sought during the investigations.

Familiarisation with core documentation and data

The process of improving our familiarity with background policy documents and data was assisted by the initial meeting with the Steering Committee on 16th January 2013. Reference was made to the following key documents.

The Research Methodology

2

Key Policy Documents & Information Sources

1. "Implementing the Community Lisbon Programme: A Policy Framework to Strengthen EU Manufacturing - towards a more integrated approach for Industrial Policy
2. 'Creating Effective IPR Enforcement Support for SMEs - Report of the IPeuroAware project
3. 'Making IPR work for SMEs' - Expert Group Report
4. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (2003/361/EC)
5. Communication of the Commission Europe 2020 Flagship Initiative Innovation Union SEC(2010) 1161
6. Communication on Horizon 2020 - The Framework Programme for Research and Innovation COM(2011) 808 final
7. Communication on Industrial Policy – Update 2012
8. Decision No 16/39/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Programme
9. Evaluation reports, including those on the CIP, EIP and the EIP indicators
10. IPR policy: Communication of the European Commission 'A Single Market for Intellectual Property Rights'
11. Progress Reports on SME participation in the Seventh Framework Programme for Research and Technological Development (FP7)
12. Study A. Radauer et al 'Benchmarking National IPR support services'
13. The Consensus Report from the FP6 Project Review, 2006

The areas pointed to by the Consensus Report of the 2006 FP6 Project Review – essentially an earlier evaluation - were identified especially as a matter for further investigation in order to assess the extent to which there have been improvements. The Consensus Report assessed the Helpdesk at the time as being 'Acceptable' but pointed to shortcomings, especially in relation to the service's profile among SMEs and its relationship with potential multipliers. This highlighted issues for further consideration in the examination of the performance of the Helpdesk in recent years and in the discussions with the current management about how it has responded to challenges. The issues raised include:

- Awareness of the services of the IPR Helpdesk within the target audience, and particularly SMEs;
- The discrepancy in the spread of activities among countries, especially the origin of questions (Helpline) and the location of training events;
- The Dissemination Plans;
- The feedback on results – web visitors and helpline questioners were not asked to say where they had heard of the IPR-Helpdesk. There was also no systematic tracking of hits on the website to see whether users found the website through a search engine or through a link on a particular website;
- Regional coverage – with only a few countries being targeted in any significant way for events, or other activities;
- Synergies between the Helpdesk and other related Helpdesks, NPOs and IRCs;
- The administrative and financial management.

The Research Methodology

2

The current position in relation to these issues has been systematically considered in the analysis of reports and raised in interviews, whenever relevant.

Finally it should be mentioned that the approaches set out in this section have been supported by wider documentary research, web searches etc. and analysis of the data available from official sources.

Analysis of the management plans and reports of the Helpdesk consortium

At a more operational level, the documents that relate to the contractual arrangements and especially the reports generated have been centrally important for understanding the specific tasks of the Helpdesk and the way that it has been functioning. The documents that have been made available by the Commission are presented in Annex 6

After the reports and other documents relating to the management and reporting procedures of the Helpdesk were made available, an analysis was conducted with a view to highlighting the main features and mapping out the objectives, tasks, processes and anticipated outputs of the Helpdesk project and the resource allocation associated with it. A summary of the situation was developed at and is presented as Annex 1. This analysis has provided the basis for productive discussions with those responsible for managing the Helpdesk and also assisted in supporting the analysis of responses to a range of evaluation questions.

Development of the surveys

A particular practical issue that had to be resolved was the best method for getting feedback from the users and non-users of the system. After discussions with several parties, it was agreed that the registered users of the Helpdesk Services would be invited through the Helpdesk's regular newsletter to participate in a survey. Invitations to participate in a survey were sent to approximately 3,500 registered users.

A survey of 'non-users'— SMEs participating in FP7 that have not made use of the Helpdesk's services—has made use of a database of beneficiaries of FP7 funds, maintained by DG RTD. This required certain legal steps to be taken to ensure observance of data protection requirements. A request was sent to over 10,000 contacts listed in this database asking them to complete a short survey. In order to encourage a high response rate, the number of questions asked was restricted.

Users of the service that had not registered were caught in part by the broadly-based survey of 'non-users', where an early question directed those who had in fact used the service, without registering, to respond to the parallel survey of users

Generally, this contact with a large group of people and organisations active in research had the additional advantage that they were reminded of the assistance available from the Helpdesk and may have prompted to make use of its services.

It had been established that it is not possible to obtain a single list of beneficiaries of the CIP innovation actions. In order to cover some of the other potential users of the Helpdesk, beyond those participating in FP7 programmes, DG ENTR proposed that the non-user survey should be distributed by the Commission to Enterprise Europe Network Members. On reflection, it was not clear how the Enterprise Europe Network could reflect the views of enterprises participating in the CIP, so a further short survey questionnaire was developed that sought to throw light on the relationship between the Helpdesk and other business support organisations. In order to encourage a high response rate the surveys of both the non-users and the Enterprise Europe Network members were kept short.

The Research Methodology

2

In drafting the questionnaires for the surveys the CSES team was guided by the key evaluation questions and reflection on the nature of the evidence sought. In view of the nature of the information that is best captured by surveys and also the information that is available elsewhere, it was decided that the focus for each of the surveys would be as follows.

For the user survey:

- the nature of the users;
- their needs and the way that they use the Helpdesk;
- how they found out about the Helpdesk;
- how they assess the separate services;
- the use of alternative forms of support;
- the effects on their performance.

For the main survey of non-users:

- the nature of the respondents;
- whether they had heard of the Helpdesk;
- the reasons for not using the Helpdesk;
- what kind of assistance they would need, if they were to use the Helpdesk services.

For the survey of the Enterprise Europe Network:

- the extent that Network clients can make use of IPR Helpdesk services;
- the reasons that (some) Network members do not work with the Helpdesk;
- the extent to which Network clients work with other providers of support.

There were 399 responses to the user survey, 639 responses to the survey of non-users and 4 to the survey of Enterprise Europe Network members. The response rate to the surveys of both the users and non-users is judged to have been highly satisfactory. However, some of respondents were not able to provide sufficient answers to a few of the questions, with a high proportion of 'I do not know' answers mainly relating to the training services and the impacts of the services. The reason for the restricted knowledge of training services could be related to the fact that registered users of the Helpline and online services do not participate in training events and equally, training participants are not necessarily active Helpdesk users and therefore do not appear among those registered. This bias towards the perspective of registered users should therefore be borne in mind in interpreting the results of the users survey. Helpdesk

The response to the survey of Enterprise Europe Network members was disappointing. It was known before the survey was launched that Network members are suffering from survey fatigue and as a result the survey was deliberately designed to be completed within a few minutes. However, even this was not sufficient to tempt the Network members to respond.

The raw survey results are provided as Annexes 2 and 3. Reference to and interpretation of the results of the surveys is to be found in Chapter 3.

The Research Methodology

2

The conduct of the interview programme

An initial list of interviewees was proposed in the Inception Report, together with proposed interview checklists, setting out the background to the project and the issues to be discussed during the interview programme. This was modified following feedback from the project officers. Each of the Interview Checklists has been based on the key evaluation questions, which were adjusted to take account of the stakeholders' profiles and experience.

For the main interview programme, the following groups were established as targets:

- EU officials in DGs ENTR and RTD and in the JRC and EACI;
- EU level Stakeholders – e.g. UEAPME, EUROCHAMBRES, Digital Europe, European Enterprise Network IPR working group, EARTO and ASTP;
- National Authorities and NCPs with interest in IP matters;
- International Stakeholders – China IPR SME Helpdesk, Korean IP Office (KIPO);
- A few Intellectual Property Offices;
- A few organisations working directly with SMEs.
- Users of the Helpdesk service, distinguished according to broad category of use (enquiry, training of different kinds, users of newsletters and other publicity etc.);
- Non users of the Helpdesk services identified through the responses to the non-user survey.

A list of contacts was provided to the Steering Group and revised in line with the comments after the submission of the revised Inception Report. It was agreed that approximately 46 interviews would be carried out with different stakeholders. It turned out that a few more were required and several contacts were made with a number of those initially interviewed. Below is an overview of the different types of interviewee:

| Target Group | Number of interviews |
|---|----------------------|
| Commission officials | 12 |
| Representatives of industry, SMEs, public research organisations and universities | 9 |
| Organisations operating associated services | 2 |
| Member States Representatives | 2 |
| (MS) IPOs | 2 |
| (MS) NCPs | 3 |
| Non-users | 3 |
| Users | 13 |
| Total: | 46 |

Interviews were conducted face-to-face (14) or by phone (32) depending on the arrangements that could be made with the specific interview target. The interviews with the Helpdesk consortium, Commission officials and other organisations located in Brussels were nearly all face-to-face. Interviews of users and non-users were all conducted over the phone.

A number of organisations initially targeted declined the invitation to be interviewed, either because of

The Research Methodology

2

lack of time or more usually because it was said that they had limited knowledge of the Helpdesk or the area in which it operated. This, for instance, was the case with several European networks.

Detailed interviews were conducted with all of the three consortium partners managing the Helpdesk. Information was sought on a range of matters from the terms of the mandate and the current operational performance of the Helpdesk to the possibilities for changing the elements of the service delivered, its target groups and its relationship with other actual and potential partners. It is intended that there will be further discussions with the same staff members on the basis of the First Findings Report.

As well as the interview with the members of the consortium managing the Helpdesk, there have been interviews with the EACI staff currently responsible for the Helpdesk, the China (and ASEAN) IPR SME Helpdesk, KIPO, business organisations and national officials. CSES also met members of the Enterprise Europe Network IPR Working Group involved in IP work and the ambassador scheme.

41 of the Helpdesk users and 120 non-users indicated in their survey responses their availability to participate in a short telephone interview to explore their experiences in more depth. The final list of users and non-users to be interviewed was determined so as to ensure a representative spread across different user or non-user categories, country of origin, organisation and sector.

Overall, the CSES team judged the availability of data to support the analysis being conducted by the evaluation to be rather good. In general this optimism has turned out to be justified.

Evaluation Results

3

3.1 Introduction

The objective of this section is to present an analysis of the information collected and the conclusions drawn, especially in relation to each of the key evaluation questions concerning the relevance, effectiveness, efficiency, and sustainability of the Helpdesk.

The aim is to provide an account of the main findings of the investigations carried out in a form that can facilitate further refinement in the light of the comments of the Steering Committee and the remaining interviews. It is also proposed that the findings will be discussed with the Helpdesk consortium.

The evidence to be presented relies to a large extent on information provided by stakeholders, initially in response to both user and non-user surveys and subsequently in interviews with various stakeholder groups. This has been supplemented by reference to a number of status reports, work plans and data provided by the Helpdesk but also other sources outlining the policy objectives and challenges within the scope of IPR.

Observations made in the initial user survey and in interviews together with information from published sources were summarised in the Progress Report and discussed at the Progress Report Meeting. The objective at that stage had been to state initial positions, expose them to contrary arguments and highlight areas where further evidence was required. A substantial number of comments and further evidence were provided after the meeting, especially in response to a series of specific questions. A number of additional interviews were also conducted. The current Report is the result of an examination of the further material assembled as a result of these processes; however more interviews, particularly those directly with users and non-users of the Helpdesk, have been scheduled for the coming weeks. The conclusions presented therefore still have a provisional nature.

3.2 Relevance of the Helpdesk

In this section we address the key question of the relevance of the Helpdesk within the broader context of support on IPR matters for SMEs, researchers and research organisations. We also begin to consider whether the Helpdesk is complementary or not to other related service providers and if there are synergies or overlaps, though a full assessment of this issue is only provided in the conclusions, after matters relating to practical operational questions in the relationships between the various agencies active in the IP area have been considered in the section on efficiency. However, it is also important, for the evaluation as a whole, but especially in making a judgement on the Helpdesk's continuing relevance, to be clear about a series of matters relating to its overall orientation. This includes the policy context in which the Helpdesk was established, the implications of its legal basis and the nature of its interaction with other policy instruments.

3.2.1 *The Objectives of the Helpdesk*

The analysis of the call for tender relating to the current European IPR Helpdesk, the subsequent contract, the various reports that have been submitted and other background documents have allowed the CSES team to 'map out' the central objectives of Helpdesk. The summary results of this mapping exercise are presented as Annex 1.

The tasks of the Helpdesk are defined in the current contract with the managing consortium and initially this definition is expressed in rather broad terms. The aim of the European IPR Helpdesk is to:

Evaluation Results

3

‘assist beneficiaries of EU funded projects and EU SMEs in general in issues related to intellectual property rights’.

Similarly, the ultimate objective of the Helpdesk is said to be:

‘to improve the return on EU Funding’ by contributing to the success of the funded projects and the effective exploitation of their results in a coherent and seamless service to SMEs.

The intention was that these objectives should be attained by raising awareness amongst current and potential beneficiaries of EU funded programmes and EU SMEs on the importance of a good management of IPR and providing an efficient support service that helps them solve issues related to intellectual property rights in their project implementation, exploitation of project's results or cross-border IPR challenges. The Helpdesk should also empower SMEs to develop their own capacities to deal with IPR issues.

More specifically, the target groups of the Helpdesk are defined as follows:

- **beneficiaries of EU funded programmes**, namely:
 - current and potential participants in EU funded RTD projects and in particular SMEs, academic institutions, research centres and individual researchers;
 - current and potential participants in CIP projects (e.g. Intelligent Energy Europe Programme, Eco-innovation), and in particular SMEs and innovation agencies.
 - **EU SMEs** (including micro-enterprises) in general in the process of negotiating or concluding transnational partnership agreements, especially through the Enterprise Europe Network.

The Helpdesk is also expected to establish direct linkages with those organisations that are most active in the IP area at international, EU and Member State levels, in order to build synergies with multiplier networks on IP expertise and service provision and to be able to alert potential users to the services and tools available from the Helpdesk or to signpost clients to other sources of assistance when necessary. An initial question to be considered in relation to the relevance of the Helpdesk is whether this definition of target users is still ideal. Here there are further subsidiary questions that, ranging from whether the definition is coherent and if it corresponds to real needs on the ground, to whether it is feasible given the resources that it has available and the contributions that can realistically be made by other agencies. Some aspects of the question go beyond matters of relevance and concern pragmatic considerations that are considered in relation to the efficiency criterion, so the final assessment of the optimal definition of the targets cannot be made until the concluding section, after these other elements have been considered. However, it is possible at this stage to comment on whether the current definition makes sense – a question that has been raised in interview discussions with a number of stakeholders.

With the emphasis on assisting beneficiaries of EU-funded programmes, the target group defined for the Helpdesk includes a number of different types of organisation participating in research directly, but also organisations that can be assisting participants in these programmes.

Some stakeholders have suggested that a more narrowly defined focus might be desirable. There could be a greater emphasis on assisting SMEs, for instance, with a corresponding reduction of assistance to other participants in research programmes. This would be consistent with the tendency in EU-supported research in recent years to emphasise applications and an improved return on EU Funding in terms of commercial exploitation, since enterprises are the prime vehicle for commercial activity and this

Evaluation Results

3

includes small and medium-sized enterprises. However, a number of other interviewees have argued against a narrower approach, making the following points:

- The researchers of today often become the entrepreneurs of tomorrow, so reducing assistance to university or research institute staff may reduce the efficiency of this route to implementation of research results.
- The work in research projects involves an interaction between the various participants and exploitation of the results often requires continuing co-operation between the partners and sometimes the joint resolution of IP issues, from ownership to licensing arrangements. Appearing to take the side of just one party could undermine the role of the Helpdesk in contributing to the resolution of the problem for all concerned.
- This consideration is further reinforced, if it is remembered that typically these days IP rarely consists of a stand-alone patent, embodied in a single product. IP comes in many forms and is usually packaged along with several other IP elements that many belong to different organisations, probably in a range of products. Co-operation of some form is usually necessary and this is best achieved if the assistance is seen to be neutral or arguing for a fair resolution.
- Although, in principle, large enterprises, universities, research institutes etc. ought to have the knowledge and resources to sort out their own IP problems, in practice these problems are often particular to the application of consortium agreements where it is very difficult to distinguish between the problems faced by one set of participants and those of the other parties.
- In particular, the Helpdesk can often contribute to resolving difficulties between partners in a project by acting as an honest broker, assisting all the parties to come to a fair conclusion on problems affecting the exploitation of intellectual property that has been developed within a project. It is difficult to see how this would work if the Helpdesk were only supposed to assist some of the research participants.
- Other areas of policy, notably Cohesion policy and certain research funding schemes have emphasised the need for enterprises to work together with universities and research institutions to build capacity and the transfer of knowledge from academic institutions into applications. The 'triple-helix' model especially has put particular emphasis on this interactive process and this in turn has a prominent place in smart specialisation strategies under the Structural Funds in the next programming period. A move away from encouraging this interaction would not be coherent with EU policy elsewhere.

It has been suggested that it is possible, within a scenario in which the Helpdesk assists all participants in research projects, to say that special attention will be devoted to addressing the problems of SMEs. However, the weight of opinion of interviewees is that an exclusive attention to SME clients is not practical and is likely to undermine the more fundamental objective of improving the return on the investment represented by EU research funding. Interestingly, the Korean IPO confirmed that they adopt a similar approach, for broadly the same reasons and in fact they are very active in assisting universities to exploit their IP.

It is also of major importance in assisting SMEs to recognize that small enterprises vary enormously in their capabilities and requirements and that effective support needs to take these differences into account in designing services. In the IP context, the significance of variations in awareness and capabilities in relation to IP management and exploitation have been recognized for some time and, in

Evaluation Results

3

fact, the IPeuropAware project drew up a useful scheme for support provision based on a distinction between four different levels of capability. This scheme is set out in an IPeuropAware Working Paper⁴ and has since been used by national IPOs to structure their services. The distinctions used can be summarised as follows. In analysing SME needs, the IPeuropAware project differentiated between four different stages of IP management:

- *Level 1 – Knowledge and Awareness:* SMEs at level 1 generally have low understanding of intellectual property, of how to protect their knowledge and of how to apply for an IP right. Nor do they know where to turn to for information. This is clearly an early stage when understanding of the nature of the firm's Intellectual Property, its management and the danger of its misappropriation still all needs to be developed.
- *Level 2 – Protection:* a stage where there is a basic understanding of the nature of IP and some mechanisms for protection are in place, including the registration of IP where this is appropriate, but often there is still a lack of awareness of the other options existing for protecting intangible assets and internal procedures are not managed as robustly as is possible.
- *Level 3 – Management:* a stage where there is an active programme of IP development and management of the whole range of the firm's intellectual assets. There will also be a clearly defined IP policy and professional procedures will be in place.
- *Level 4 – Strategy - Exploitation and Active Defence:* the stage where IP is being continuously developed and is a major source of value for a business, often involving licensing arrangements and extensive co-operation with other innovators. The needs of enterprises at Level 1 are very different from those at Level 4 and different kinds of service are required by each type of firm. For instance, a seminar on IP awareness, supported by generic literature, would often be appropriate for a Level 1 enterprise, but a Level 4 enterprise is much more likely to have a specific issue to address and will tend to require one-to-one attention.

The shift in policy emphasis, referred to in the previous chapter, towards promoting a greater exploitation of research results in commercial products and services implies for all concerned that more attention should be directed towards downstream applications. For the Helpdesk, this would imply a shift towards provision of services adapted to enterprises at Level 4 in terms of their knowledge of IP and its management. In fact, the Helpdesk consortium reports that this movement is already apparent in the enquiries received as participants in research projects respond to new requirements in grant agreements and anticipate further requirements in the direction of a greater expectation that results will be exploited commercially. However, a number of interviewees have pointed out that it will still be necessary to address the needs of enterprises and other participants that are not very sophisticated in terms of their knowledge of IP and its management. There will still be a lot of participants in research projects who are at Levels 1 and 2 and it is not possible to make them run before they can walk. A greater emphasis on Level 4 work will therefore have to be accompanied by appropriate provision for participants at lower levels. The practicalities of making this provision are considered in the section on efficiency and the full consequences of the need to cater for a variety of capabilities will only be assessed in the conclusions of the report, but it will also be seen that there will be several subsequent references to the different capabilities of SME clients at various points in the discussion that follows.

⁴ IPeuropAware Working Paper, The Danish Patent and Trademark Office 'Small and Medium-sized Enterprises: A Gap Analysis' June 2009

Evaluation Results

3

One other matter relating to the design of the Helpdesk service at a conceptual level concerns the nature of the services that are provided. It is generally agreed that the Helpdesk should provide information and general advice on the various forms of intellectual property, on its management and on matters relating to the use of IP in the exploitation and commercialisation of research results, but the Helpdesk might go further and provide assistance in relation to enforcement activities, for instance, or it might have a broader scope in the sense of offering support services on any matter relating to IP, irrespective of the context in which it arises.

Specifically in relation to enforcement support, in practice, as is noted in the 'Making IPR Work for SMEs' report, the best strategy for enforcing IPR for an SME or for most of the organisations that approach the Helpdesk, is to have a good IP management system in place, since the costs of formal legal processes are usually beyond their financial capacity. In effect, therefore, in promoting effective IP management as a core part of its activities, the Helpdesk, along with all the other major IP support agencies, is already promoting the best defence against infringement.

Similarly, the remit of the Helpdesk already requires it to cover not only formal IP, such as patents, trademarks, etc. but to cover all intellectual assets and their management. Again, in this aspect, the Helpdesk already has a wide remit.

There is the possibility that the Helpdesk could go beyond the generic legal advice that it currently gives, to take on the role of a legal adviser, such as a patent attorney, and provide legal advice tailored to the individual client's specific circumstances. Although the current consortium team have staff that are qualified to provide this sort of assistance, moving towards providing professional services of this kind would represent a considerable departure from the usual practice of business support agencies that usually restrict their activities to addressing areas where a market failure means that there is not effective provision in the absence of a public service. Seen from another perspective, they seek to avoid undermining market-based provision, which in this case would mean impinging on the services of patent attorneys and similar professionals. In the absence of any pressing reason for departing from the usual practice, it is clear that the Helpdesk's remit should not be extended to the provision of more tailored professional services to SMEs or other beneficiaries.

A similar argument applies in relation to a possible extension of services beyond the research area to cover any issue relating to the promotion of the development of intellectual property by European enterprises and other organisations. In fact, the Helpdesk does receive general enquiries on IP matters from a variety of sources and it usually responds to them. However, it does this on the basis of a 'no wrong door' policy that is considered to be best practice among support agencies, rather than as a result of actively encouraging enquiries of this type and at an appropriate point will often hand over the client to a more appropriate source of assistance. Again the argument for this is that the Helpdesk should avoid undermining the work of other agencies established at a national and regional level precisely to provide this sort of assistance. Further consideration is given in the efficiency section to the arrangements whereby the Helpdesk relates to other agencies and it will be seen that there are pragmatic reasons for defining the Helpdesk's role as providing assistance with issues that arise at a European level. However, there are also reasons for not developing a broader approach that relate to the conceptual design of the service. Providing assistance to a broader range of clients – particularly SMEs – on any matter relating to intellectual property and its exploitation, that is, going beyond the focus on participants in research projects, would inevitably require more attention to be devoted to services that would assist organisations or enterprises that are at Levels 1 and 2 in terms of their appreciation of IP issues. There is indeed a job to be done here and it is one that national IPOs and other agencies are actively addressing,

Evaluation Results

3

but apart from the efficiency aspects of such a development, suggesting that the Helpdesk should move in this direction would not be consistent, at least within a context of a given resource allocation, with arguing that the Helpdesk needs to develop its services for enterprises at Levels 3 and 4, if greater commercialisation of research results is also to be an important objective. In effect the service would be pulled in two different directions.

The one exception to this focus on providing assistance with the exploitation of research results is where the Helpdesk provides assistance to EU SMEs in the process of negotiating or concluding transnational partnership agreements. This, as has been seen is part of the target group explicitly defined by the project contract. There are a number of reasons why the Helpdesk might be expected to address the general IP issues raised by this group. First, there is clearly an EU dimension, in that cross-border agreements are involved and the Helpdesk has a special expertise in this area that distinguishes it from national IPOs, for instance. In terms of an effective division of labour, this additional responsibility makes sense. It is also expected that many of the cases would be referred by the Enterprise Europe Network, which has the promotion of transnational partnership agreements – ‘business co-operation’ – as one of its main objectives. The Helpdesk has a relationship with the Network in supporting IP aspects of the promotion of participation in research projects, which is another target of the Network members. It makes sense in terms of building broader relationships with the Network to support its work in the business co-operation area as well. It is also the case that the exploitation of research results often requires a partnership agreement to govern the terms of the commercialisation process and this will usually have a transnational character, since EU research projects usually involve partners from a number of countries. In other words, supporting EU SMEs in the process of negotiating or concluding transnational partnership agreements would appear to be part of a coherent package of services offered by the Helpdesk in conjunction with the Enterprise Europe Network. The way that this is delivered however, is another pragmatic consideration that will be considered in the efficiency section.

3.2.2 The Nature of Helpdesk Provision

As well as considering the coherence of the objectives set for the Helpdesk, it is necessary to consider as part of an examination of the ‘relevance’ of the service, whether it is providing what its clients require. This issue is first approached by setting out the nature of the provision that is actually made, before going on to consider the expectations of current & potential users.

The first matter to establish is the main categories of users of the Helpdesk’s services. The evidence from the reporting process shows that the types of organisation using the Helpdesk have broadly reflected the balance of participation in FP7. As the table below shows, participation in FP7 is dominated by educational organisations, private companies and research organisations. These three types of organisation are also most prominent amongst Helpline users, as shown in the table 3.2.

Table 3.1: Number and percentage of FP7 participants by type of organisation⁵

| Type of organisation | Approximate number and % of FP7 participations 2007-11 |
|--|--|
| Higher and secondary education organisations (HES) | 30,000 (38%) |
| Private for profit (excluding education) (PRC) | 20,000 (25%) |

⁵ Source: Fifth Monitoring Report FP7

Evaluation Results

3

| | |
|--|--------------|
| Research organisations (REC) | 19,000 (24%) |
| Other (OTH) | 6,000 (8%) |
| Public body (excluding research and education) | 4,000 (5%) |

Table 3.2: Percentage of Helpline users by core business⁶

| Type of organisation | Proportion of Helpline users sending enquiries to the Helpdesk |
|---|--|
| Universities | 21.5% |
| SMEs | 20.8% |
| Research Institutes | 20.4% |
| Consultancies | 8.4% |
| International organisations | 4.7% |
| European institution | 4.6% |
| Government | 4.3% |
| Other | 3.9% |
| Legal | 3.1% |
| National Contact Point (NCP) | 2.7% |
| National Patent Office (NPO) | 1.5% |
| Large Scale Enterprise | 1.5% |
| Chamber of Commerce | 1.4% |
| Technology Transfer Centre (TTC) | 1.3% |
| Other | 3.9% |
| Total | 100% |

Looking more specifically at SMEs, we can see that their usage of the Helpdesk more than reflects their level of participation in FP7: SMEs represent 20.8% of Helpdesk users as against 17% of all participations in FP7⁷ and 18.5% of FP7 Cooperation programme participations⁸. Furthermore, the figures for FP7 participation include some SME consultants, while consultants (both SMEs and large firms) are identified separately in the Helpdesk figures

There is also evidence that SMEs use the Helpdesk's website more intensively than other types of organisation and that their visits last longer. Visits to the "SME Corner - Get a ticket to innovation with IP" page lasted on average three times as long (i.e. 15 minutes) as visits to any other page (5 minutes or

⁶ Until December 2012; Source: European IPR Helpdesk Experience Review as Input for policy, June 2013

⁷ Fifth Monitoring Report FP7

⁸ Ninth Progress Report on SMEs participation in the 7th R&D Framework Programme (Autumn 2012)

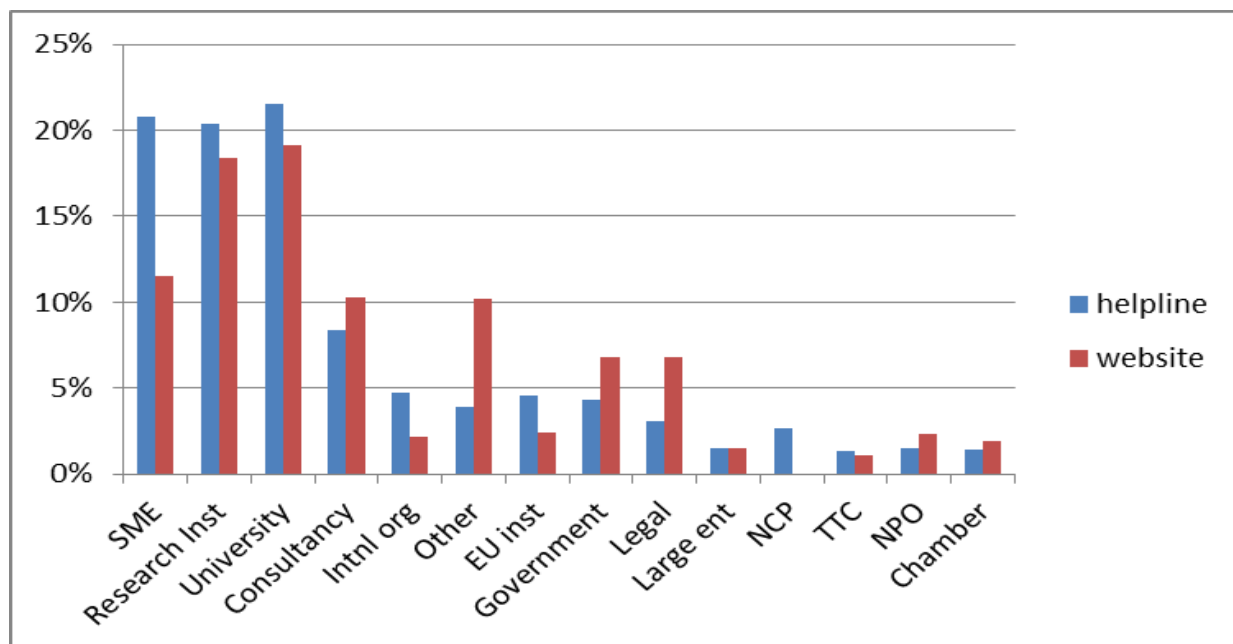
Evaluation Results

3

less). It is also interesting to note that a significant number of non-beneficiaries of the programmes are seeking support from the Helpdesk, including international organisations, European institutions and government bodies.

More detailed data from the Helpdesk contractor highlights a number of interesting differences in the ways that different types of organisation tend to seek support. The figure below shows that SMEs are more likely to seek support via the telephone helpline than are the other main types of user: SMEs account for 22% of callers to the Helpline but only 12% of registered website visitors. This may suggest that SMEs more often require the more intensive support that can only be provided via the Helpline than do research institutions and universities; this latter group may find that many of its IPR issues can be resolved via the more passive support provided by the website. SMEs' need for more intensive support may reflect their relative inexperience in participating in FP7 compared to other types of organisation: although SMEs account for 39% of organisations involved in FP7 and are present in 74.5% of grant agreements, they only represent 17% of participations (i.e. other types of organisation are more likely to be involved in multiple projects).⁹

Figure 3.1: Percentage of registered users by type of organisation¹⁰



It is also important to look at the nature of enquires made in assessing the conformity of the Helpdesk with its objectives and the question of whether or not the needs of users are being met. The evidence from the reporting process shows that to the end of 2012, the Helpline had received 1,538 specific queries from users from at least 42 countries.¹¹ As shown in the table below, the single most common issue for which users sought help relates to consortium agreements (17.8%), whilst another 1% related to partnership agreements. This reflects the fact that the Helpdesk has been primarily targeted at FP7 projects. The consortium/partnership dimension of FP7 projects continues to prove particularly

⁹ Ninth Progress Report on SMEs participation in the 7th R&D Framework Programme (Autumn 2012)

¹⁰ Source: Contractor's PowerPoint presentation, 19 April 2013

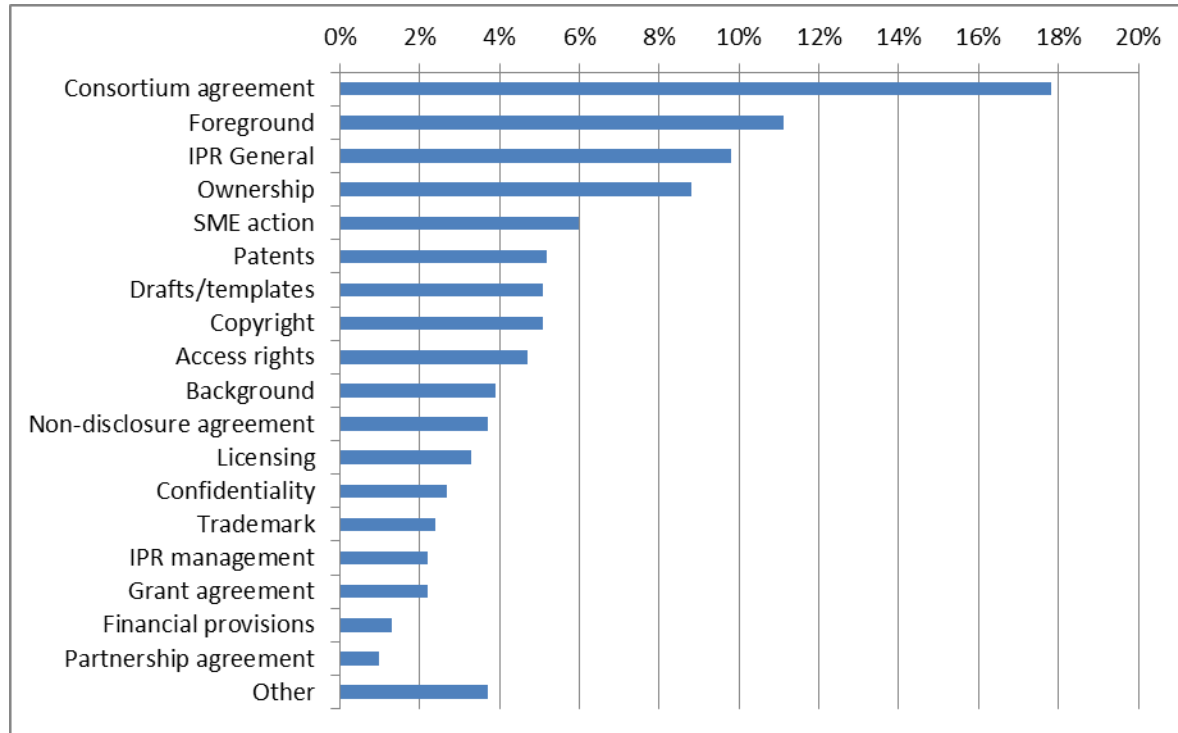
¹¹ European IPR Helpdesk Status Reports

Evaluation Results

3

challenging with respect to IP issues. Aside from these issues, other queries appear to be broadly spread across a range of IPR issues, although there are perhaps relatively few queries relating to licensing.

Figure 3.2 Users survey: Types of questions addressed to Helpdesk¹²



The evidence from the user survey provides a slightly different picture. It can be seen that dealing with IP aspects of the research process is fairly heavily represented, but that issues to do with more general management of IP and its exploitation in various ways also have a reasonable presence.

Of those who use the service, a majority said that the nature of their requests to the Helpdesk concerned IP aspects of collaborative research projects (189 answers) and IP aspects when negotiating a consortium agreement (162 answers). In terms of the type of IP in which they were interested, almost 40% said that the nature of their request to the Helpdesk concerned patents, with other form of IP mentioned only half as much (see Figure 3.4).

¹² Source: Contractor's PowerPoint presentation, 19 April 2013

Evaluation Results

3

Figure 3.3 User Survey: IPR issues users needed advice and support

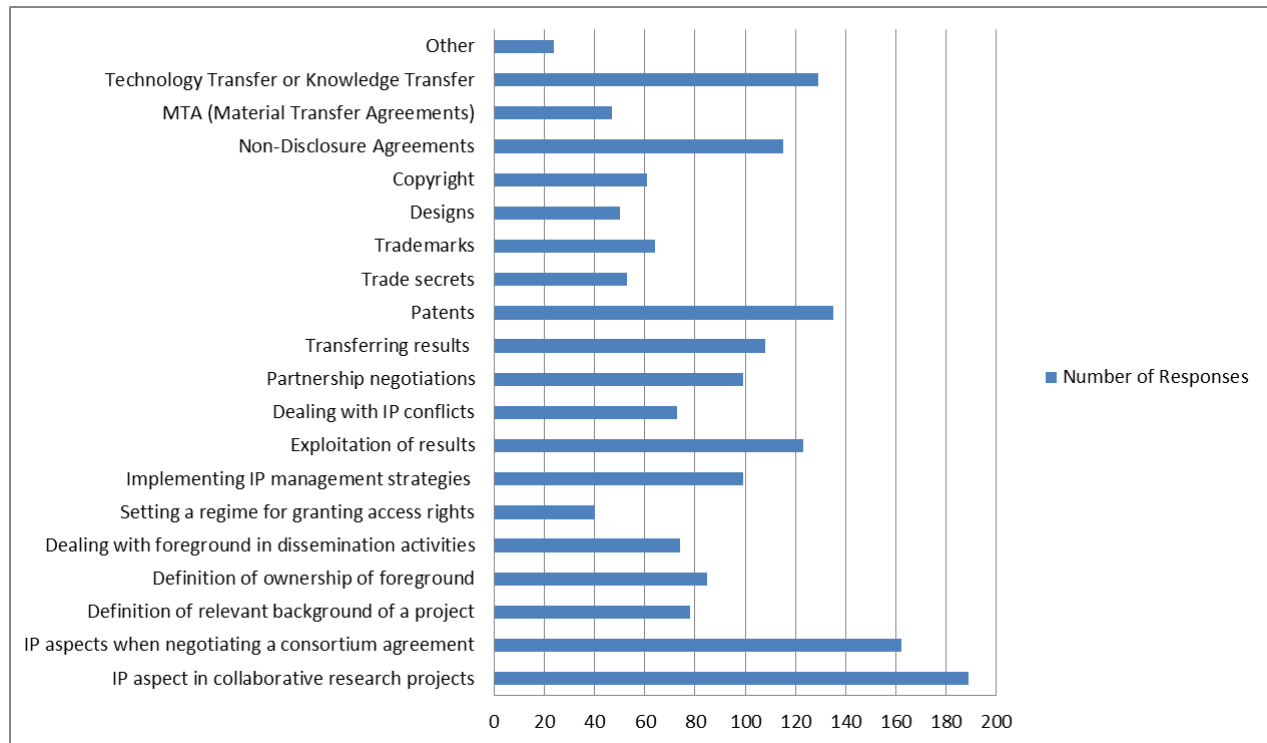
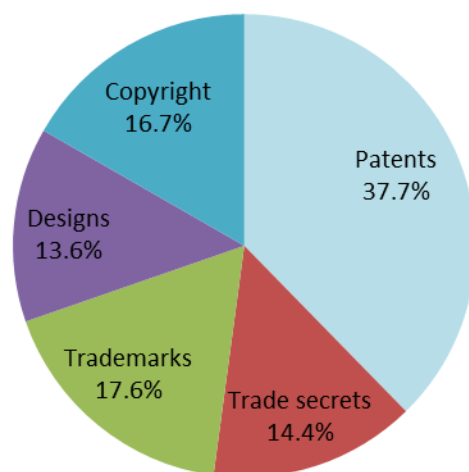


Figure 3.4 User Survey: Types of IP figuring in requests for advice and support



The increased usage of the Helpdesk and the variety in the IPR queries answered indicate that there is a visible need for a service providing an efficient support service that helps FP participants solve intellectual property rights issues relating to their project implementation, the exploitation of project's results or cross-border IPR challenges. There is a question, however, about the extent to which the

Evaluation Results

3

Helpdesk directs its activities to assisting FP7 participants to deal with IP aspects of their contracts. This aspect is further developed in the section below.

Another issue to consider in assessing the relevance of the Helpdesk's objectives is the general level of competence in IP matters of the organisations that are supported by the Framework Programme. The surveys of both users and non-users sought to establish at what stage of development the organisations seeking assistance were. Questions were phrased to correspond broadly to the widely used four levels of awareness and competence, referred to earlier. The survey responses from users of the service show that, of users that responded to the question, around 16% are 'Only just aware that IP is an issue' (Level 1) and 34% are 'Beginning to take some steps to manage IP' (Level 2) while over 26% of users undertake 'Consistent management of IP within the enterprise/organisation' (Level 3). 24% of users claim to be at a stage where there is consistent management of IP within the enterprise plus active use and exploitation of IP - e.g. licensing (Level 4).

It should also be noted that 37% of those responding to the survey were not able to say at what stage of IP management they were. With the sub-sample of respondents that are SMEs, however, there is a greater willingness to say at what stage of IP management they are, but nearly 12.2% said that they are 'Only just aware that IP is an issue' and 47% saying that they are beginning to take some steps to manage IP, while 27% are in a stage of consistent management of IP within the enterprise and nearly 14% of SMEs are at a stage of consistent internal management of IP, plus active use and exploitation of IP.

Table 3.3: User Survey: Stage at which the organisation was, when sought assistance

| Options | All respondents | | SMEs Sample | |
|--|-----------------|--------------|-------------|--------------|
| | Nº | % | Nº | % |
| Only just aware that IP is an issue | 49 | 15.8 | 6 | 12.2 |
| Beginning to take some steps to manage IP | 104 | 33.5 | 23 | 46.9 |
| Consistent management of IP within the enterprise/organisation | 83 | 26.8 | 13 | 26.5 |
| Consistent management of IP, plus active use and exploitation of IP (e.g. licensing) | 74 | 23.9 | 7 | 14.3 |
| Total | 310 | 100.0 | 49 | 100.0 |

The data suggest that users of the IPR Helpdesk are generally beyond the first stage of awareness of IP issues when they seek assistance, but there is clearly scope for building on their knowledge and empowering them to exploit their IP more actively.

The evidence from interviews is more diverse. A number of interviewees suggested that there should be greater emphasis placed on helping SMEs to fill the gap between the exploitation of the IP arising from research and the market, given the upcoming changes in the orientation of research support that are an important feature of Horizon 2020.

In its proposal on Rules for Participation in Horizon 2020, the Commission has proposed further improvements and clarifications, which should help reduce the requirement for simply explaining the rules, although this is partially offset by the increased number of contractual arrangements that will be possible. Equally the new framework will promote greater opportunities for SMEs to share their IP and co-operate with research institutions and other enterprises. New emphasis has been put on open access to research publications and there will be experiments with open access to other results. The enlarged scope, the new forms of funding and the need for flexibility in this area have been taken into account in

Evaluation Results

3

the allowance for laying down additional or specific provisions where appropriate. Given the intended simplification and clearer rules for the Horizon 2020 beneficiaries, a majority of interviewees argued that the Helpdesk's services should focus on more practical aspects of the management and exploitation of IPR. It was suggested that the Helpdesk should continue its support for users in improving their capacity to deal with IPR issues but should equally support its users in improving their competitiveness in the market through successful IPR management. However, the interviewees also emphasised that the current objectives have been and continue to be relevant, although almost all recognise the movement towards a more market orientated approach. This was particularly the case among other business support organisations, which tended to express an appreciation of the quality of the core material on IP issues produced by the Helpdesk and the support for their own activities that this provided.

Some of the stakeholders have even argued that the current mandate of the Helpdesk creates an obstacle to promoting greater exploitation of IP results in that the Helpdesk is expected to create a structure that provides support for beneficiaries of FP7 and other programmes and that it has not been designed as a tool to enhance job and growth creation. Consequently, there is not enough of a market orientation in its design to provide beneficiaries with market focused information on IPR matters. This view is not supported by the evaluation team in that the mandate for the Helpdesk is flexible enough to adjust to changes in policy priorities and there is evidence in the type of material that the Helpdesk has been providing and in the background management documents to show that the Helpdesk is reacting appropriately in this way. The comments do suggest, however, that any future mandate could be expressed in terms that put the promotion of competitiveness and growth, and the greater emphasis on downstream activities that flows from this, more clearly at the centre of its activities.

However, the responses in the non-users survey suggest a qualification to the general drift of the arguments put forward by stakeholders. Interestingly, there is a contrast with the responses of the users of the service, in that 23% of the SMEs participating in FP7 that had not made use of the Helpdesk's services are only just aware that IP is an issue and a further 35% are only 'beginning to take some steps to manage IP'. Additionally, when asked about the types of assistance they would require if seeking assistance, a majority of non-users indicated a need for assistance with IP management in EU supported research projects (333 responses) and this was the most frequently requested service.

Table 3.4: Non-users survey: Stage that the organisation is at in terms of knowledge and management of IP?

| Options | Nº | % |
|--|------------|--------------|
| Only just aware that IP is an issue | 145 | 23.1 |
| Beginning to take some steps to manage IP | 222 | 35.3 |
| Consistent management of IP within the enterprise/organisation | 144 | 22.9 |
| Consistent internal management of IP plus active use and exploitation of IP (e.g. licensing) | 104 | 16.5 |
| Other | 14 | 2.2 |
| Total | 629 | 100.0 |

This evidence suggests that a basic aim of the Helpdesk, which is to raise awareness of the value of intellectual assets, continues to be relevant and should not be neglected. Whether or not, this should be a task specifically for the Helpdesk is another question, since there is the possibility that other actors may be in a better position to fulfil this role and indeed it could be argued that research funders need to

Evaluation Results

3

be more active in making those whom they support, and especially SMEs, more aware of IP as a major element in the research and innovation process.

This issue is a fairly central question to the design and positioning of the Helpdesk and the evaluation team have sought to examine it in its various aspects. It is relevant in this context that the IPR Helpdesk exists in a landscape of IP service providers that is relatively rich. Other active organisations include:

- The other IPR Helpdesks established by the Commission (China IPR Helpdesk etc.)
- Other European support organisations, supporting research and innovation (Enterprise Europe Network, National Contact Points etc.)
- Networks and projects offering support, especially those established to assist the exploitation of research
- National and regional organisations offering support in the management and exploitation of IP, notably Intellectual Property Offices
- National and regional business support organisations, innovation and incubation centres and technology promotion agencies
- Organisations offering information and support on IP generally and IP registration – European Patent Office, OHIM, national IPOs, trade associations
- Professionals offering commercial services relating to IP – commercial business advisers, patent attorneys etc.

Simply listing the number of agencies and other stakeholders with which the Helpdesk could conceivably develop relationships and share responsibilities is rather large and while there are undoubtedly multiple opportunities for ad hoc co-operation, it is also necessary to establish priorities for the development of systematic collaboration.

The interview evidence certainly suggests that the aim of building partnerships with multiplier networks and other initiatives to address IPR challenges should be one of the most relevant objectives for the Helpdesk, in particular as this is applied in partnerships with the Enterprise Europe Network and IPorta and national Intellectual Property Offices. The Enterprise Europe Network is particularly important in this respect and there is a developing relationship with the Network in general and a group of Network members specialising in IP matters in particular. Some of the latter group have been designated as ‘ambassadors’.

The “EU IPR Helpdesk Ambassador Programme” aims to increase the outreach of Helpdesk services particularly those for SMEs. It enables the services to be delivered at a national and regional level throughout Europe and is based on the use of individual Network partners as local ambassadors. These are granted privileged access to the Helpdesk’s information and training material in order to support their local clients in dealing with IP and also in supporting other members of the Network, whose expertise lies elsewhere. It is thought by the Helpdesk to be increasingly a problem in addressing SMEs needs that there is an evident language barrier, given that the Helpdesk operates exclusively in English. Currently the Helpdesk does not have the resources to tackle this problem by providing services in a range of languages. There is consequently a demand for a strong network of regional IP focal points, and this has led to the development of the ‘ambassadors’ initiative that allows basic IP support to be provided on the ground, meeting specific language needs and taking account of the local characteristics of a country’s SMEs.

Other potential multipliers include national Intellectual Property Offices, especially those participating in IPorta and the Innovaccess network, and the FP7 National Contact Points. All of these ‘multipliers’ have

Evaluation Results

3

the advantage that they are in contact with client groups on the ground and, as well as being able to 'multiply' the number of enterprises and other organisations receiving information and support, they are able to deliver more tailored services, in that they can provide services in the local language and in ways that take account of local circumstances. Furthermore, there have been important developments in all these networks in recent years, involving the delivery of more services directed to helping enterprises manage and exploit innovation and technological development and IP specifically.

On the national level, National Intellectual Property Offices (NIPOs) offer important services directly themselves, but equally they are often in a position to help with the coordination of services in the IP area provided by other business support organisations and even by the private sector. Most NIPOs no longer wait for enterprising firms to approach them to register intellectual property. They are generally much more proactive in highlighting the advantages of IP protection and in a number of cases offer an interesting range of information and support services, including training. The role of national IPOs in EU Member States is changing with the development of particular support services for SMEs in order to remove barriers to access to IP systems and help SMEs develop effective management of their IP. Some of the IPOs already offer substantial information and support services, often in co-operation with other business support agencies.. These developments have major implications for the Helpdesk. If there are more active organisations assisting with IP-related issues on the ground across Europe and if better and more effective relationships can be built with these multipliers, a viable strategy for the Helpdesk could be to withdraw from the direct provision of services and concentrate more on supporting the multipliers. The Helpdesk in fact is now focusing more on training of Intermediaries, notably in the EU IPR Helpdesk ambassador scheme. Should this approach be developed more consistently or is it still important to provide services directly, not least to maintain contact with the real issues and problems faced by the intended beneficiaries of the Helpdesk's services? These points are developed further in the following sections.

3.2.3. The Expectations of Current & Potential Users

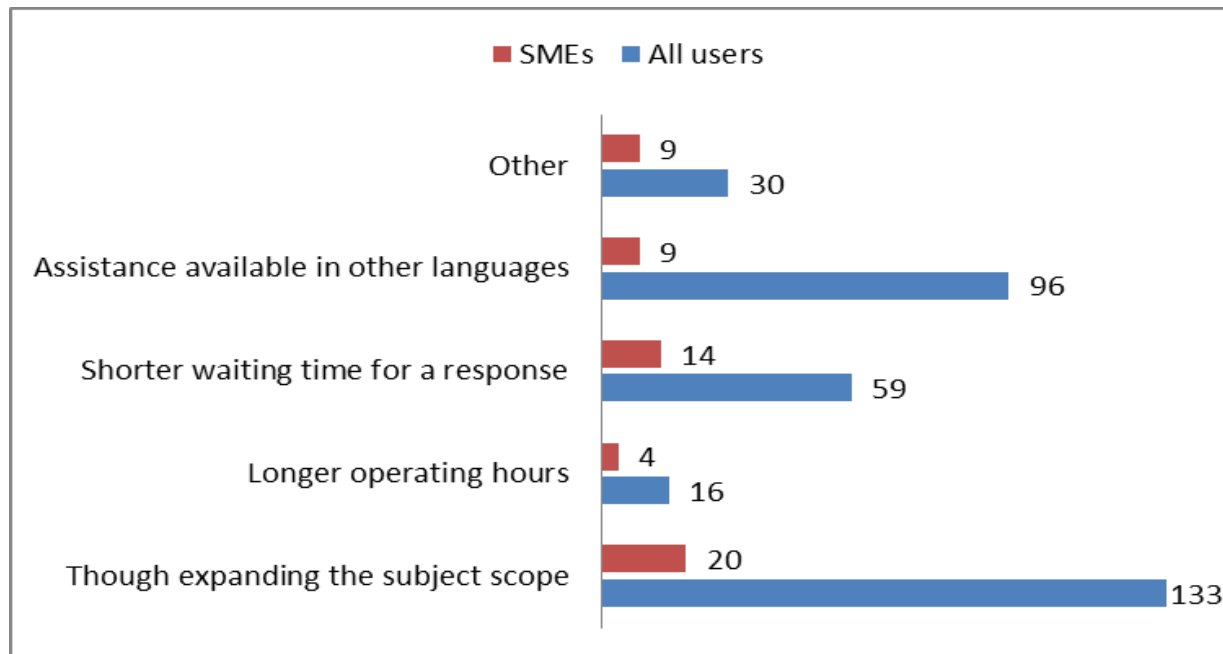
The overall picture arising from the survey and interviews is that the Helpdesk meets the expectations of its users. The relevance of its services has been emphasised by many of the respondents, underlining its importance in the current climate. However, it is also clear that the policy developments and new changes within the scope of IPR are already influencing the perceived requirements of Helpdesk users.

It is relevant that users generally and SME users specifically both referred to expanding the subject scope when asked about the future development of the Helpdesk services (133 and 20 answers as presented in the Figure 3.5 below).

Evaluation Results

3

Figure 3.5 User Survey: Possible ways to improve Helpline's assistance



An issue for the Evaluation is whether or not the principal target groups for the Helpdesk – FP7 and CIP beneficiaries and internationalising SMEs – continue to be the most appropriate. In fact the principal area of focus of the Helpdesk is in helping a wide range of organisations to deal with IPR matters arising in relation to research programmes. Within this, it has been seen that assistance to SMEs is running at a level that is slightly higher than the level of participation of SMEs, at least in FP7 programmes. Evidence from the interviews suggests that policy developments mean that there should be a growing emphasis on assisting SMEs to develop their IP management. However it is important to underline the point that the other target groups should not be neglected.

It is clear that a major part of the Helpdesk's activity relates to assisting its clients with understanding and implementing the provisions of research agreements, required by the research programmes. This activity has declined slightly as a proportion of the activity of the Helpdesk and it is assumed that this is because of the simplification of these provisions under FP7. However, it still remains at a relatively high level and may even increase again under Horizon 2020, because of the increased variety of contractual forms that are the counter-part of greater flexibility in participating in research. The question arises of whether or not it is a problem that so much of the activity of the Helpdesk is devoted to explaining how research agreements ought to work or whether this is a necessary part of learning to manage IPR in the context of formal research projects. It could be that with Horizon 2020, considerably more simplification of the arrangements can be expected and that this could allow a more productive use of the Helpdesk's resources.

After identifying that the focus on assisting clients with understanding and implementing the provisions of research agreements was an issue, the evaluation team sought to raise it in interviews with interested stakeholders and in particular with the SME users that had volunteered to be interviewed. This led to considerably more insight into the actual processes with which the Helpdesk is assisting. It appears that there certainly is an element of explaining to FP7 participants simply how the IP elements of research agreements are supposed to work. However, much more significantly for the future development of the

Evaluation Results

3

service, some of the SMEs explained that the Helpdesk had played a critical role, acting as honest broker, in relation to IP agreements, once it came to the application of IP agreements in the exploitation of research results. Often elements of the agreement that had appeared to be straightforward turn out not to be so when they have to be applied and explanations of the usual practice by a disinterested party and other contributions by the Helpdesk can go a long way to resolving disputes and particularly allowing investment commitments to be taken up. It appears therefore that this central area of the Helpdesk's activity can play a very important role in assisting research programme participants to exploit the results of their projects more effectively.

This insight also should also help in the interpretation of other evidence from the interviews and surveys, which suggests that both - support with understanding research agreements and with aspects of active IPR management - should be provided. When asked about the scope of assistance offered by the IPR Helpdesk, the most popular responses of users of the services were that there should be a focus on managing intellectual property (223 response) and the IPR aspects of the EU's 7th Framework Programme/Horizon 2020 (213 responses). It is significant that protecting IPR came third.

Table 3.5: User Survey: Possible scope of assistance offered by the IPR Helpdesk

| Options | Nº |
|---|-----|
| IPR aspects of the EU's 7th Framework Programme/Horizon 2020? | 213 |
| IPR aspects of the EU's Competitiveness and Innovation Programme/COSME? | 133 |
| Issues relating to the European Institute of Innovation and Technology (EIT)? | 94 |
| Any IPR issue faced by SMEs? | 165 |
| Detailed information on the nature of protection available | 106 |
| Registration and other procedures | 70 |
| Managing intellectual property | 223 |
| Assistance with confidentiality agreements | 152 |
| Assistance with licensing | 150 |
| Alternative dispute resolution | 88 |
| Protecting IPR | 177 |
| Other | 13 |

A similar response was provided by non-users, as is evident in the table below.

Table 3.6: Non-User Survey: Types of assistance the organisation would require if seeking for it

| Options | Nº |
|---|-----|
| Assistance with IP management in EU supported research projects | 333 |
| Managing intellectual property | 235 |
| Detailed information on the nature of protection available | 209 |
| Assistance with licensing | 196 |
| Registration and other procedures | 182 |
| Assistance with confidentiality agreements | 182 |
| Assistance with IP issues in trade with other countries | 168 |
| Responding to abuses of IPR | 106 |

Evaluation Results

3

| | |
|--------------------------------|----|
| Alternative dispute resolution | 80 |
|--------------------------------|----|

Among SME users of the Helpdesk, IPR aspects of the EU's 7th Framework Programme/Horizon 2020 also figured prominently (35 answers), as did managing IP (33 answers).

3.3 Effectiveness

3.3.1 *The Services Delivered by the Helpdesk*

The terms of the contract provides the following objectives for the Helpdesk:

- *Raising awareness amongst beneficiaries of EU funded programmes and EU SMEs on the importance of a good management of IPR;*
- *Providing an efficient support service that helps them solve issues relating to intellectual property rights in their project implementation, exploitation of a project's results or cross-border IPR challenges;*
- *The service provider should thus offer practical advice on IPR issues especially in the specific context of EU funded programmes. This will contribute to the success of the funded projects, the research and innovation efforts, the EU SME internationalisation efforts and the effective development and eventual commercialisation of their results.*

It is expected that the contractor should offer expertise in all forms of IPR and in intellectual asset management for SMEs, in a business user-friendly fashion. The service provider should draw the attention of their target groups and multipliers to the use of IPR other than patents and help them to use such rights appropriately. The European IPR Helpdesk should also ensure direct linkages with the most important IP stakeholders at international, EU and Member State level, in order to build synergies on IP expertise and service provision and to be able to alert potential users to its services and tools or to signpost its clients further when necessary.

The terms of the contract specify six specific work packages (WP) for the European IPR Helpdesk, defined in quite some detail. These consist of:

1. WORK PACKAGE 1: WEBSITE - Setting up a website including support documents, frequently-asked questions (FAQ)s, brochures, e-learning tools and case studies;
2. WORK PACKAGE 2: HELPLINE - Setting up a Helpline providing efficient first-line support to beneficiaries of EU funded projects and EU SMEs that is free of charge and in English;
3. WORK PACKAGE 3: TRAINING - Providing training on IPR issues to ensure that beneficiaries of EU funded projects (especially RTD and CIP projects) and multipliers of the target groups have the possibility to follow appropriate and up-to-date training on IPR issues;
4. WORK PACKAGE 4: AWARENESS RAISING ACTIVITIES - Undertaking awareness actions ensuring that the appropriate target audiences are addressed at national and European level and are made aware of the services of the IPR Helpdesk;
5. WORK PACKAGE 5: COOPERATION WITH OTHER ACTORS - Developing cooperation with other actors involved in IPR and the promotion of innovation in order to foster development and create synergy and multiplier effects among these actors that are beneficial for their users. This involves establishing specific cooperation schemes with the Enterprise Europe Network and other Networks in the field of Intellectual Property;

Evaluation Results

3

6. WORK PACKAGE 6: PROJECT MANAGEMENT - Providing an efficient and effective implementation of the contract.

A detailed description of the different tasks under each of the WPs is provided in Annex 1.

The Service Contract

The contract for the European IPR Helpdesk in the period prior to that of the current period was in a form of a grant agreement. The current contract is a service contract. The earlier arrangements resulted in number of issues related to the Intellectual Property Rights for the material that had been generated by the Helpdesk administrators in the period that they were managing the services. In effect, because of the provisions under a grant agreement, where the IP belongs to the organisation receiving the grant, it was not possible for the Helpdesk to make use of this material in the current period. As a consequence, the first six months of the new contractual period had to be used to develop a completely new web site, templates, documents, materials and the platforms for dissemination.

To avoid similar problems in the future, the service contract was introduced, as a basis for the legal relationship between the Commission and the contractor. This solution grants the Commission all the rights to the material produced and the results arising in the current contractual period.

In pursuit of the tasks set in the Terms of Reference, the IPR Helpdesk managing consortium has established a set of services that can be described as follows.

The main way to access the Helpdesk services is via the Helpdesk web site, where enterprises are encouraged to register to receive assistance with their particular problems, to subscribe to publications, etc. The Helpdesk does, however, receive enquiries by phone or fax and has a broader awareness-raising role that it exercises by organising events addressing particular issues and providing specific forms of training.

Direct assistance is provided to beneficiaries of EU funded research projects and EU SMEs involved in transnational partnership agreements, especially within the Enterprise Europe Network. Professional advice is provided on specific IP or IPR queries by a team of experienced lawyers. The users of the service contact the helpline via the website, directly via email to service@iprHelpdesk.eu or via phone. The contractor uses one pool to work on the incoming questions both from emails and via phone and users have to register in order to introduce a query. Responses are provided within three working days.

This role can act as a support mechanism for more broadly-based business support organisations, such as the members of the Enterprise Europe Network.

Information – direct assistance is supplemented by a range of information (and training) provision, which allows enterprises to see the broader picture. This is delivered in a number of formats including:

- An email Newsletter - the latest developments in the field of IP and IPR;
- The European IPR Helpdesk Bulletin – a less frequent publication, but with more substantial articles;
- An events listing;
- Fact Sheets: short but relatively detailed explanations of particular issues, such as how to search for trademarks or assessing value and risks of intangibles in the conduct of IP due diligence;
- A small on-line library of useful documents;
- A glossary and Frequently Asked Questions.

Evaluation Results

3

The range of questions with which the Helpdesk and on-line information service assist has been set out in the previous section that looked at the relevance of the services and it has been seen that there are several issues that arise in this connection. However, in terms of the effectiveness of the service, it is of interest that the survey of users asked at which of four stages of sophistication users they would classify themselves both when they first approached the Helpdesk and after they had received assistance. It can be seen from the survey results that there appears to be a clear progression. Before using the Helpdesk, nearly half of the users said that they were only just aware that IP is an issue (15.8%) or that they were only beginning to take some steps to manage IP (33.5%) that is, they were at level 1 or 2 in terms of the standard categorisation of their capabilities. After assistance, the proportion who said that they were at levels 3 and 4 were 33.7% and 25.8% respectively, which would suggest a considerable improvement of capabilities. However, this conclusion should be qualified, given that the number of responses dropped from 310 to 252 or by 19%, suggesting that some stakeholders found it difficult to assess if there have been any changes regarding the stages they were at after using the services. Helpdesk

Table 3.7: User Survey: Stages of the organisation's IP management before and after receiving the assistance

| Options | Before using the Helpdesk | | After using the Helpdesk | |
|---|---------------------------|--------------|--------------------------|--------------|
| | Nº | % | Nº | % |
| Only just aware that IP is an issue | 49 | 15.8 | 19 | 7.5 |
| Beginning to take some steps to manage IP | 104 | 33.5 | 61 | 24.2 |
| Consistent management of IP within the enterprise/organisation | 83 | 26.8 | 85 | 33.7 |
| Consistent internal management of IP, plus active use and exploitation of IP (e.g. licensing) | 74 | 23.9 | 65 | 25.8 |
| Other | | | 22 | 8.7 |
| Total | 310 | 100.0 | 252 | 100.0 |

A key performance indicator for the Helpdesk is the level of utilisation of its services, particularly of the website and the helpline which are the subject of Work Packages 1 and 2. Data from the contractor shows an increasing level of utilisation for both. As the table below shows, the number of visits to the website has steadily increased over the period of its operation. For example, there was a 28% increase over the year to mid-2012. At the same time, it should be noted that there is considerable seasonal fluctuation. Whilst the highest number of website visits in a single week has been 2,300, during the Christmas and summer holiday period, the number of visitors per week tends to drop by around half.¹³ The majority of visitors to the website in 2012 (55%) only visit once, but a significant number appear to be using it intensively: nearly one in five (17%) made more than 15 visits in 2012, representing nearly 14,000 individuals. Moreover, return visits tended to be around one-quarter longer in duration than first visits.¹⁴

¹³ European IPR Helpdesk contractor's PowerPoint presentation, 19 April 2013

¹⁴ European IPR Helpdesk contractor (Excel sheets)

Evaluation Results

3

Table 3.8: Data on website and helpline utilisation¹⁵

| | |
|---|--------------|
| Registered users (to end 2012) ^a | 3,131 |
| Questions submitted via the helpline (to end 2012) ^{be} | 1,538 |
| Website visits per week: highest (January 2012) ^c | 2,300 |
| Website visits per week: underlying trend (mid-2012) ^c | 1,900 |
| Average increase in website visits per week (mid-2011 to mid-2012) ^c | 28% |
| Total website visits (Jan-Dec 2012) ^a | 98,780 |
| Average duration of website visit (April 2011 - June 2012) ^d | 3 min 11 sec |
| Number of return visits (to end 2012) ^e | 69,291 |
| Average duration of return visits to the website (to end 2012) ^e | 4 min 13 sec |
| Documents downloaded (Jan-Dec 2012) ^a | 12,176 |

Table 3.9: Data on the website – number of visits and visitors¹⁶

| Number of visits (2012) | Number of visitors | % of users |
|-------------------------|--------------------|------------|
| 1 visit | 45,574 | 53 |
| 2-5 visits | 15,450 | 19 |
| 6-14 visits | 8,706 | 11 |
| ≥15 visits | 13,882 | 17 |
| Total | 83,612 | 100 |

The number of website visits in 2012 (around 99,000) compared to the number of questions submitted via the helpline in the same year (958) suggests that a very large number of users either do not wish or do not need to submit specific questions to the Helpdesk. It may, in fact, be the case that many users find the information they require in the factsheets, which account for 40%¹⁷ of the 12,176 downloads¹⁸ from the website. Amongst those that do submit a query, 94% are reported to be satisfied with the reply that they receive and 96% are satisfied with the time taken to reply (the Helpdesk aims to respond within 3 days of receiving a request).¹⁹ With regard to the technical aspects of the website, the survey and interview data suggest that the users of the service consider it to be a very useful and well

¹⁵ Sources: a European IPR Helpdesk Status Report (October - December 2012); b European IPR Helpdesk Status Reports; c European IPR Helpdesk contractor's PowerPoint presentation, 19 April 2013; d European IPR Helpdesk Status Report (April 2012 - June 2012); e European IPR Helpdesk contractor (Excel sheets)

¹⁶ Source: European IPR Helpdesk contractor (Excel sheets)

¹⁷ European IPR Helpdesk contractor (Excel sheets)

¹⁸ European IPR Helpdesk Status Report (October - December 2012)

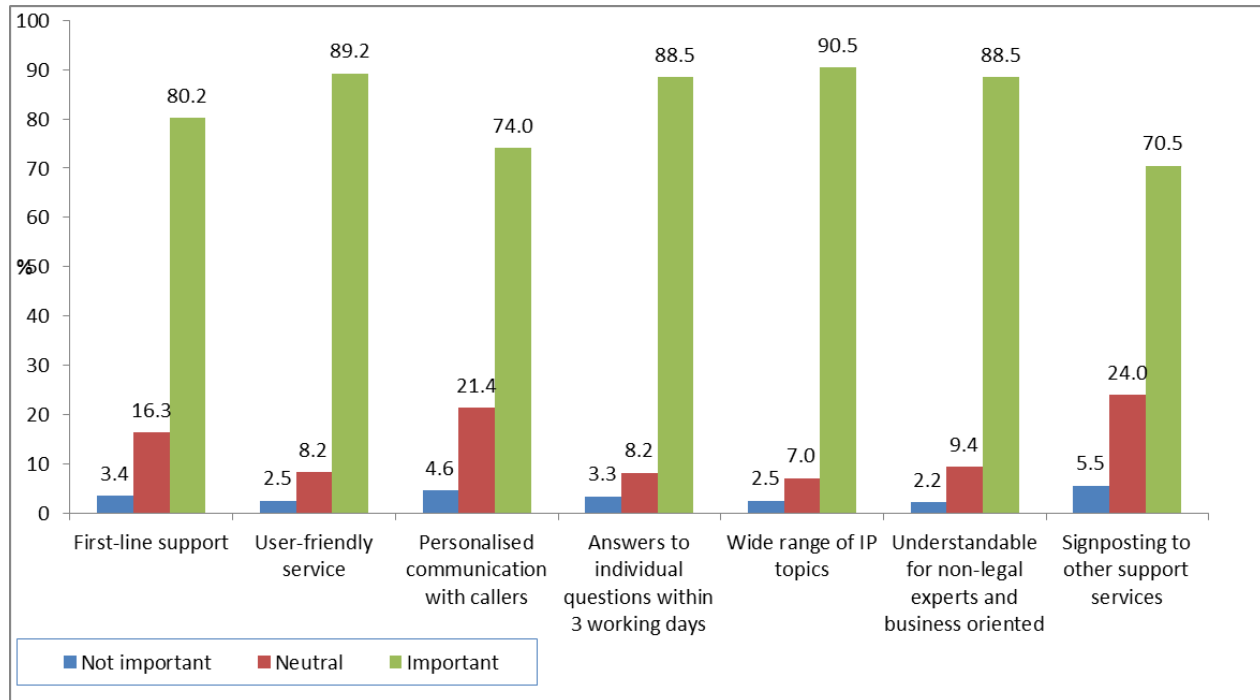
¹⁹ European IPR Helpdesk Progress Monitoring Three Monthly Report: Period VIII (October 2012– December 2012)

Evaluation Results

3

developed tool. The majority of those responding consider the Helpdesk's website to be easily accessible (54.2%), with a clear layout and graphics. The hierarchy of the information provided is also considered to be consistent and the search facilities are seen to be very good.

Figure 3.6: Users survey: Importance of different aspects of the Helpline services provided by the IPR Helpdesk

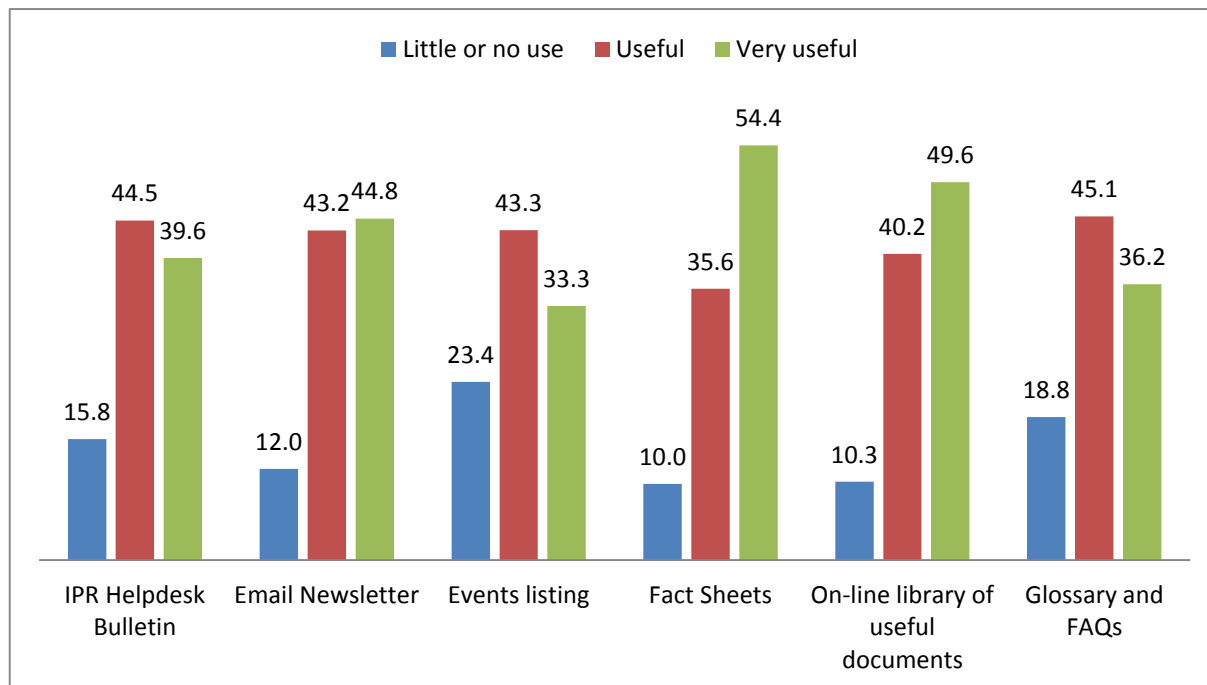


The users of the services are also generally very pleased with the helpline services. The survey responses indicated that service is understandable for non-legal experts and business oriented organisations and highlighted the importance of the wide range of IP topics covered by the website. Additionally, the users highly appreciate answers to individual questions and the user friendly service (see Figure 3.6 above).

Evaluation Results

3

Figure 3.7: Users Survey: Usefulness of different Publication Services provided by the IPR Helpdesk



With regard to publication services, the most useful tools according to the users, are the Fact Sheets (54.4%), the on-line library of useful documents (almost 50%) and email Newsletters (44.8%) and the Publication Services (48.3%). This has also been confirmed by initial interviews with users of the service, who have emphasised that the Newsletter is a very useful tool for keeping them updated about new issues arising.

User profile by country

Users of the core online and Helpdesk services are from 65 countries, including nearly all countries participating in FP7. The most commonly-represented countries amongst registered users of both the website and the helpline are Spain, Germany, UK, Belgium, France and Italy. Although the spread of non-European countries is very diverse, none accounted for more than 10 registered users except India (17), China (14) and Israel (13). Most non-European countries were represented by less than 5 users.

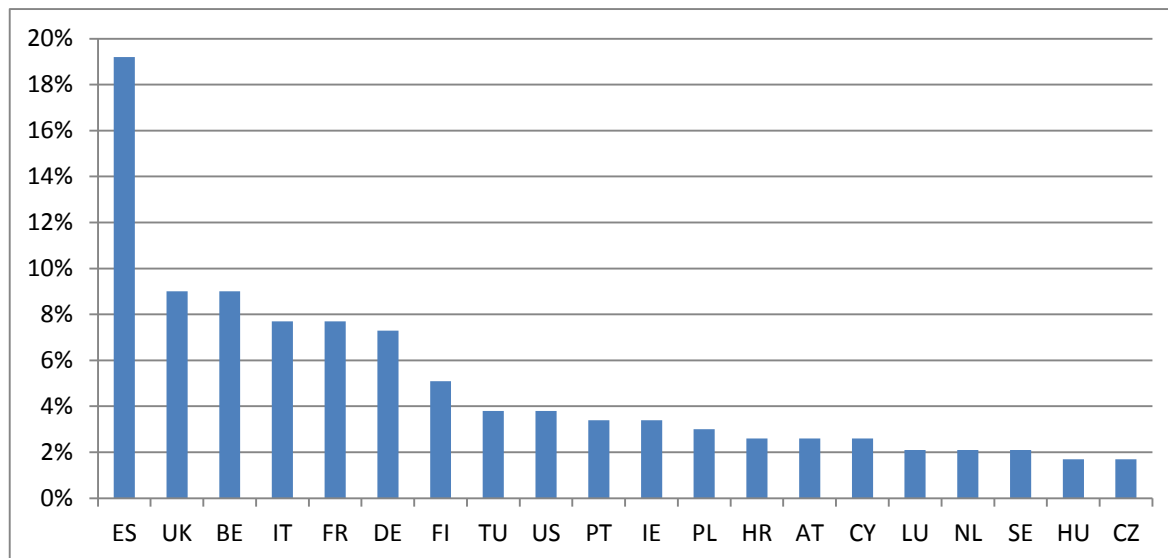
Registered users tended to reflect participation in FP7, except that the highest number of users continued to come from Spain – a legacy from the previous arrangements for the Helpdesk. It is as well to recall the country distribution of participants in FP7. Germany, UK, France and Italy are well represented in FP7 because of their size and the number of leading R&D organisations that they host. Belgium is also quite well represented in FP7, but this may simply reflect the number of European-level bodies, based in Brussels, that participate in FP7.

As the figure below shows, Spain accounts for 19% of the registered website users: more than twice as many users as any other country. The other large EU Member States tend to be well-represented, except for Poland which accounts for only 3% of all registered website users – even fewer than Ireland. This low level of usage appears to be common to the central European countries that joined the EU in 2004 and 2007, with Hungary, the Czech Republic, Bulgaria and Romania also accounting for many fewer users than similar-sized countries such as Finland and Portugal.

Evaluation Results

3

Figure 3.8: Country of registered website users²⁰



Overall, users in non-EU Member States account for only around 11% of all users (both registered and non-registered) and come mostly from just three countries (Turkey, USA and Croatia). However, data for newly-registered website users (June-September 2012)²¹ suggest that an increasing number of organisations in non-EU Member States are making use of the website; nearly one in five of all new users were from non-Member States (i.e. 18.4%). Moreover, those users were widely spread, coming from 29 countries. This may suggest that the promotion of the Helpdesk is now gaining a momentum beyond the immediate activities of the Helpdesk contractor, e.g. through internet search engines, hyperlinks from relevant websites or word-of-mouth. This finding is supported by data on all website users (i.e. registered plus non-registered), which shows that the USA accounts for the second-highest number of visitors to the website: nearly 14,000 over the life of the Helpdesk.

Amongst the EU Member States, although still at a relatively low level, the highest rates of growth have been amongst countries that were previously poorly-represented, i.e. Poland, Latvia and Greece. The number of registered users from these countries grew by 100% in 2012.

²⁰ Source: contractor's PowerPoint presentation, 19 April 2013

²¹ More recent data are not available.

Evaluation Results

3

Figure 3.9: Country of newly-registered website users (Jun-Sep 2012)²²

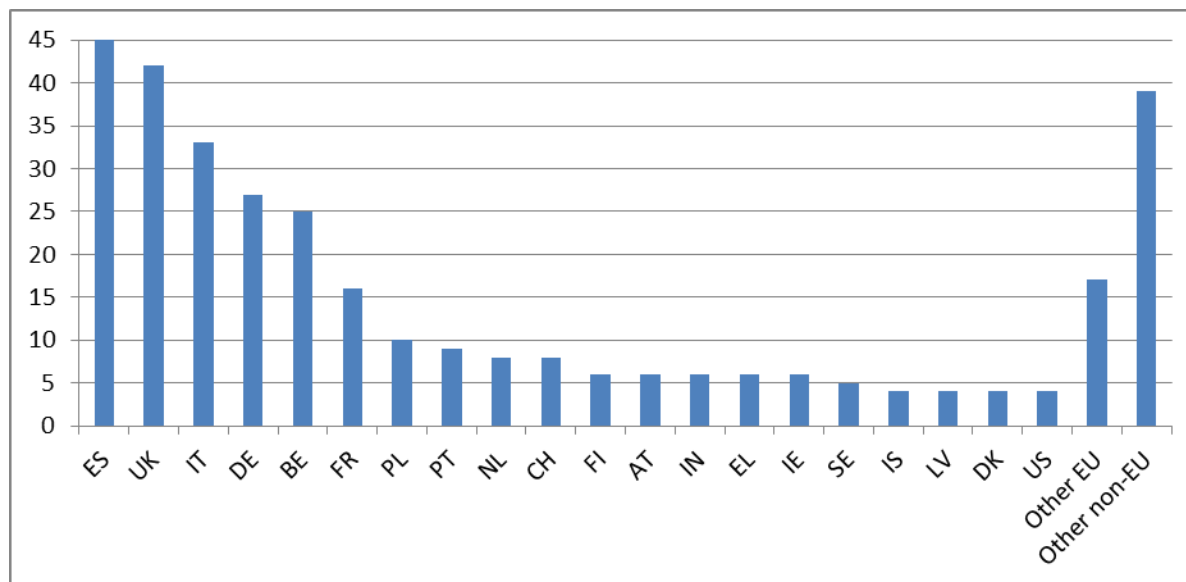
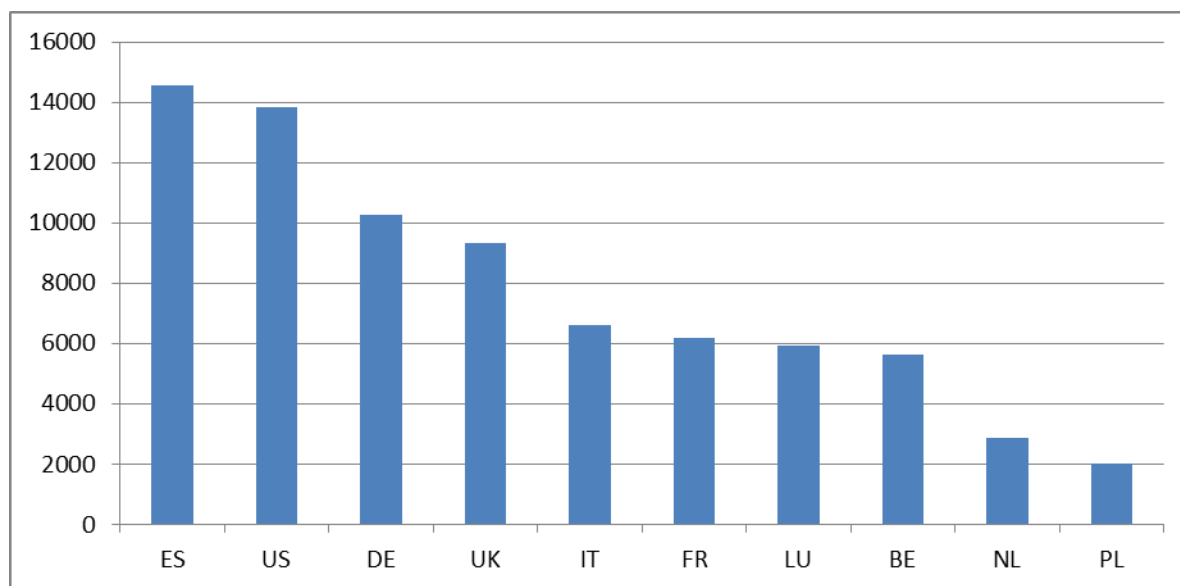


Figure 3.10: Most common country of all website users²³



Training and awareness-raising activities

Training and awareness-raising activities are important elements of the Helpdesk; indeed they are explicitly required under Work Packages 3 and 4. A flexible range of training provision aims to enable a wide group of target audiences (including universities, SME clusters or FP7/CIP projects and intermediaries) to develop their own IP management strategies and processes. This provision includes:

²² Source: European IPR Helpdesk Progress Monitoring Three Monthly Report: Period VII (July 2012– Sept 2012)

²³ Source: contractor's PowerPoint presentation, 19 April 2013

Evaluation Results

3

- Training material such as case studies, available on-line;
- Workshops, organised on a large scale in differing locations in co-operation with key multipliers that have direct contact with SMEs and researchers, such as National Contact Points (NCP) for FP7 & CIP or members of the Enterprise Europe Network;
- Participation as speakers in training events organised by others;
- Tailored training sessions;
- ‘Train the trainers’ workshops for staff of intermediary organisations;
- Web-based training packages in the form of nine different training modules conceived as half-day training sessions;
- Webinars on issues such as Tech Watch & Competitive Intelligence;
- Quizzes and educational clips;
- A training catalogue.

The evidence available shows that the Helpdesk is providing an effective range of activities. Nine training modules have been developed at different levels and these are customised to the needs of different events.²⁴ The training modules are intended to provide a flexible toolkit that enables the Helpdesk to combine different modules into customised training packages (e. g. in terms of duration, focal subject, level of expertise etc.). The modules are grouped under four major topics:

- Introduction to IP and IPR - this module provides an introduction to basic concepts and definitions of IP and IPR and provides a first overview of existing practices and processes related to IP management;
- IP management in FP7/CIP projects - aims to promote a better understanding of how to deal properly with IP issues during the entire life cycle of EU funded R&D project;
- IP management - From the first steps of developing an IP management strategy to establishing an overall IP policy and organisational IP culture, these modules address different processes and practices that define professional and systematic IP management;
- Advanced IP practices - The modules in this group focus on rather advanced and specialised topics from the world of IP and IPR. Thus, some previous knowledge and experience is required. Training subjects that can be chosen include: IP exploitation, IP enforcement, technology transfer and technology watch and competitive intelligence.

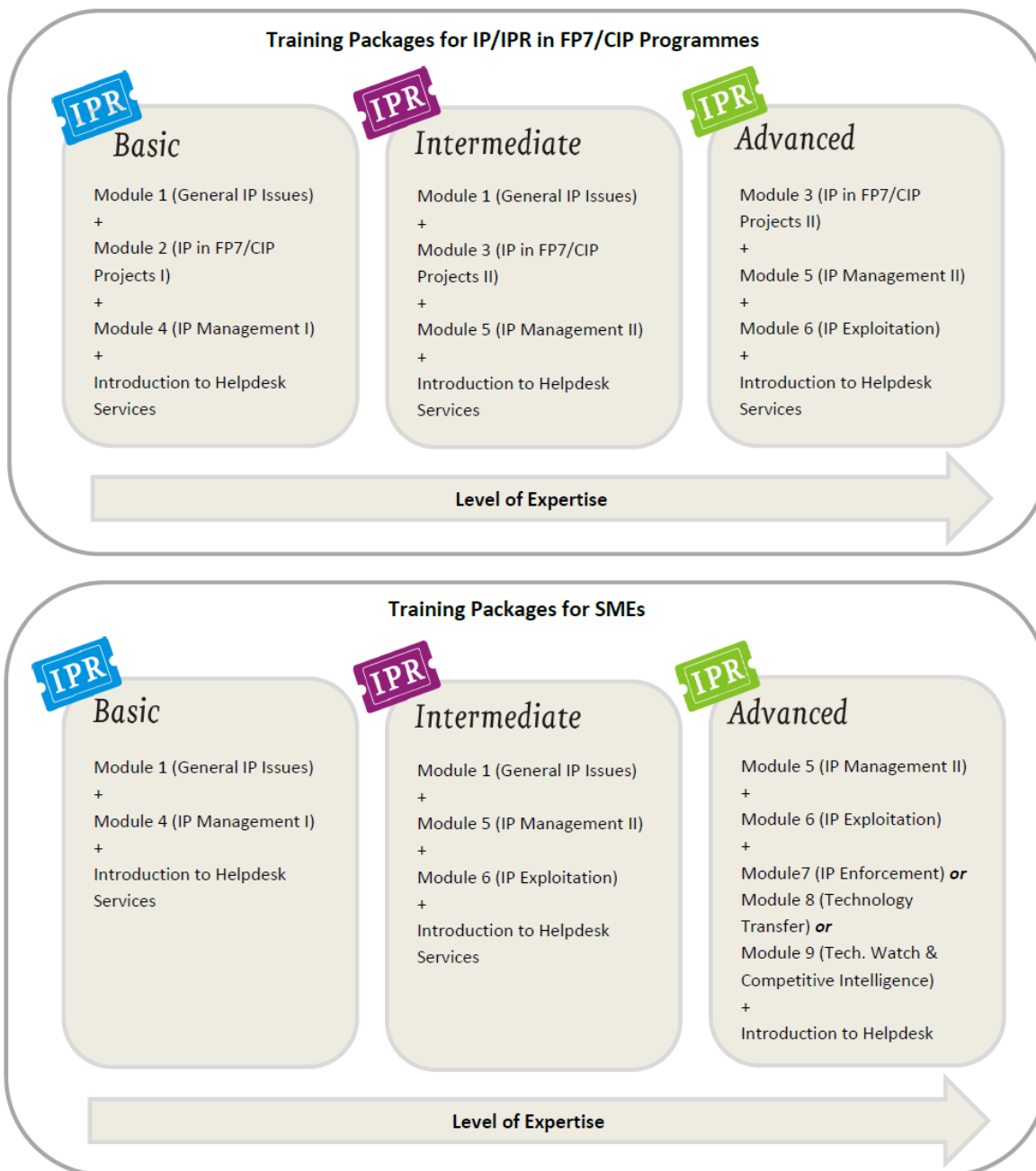
On the basis of the different training modules, the Helpdesk has developed training packages – either primarily addressing participants in FP7/CIP projects or European SMEs. The packages are conceived as half-day training sessions. In addition to this standard offer it is envisaged that certain packages can be tailored to the needs of specific stakeholder groups such as the Enterprise Europe Network (see Figure 3.11 below).

²⁴ contractor’s PowerPoint presentation, 19 April 2013

Evaluation Results

3

Figure 3.11 Training Packages offered by the Helpdesk²⁵



Training content varies from basic issues of IP management and IPR in EU funded research programmes to more advanced workshops covering subjects such as IP exploitation or technology transfer. In general, it is delivered in English, but certain training packages are also in German, French or Spanish.

²⁵Source: http://www.iprHelpdesk.eu/sites/default/files/relateddocuments/Training_Catalogue.pdf

Evaluation Results

3

Services of all kinds use the distinction between four different levels of competence in IP matters that was described above. This distinction enables the Helpdesk to tailor its services appropriately.

It is clear that in all this provision, the Helpdesk website plays a critical role. According to the Helpdesk, to date most training modules delivered are concerned with participation in the EU RTD Framework Programmes. Likewise much of the training delivered is for the basic and intermediate levels. Modules at this level were much more popular than advanced level training events. In the first half of the contractual period, requests for training were only focused on FP7 modules (about 90% of requests) with modules 2 and 3 by far the most requested. The favourite training package is a combination of IP issues in EU-funded projects with general IP topics such as IP protection or exploitation issues. In the second half of the contract, FP7 modules continue to be the most popular.

Table 3.10 Volume of training events delivered per qualification level²⁶

| Year | Total Events | Basic | Intermediate | Advanced |
|--------------|--------------|-----------|--------------|----------|
| 2011 | 27 | 15 | 12 | 0 |
| 2012 | 38 | 15 | 23 | 0 |
| Total | 65 | 30 | 35 | 0 |

Training courses are delivered for researchers and SMEs with a basic or intermediate level of IP knowledge and awareness. The Helpdesk highlighted the significant increase on trainings delivered for an audience with intermediate IP knowledge. This could indicate a trend towards training focusing on a specific technology or market sector and advanced IP subjects including case-studies. However, training on a very advanced level has not been requested (see table 3.10 above)

Generally, the Helpdesk receives requests for training packages rather than for individual modules. Particularly since last year there is a rising demand for intermediate training in the field of IP management, including technology transfer (modules 4-6) rather than introducing basic IP issues, especially in established EU countries. There is a growing interest in organising training combining regular IPR-Helpdesk modules with training modules, focusing on specific sectoral or on thematic areas, such as IP management in the field of biotech or ICT. These training events are organised in co-operation with external trainers and organisations. It is important to mention that some of the modules, namely highly advances Modules 7 +9: Enforcement + Technology Watch are very rarely booked.

According to the contractors' Terms of Reference, Enterprise Europe Network members, in their role as multipliers, may request direct assistance from the IPR Helpdesk. The Enterprise Europe Network brings together around 60 business support organisations (e.g. Chambers of Commerce, technology centres, research institutes, development agencies) from 50 countries to help small businesses exploit opportunities offered by the single European market. It is intended that these organisations, acting as multipliers, will enable a wider cohort of businesses to access the services provided by the IPR Helpdesk.

This arrangement needs an important degree of organisation, since the link between the IPR Helpdesk and the Enterprise Europe Network is expected to provide a coherent and seamless service to SMEs integrating aspects of support for an effective management of IP in the context of both innovation and research funding programmes and internationalisation. In order to strengthen links of this kind, Network

²⁶ Experience Review: Input for Policy - Requested by DG ENTR, July 2013

Evaluation Results

3

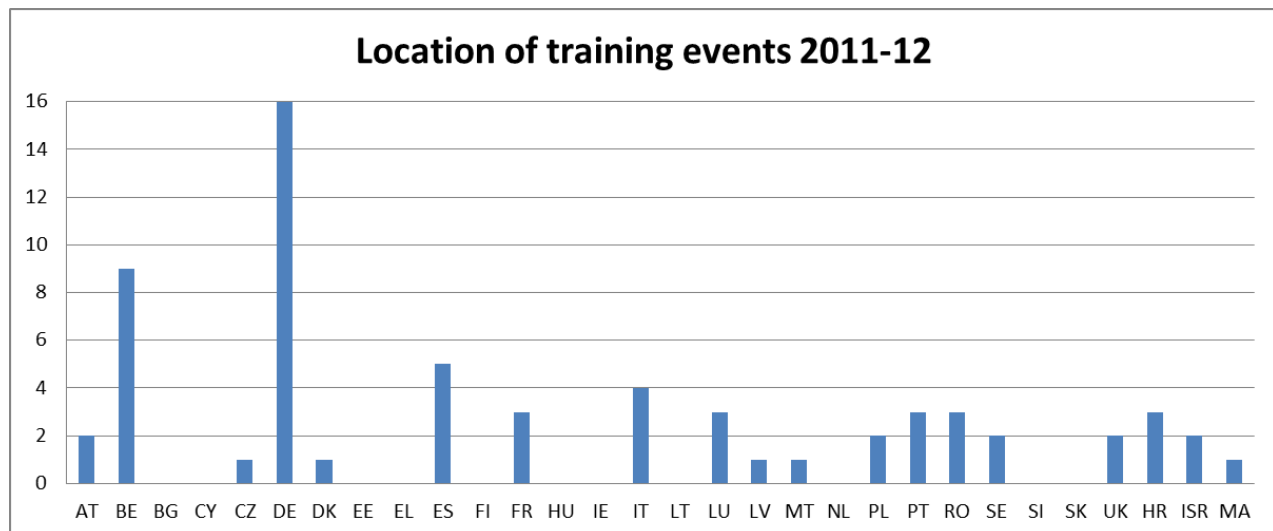
members are frequent receivers of the training and advisory services made available by the IPR Helpdesk. And this relationship of Enterprise Europe Network members to the Helpdesk has increasingly been formalised in an arrangement whereby certain Network members are designated as 'Ambassadors'. These arrangements are further described and assessed in the Efficiency section. It should also be noted that organisations based in third countries participating in the EIP/CIP under the provisions of Article 4 of the Decision 1639/2006/EC should also have full access to the IPR Helpdesk's services.

Other networks (e.g. EURADA, EBN, ePROTON, etc.) also make use of support from the IPR Helpdesk, though to a limited degree according to interview evidence. They may refer IPR-related questions of their SME clients to the IPR Helpdesk. They may also benefit from other IPR Helpdesk services within the limits specified in the detailed description of tasks.

Between January 2011 and December 2012, some 65 on-site training events were organised (27 in 2011 and 38 in 2012), attracting 1,860 people). There was an appropriate diversity in the locations for those events, with nineteen different countries (and many different cities within those countries) acting as hosts.²⁷ The data suggests that Germany has been slightly over-represented as a host for training events. In the remaining period of the current Helpdesk contract, it might therefore be beneficial for the contractor to focus on delivering events in some of the countries that have not yet hosted events²⁸, as part of a more systematic planning of training provision.

However, it has to be noted that in some cases the country of a training event is not a pure geographic indicator for training. Some of the events were organised in conjunction with other EU Member State, especially those taking place in Brussels, providing a more European dimension and attracting participants from different Member States.

Figure 3.12 Location of training events 2011-12²⁹



Of the 65 training events, around two-thirds served SMEs and industry partners, nearly half served universities and research organisations and one-third served project co-ordinators and managers of FP7

²⁷ IPR Helpdesk contractor (Excel sheets)

²⁸ IPR Helpdesk contractor (Excel sheets)

²⁹ Source: European IPR Helpdesk contractor (Excel sheets)

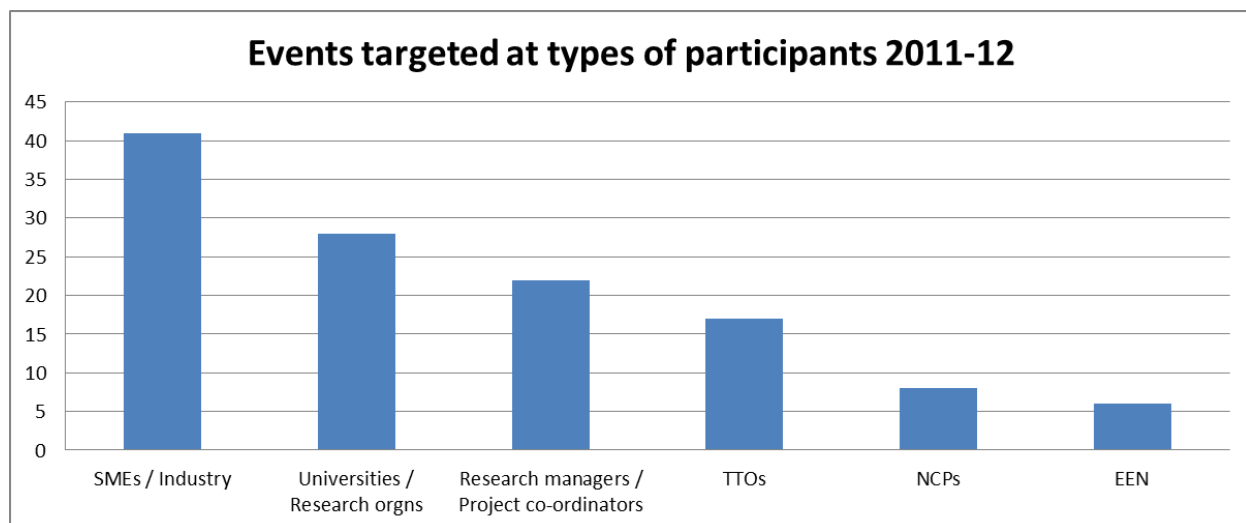
Evaluation Results

3

and other EU-funded projects. There is, of course, considerable overlap between these categories and most events targeted a range of organisation types. In other words, some of the two-thirds of events serving SMEs and industry partners also served universities and research organisations. Training events also served a significant number of “multiplier organisations”, such as Technology Transfer Organisations (TTOs), National Contact Points (NCPs) and representatives of the Enterprise Europe Network (EEN).³⁰ One training event was also delivered in Brussels specifically for the Executive Agency for Competitiveness and Innovation (EACI).

The training events have generally offered a broad coverage of IPR themes: around 40 have focused on IPR issues in the context of EU-funded projects, whilst another 10 have served as an introduction to IPR. Some have offered a slightly more specific focus: six have focussed on dissemination, exploitation and valorisation of results and 5 have focussed on consortium agreements and contracts within EU-funded projects. Three have specifically focused on SMEs.³¹

Figure 3.13 Types of participants targeted through the training events (2011-2012)³²



The contactor is now providing more training activities than was envisaged in the tender and is responding to conference and training invitations on the ad-hoc basis. No targets were set in the tender with regard to training; however the number of invitations coming from support organisations and the Commission has significantly exceeded the estimates. Furthermore, evidence from the interviews with the contractor and other stakeholders has indicated that there are some visible shifts taking place in the nature of the issues that the Helpdesk is covering, with users becoming more interested in intermediate

³⁰ The data does not include a breakdown of the number of participants at each event by type of organisation. However, there appears to be no particularly correlation between the total attendance at each event and the types of organisation attending, i.e. events serving SMEs were no more likely to be well/poorly attended than events serving other types of organisation.

³¹ This categorisation of training events according to their content provides only a general indication of the focus of events based on the titles of the events. In practice, there is a considerable overlap between these categories, with many issues being covered by more than one category of event. For example, issues such as consortium agreements, contracts, and exploitation of IPR are likely to feature in training on IPR issues in the context of EU-funded projects in general, in events providing an introduction to IPR and in training specifically focussed on SMEs.

³² Source: European IPR Helpdesk contractor (Excel sheets)

Evaluation Results

3

training on IP management. It should, however, be noted that the training activities are not yet based on a Work Plan. They are mainly demand driven and organised on ad-hoc basis, based on the number of invitations directed to the Helpdesk.

Additional participants were attracted by the development of on-line training events ("webinars"). Some 23 webinars were held in 2012), attracting 669 participants.³³ This is a recently-introduced form of training that has met with a satisfactory degree of success. The IPR Helpdesk supported users in 36 countries through webinar training and this contrasted with 19 countries for face-to-face training. Feedback from webinar participants is regularly collected at the end of each web-session and all webinar participants are invited to give feedback during and after training.³⁴

Given the greater ease with which on-line training events can be organised and attended, the potential to expand this provision is an obvious matter for further consideration.

The survey data regarding training activities has to be treated with caution since it is clear from the results that a majority of registered Helpdesk users of the service have not participated in training activities and equally that most people participating in training events do not register for further Helpdesk assistance. This is particularly visible from the Table 3.11 below, where a majority of respondents did not provide any answer to a question on the training services used by their organisation. This issue is further considered in the efficiency section.

Table 3.11: Users survey: Number of training services provided by the Helpdesk used by the organisation

| Options | Never | | Once | | Occasionally | | Many times | | Total | |
|--|-------|------|------|------|--------------|------|------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Training material such as case studies, available on-line | 93 | 38.0 | 24 | 9.8 | 94 | 38.4 | 34 | 13.9 | 245 | 100.0 |
| Workshops, organised in differing locations in co-operation with key multipliers | 137 | 55.0 | 24 | 9.6 | 72 | 28.9 | 16 | 6.4 | 249 | 100.0 |
| IPR Helpdesk contributions to training events organised by others | 144 | 60.8 | 25 | 10.5 | 58 | 24.5 | 10 | 4.2 | 237 | 100.0 |
| Tailored training sessions | 179 | 74.0 | 22 | 9.1 | 33 | 13.6 | 8 | 3.3 | 242 | 100.0 |
| 'Train the trainers' workshops for staff of intermediary organisations | 189 | 81.8 | 16 | 6.9 | 22 | 9.5 | 4 | 1.7 | 231 | 100.0 |
| Web-based training packages | 161 | 68.5 | 17 | 7.2 | 44 | 18.7 | 13 | 5.5 | 235 | 100.0 |
| Webinars on issues such as Tech Watch & Competitive Intelligence | 140 | 58.6 | 24 | 10.0 | 47 | 19.7 | 28 | 11.7 | 239 | 100.0 |
| Webinars on individual modules | 117 | 47.8 | 31 | 12.7 | 64 | 26.1 | 33 | 13.0 | 245 | 100.0 |

³³ European IPR Helpdesk Status Reports

³⁴ Participants on a scale from 1-4 (1=strongly disagree / 4=strongly agree), the participants are asked to give their rating concerning: the overall benefit of the course; the comprehensibility of the content; the amount of information provided; the technical quality; the expertise of the trainer

Evaluation Results

3

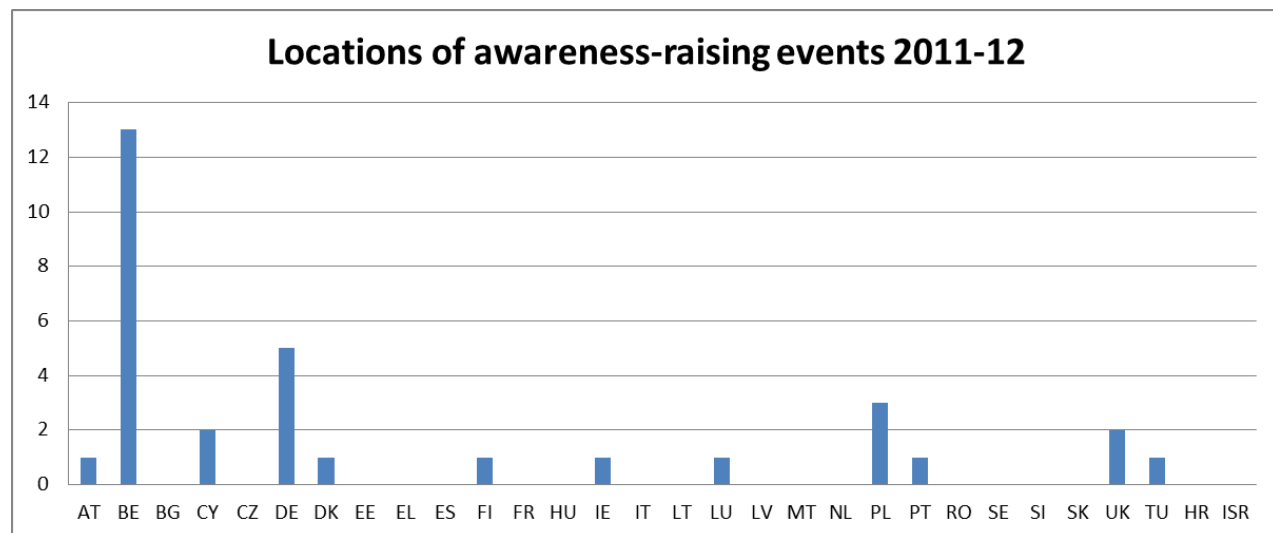
| | | | | | | | | | | |
|-------------------------------|-----|------|----|-----|----|------|----|-----|-----|-------|
| | | | | | | | | 5 | | |
| Quizzes and educational clips | 172 | 75.8 | 15 | 6.6 | 34 | 15.0 | 6 | 2.6 | 227 | 100.0 |
| Training catalogue | 147 | 64.5 | 13 | 5.7 | 52 | 22.8 | 16 | 7.0 | 228 | 100.0 |

Awareness raising activities are a further responsibility of the Helpdesk under the fourth work package.

From 2011, 57 awareness-raising events were staged that attracted an estimated total of over 15,000 persons, with estimated 5,805 of participants reached at these events.³⁵ These were events organised by other organisations, including European Commission DGs and Executive Agencies, the Enterprise Europe Network, EU-level organisations, national patent/IP offices, universities and FP7 projects. At most events, the IPR Helpdesk contractor gave a presentation and distributed printed material. Most presentations provided an introduction to IP, IP management in FP7 and the services available from the Helpdesk service. In some cases, the contractor also operated an information stand and offered one-to-one consultations.

As with the on-site training, awareness-raising events took place in a range of countries: 12 in all. Whilst 13 were in Belgium, these events were all in Brussels (often organised by the European Commission) meaning that participants from a number of countries were reached. In the remaining period of the current Helpdesk contract, it might be beneficial for the contractor to participate in events in those countries that have tended to be under-represented as users of the Helpdesk, such as Hungary, the Czech Republic and the Netherlands.³⁶

Figure 3.14 Locations of awareness-raising events 2011-12³⁷



The participation of the Helpdesk in awareness raising events in 2012 may have resulted in an increased usage of the Helpdesk over the same period. There is also evidence that awareness-raising activities are attracting a core of users that wish to receive information on a regular basis, rather than merely participating in one-off events. Indeed, the number of subscribers to the fortnightly Helpdesk newsletter

³⁶ IPR Helpdesk contractor (Excel sheets)

³⁷ Source: European IPR Helpdesk contractor (Excel sheets)

Evaluation Results

3

has steadily risen to reach more than 3,300, as has the number of followers of the Helpdesk's Twitter account and members of the Helpdesk's LinkedIn group.

Table 3.12: Reach of training and awareness-raising activities³⁸

| | |
|--|--------------|
| On-site training events (to end 2012) ^a | 65 |
| Participants in on-site training events (to end 2012) ^a | 1,860 |
| Awareness-training events (2011-2012) | 57 |
| Participants in awareness-raising events (end 2012) ^a | 15,000 |
| Participants "reached" by awareness-raising events (Jan-Dec 2012) ^a | 3,989 |
| On-line training events (2012) ^b | 23 |
| Participants in on-line training events (2012) ^b | 669 |
| Registered users subscribing to the fortnightly newsletter (end 2012) ^c | 95% (=2,880) |
| Twitter followers (end 2012) ^c | 272 |
| LinkedIn group members (Sep 2012) ^c | 411 |

One of the main points raised in the survey responses and interviews relates to the depth of the answers and information provided on the website and during the training workshops (both online and offline training). The Enterprise Europe Network ambassadors informed the evaluation team that the quality of the basic documents on IP matters available on the web site is very high and that is material is often used by them to assist their clients to clarify fundamental issues in their IP management. In many cases the ambassadors are now translating this material into local languages and consequently it has become a major intellectual asset of the whole Helpdesk system. Given that there was no inheritance from the previous Helpdesk contractors and the current Helpdesk team was obliged to develop all the material that is currently available, it has also been necessary to concentrate on core material and issues rather than more specialised topics. A number of respondents, however, have suggested that it is necessary to provide more information on specific IPR challenges and matters linked to FP7 and H2020, possibly making greater use of practical examples and providing practical solutions in the form of templates, concrete examples, or, for example, tips for clauses in consortium agreements (especially on how to combine the interests of research institutions and SMEs).

Evidence on impacts

The sources of information on the outputs, results and longer-term impacts of the Helpdesk's activities came from the Helpdesk's management reports and from the surveys in particular, with contextual information being provided by the interviews.

At the beginning of the implementation period, the contractor did not make use of the performance indicators that were stated in the proposal. This was corrected though the introduction of an annual planning system. The contractor now provides data on the agreed performance indicators in Status Reports that are provided every three months. However these are mainly defined in output terms (i.e.

³⁸ Sources: ^a European IPR Helpdesk contractor (Excel sheets) ^b European IPR Helpdesk Status Reports; ^c European IPR Helpdesk Progress Monitoring Three Monthly Report: Period VIII (October 2012– December 2012)

Evaluation Results

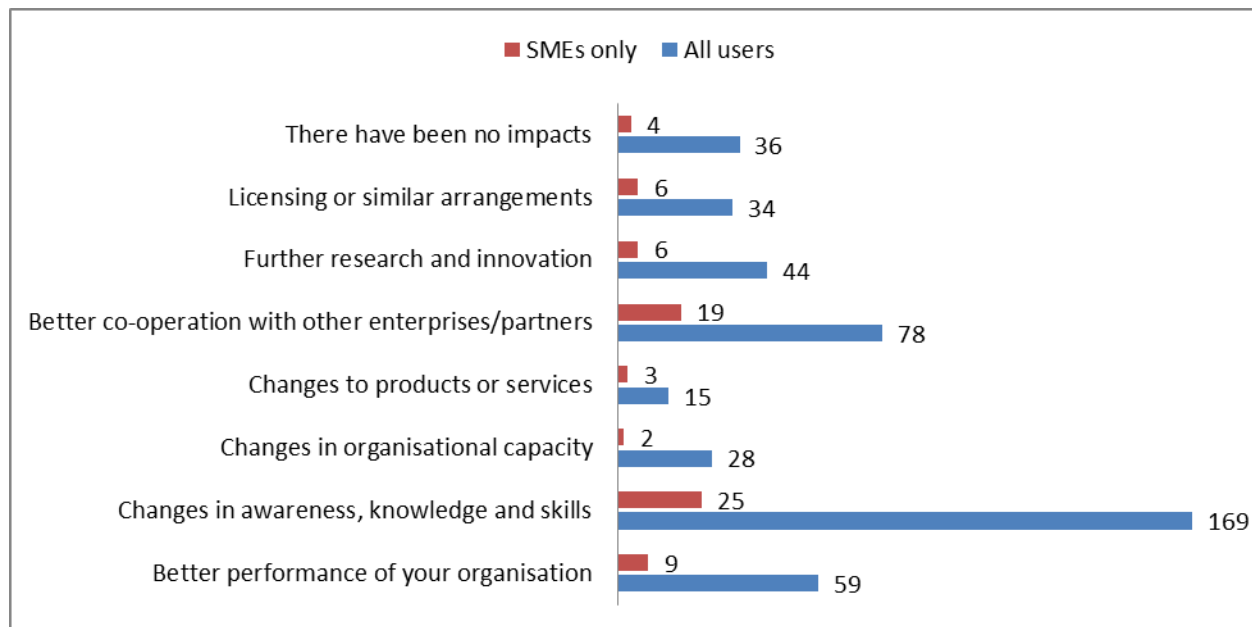
3

number of requests, website visits, trainings, participants in awareness rising events), so the contractor does not report on the final results of the actions and the longer term impacts, and consequently there is no analysis of how far SMEs for instance, have achieved a better knowledge of IP issues or implemented what they have learnt though webinars or trainings.

The survey sought to obtain information on the effect of the Helpdesk's services on the business performance of its clients, as a way of contributing to an assessment of the results and longer-term impacts of the Helpdesk's services. Some indications were provided. It has been seen at the beginning of this section that there is some evidence of a progression in the capability level of clients as a result of using the Helpdesk's services, though there were also some possible problems in the interpretation of these data.

Users also stated that there have been a number of beneficial changes in their activities or market position. Effects indicated included changes in awareness, knowledge and skills (169 answers) and improved cooperation with other enterprises or partners (78 answers), or a better performance of their organisation (59 answers). However, only 15 users indicated changes to products and services and 28 had experienced changes in organisational capacity (see Figure 3.15 below). Similarly 25 of the SMEs responding to the user survey had experienced changes in awareness, knowledge and skills and 19 improved cooperation with other enterprises or partners. However, only 9 of all users and 9 SMEs responding said that using the Helpdesk services resulted in a better performance of their organisation.

Figure 3.15 User survey: The main impacts of the IPR Helpdesk for the organisation

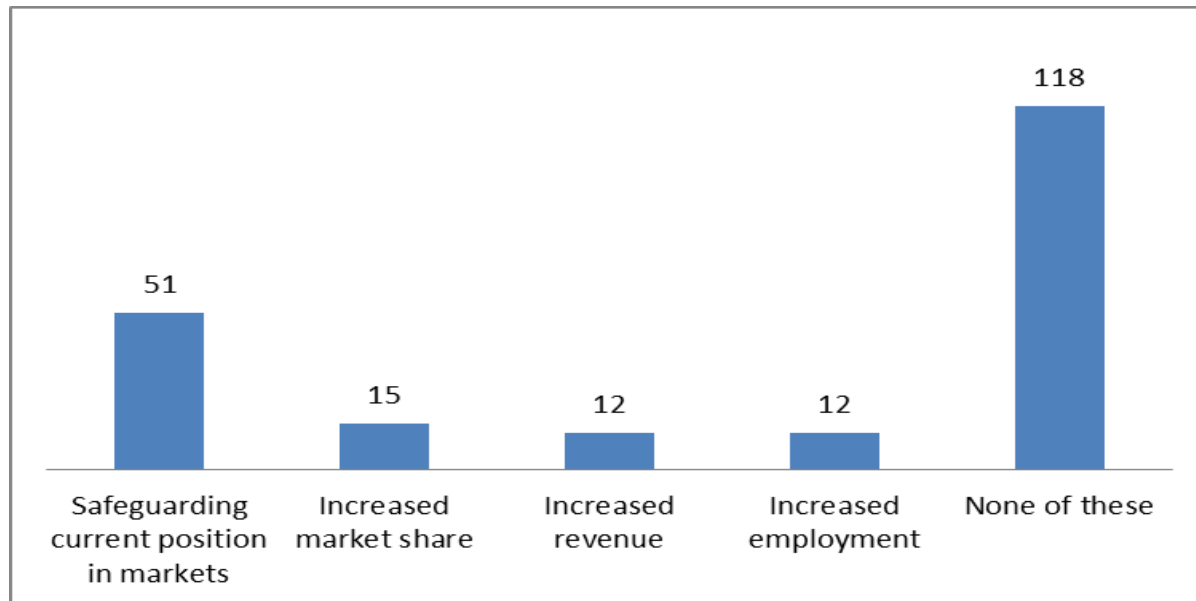


In the case of users for which the support provided by the IPR Helpdesk has led to a better performance, 118 of all respondents and 14 SMEs did not indicate the form which this has taken. However, some of the users indicated that the better performance has taken the form of safeguarding their current position in markets (51 all users and 12 SMEs) and a small numbers of users indicated increased market share (15), revenue (12) and employment (12).

Evaluation Results

3

Figure 3.16 Users Survey: If the support provided by the IPR Helpdesk has led to a better performance, what form has this taken?



It is generally recognised that there are considerable problems in unambiguously attributing changes in clients' performance specifically to assistance received from the Helpdesk. The users of the service, who were interviewed, indicated that the difficulty in assessing the impacts lies in the variety of different factors involved in both IP management and general organisations' performance and development. It proves difficult to indicate if successful IP asset management is due to the Helpdesk services, the IP manager or other employees involved. For enterprises, it is difficult to quantify the effects of information and advice on variables such as turnover, profitability and employment and for university departments and research institutes, tracing the effects of such services is even more difficult.. Information is part of a series of inputs into decision making and often it is simply not possible to attribute outcomes uniquely to any one of these inputs. Furthermore there can be discontinuities in the value of a piece of information that makes it very difficult to assess. Information can suddenly become critical in certain circumstances and more from being of little value to being highly valuable. These problems are common to the assessment of the impacts of all business support agencies and in fact are closely related to the market failures that make the public provision of such services necessary. Moreover, in relation to the Helpdesk, an assessment of economic impacts is even more difficult in that most of the users of the service do not engage in commercial activity directly, but rather only indirectly through their association with enterprises. It is perhaps not surprising, given these considerations that from the responses provided, it has not been possible to quantify the monetary value of Helpdesk activities for the users of its services.

3.3.2 Users and Non-users' Assessment of the Helpdesk

It should also be remembered that although the perspective of the user is clearly of paramount importance, enterprises are frequently not in a position to articulate their needs clearly (this is often why they are seeking assistance) and usually are not aware of the institutional context in which services are delivered. Clearly, this is the group about which there is most uncertainty in terms of the value of the responses gathered. However, the overall responses to the survey and follow up interviews suggest that the users' outlook on the Helpdesk is very positive.

Evaluation Results

3

With regard to the subject scope, the majority of the users seem to agree that there is a sufficient coverage of all IP related subjects, with IP Protection and IP Management being most effectively covered. Similar views have been expressed by the SME sample, which also highlighted sufficient coverage of the revision of agreements (52%).

Table 3.13: Users survey: Sufficiency of the coverage by the Helpline of the following IP topics

| Options | Sufficient | | Neutral | | Not sufficient | | Total | |
|------------------------|------------|------|---------|------|----------------|-----|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % |
| IP protection | 171 | 72.5 | 58 | 24.6 | 7 | 3.0 | 236 | 100.0 |
| IP management | 154 | 65.8 | 69 | 29.5 | 11 | 4.7 | 234 | 100.0 |
| IP exploitation | 128 | 56.9 | 79 | 35.1 | 18 | 8.0 | 225 | 100.0 |
| Revision of agreements | 91 | 47.4 | 82 | 42.7 | 19 | 9.9 | 192 | 100.0 |

Interestingly, as mentioned in the previous sections, when asked about possible areas for improvement in the services, 133 suggested an expansion subject scope and 96 users wanted the assistance to be available in other languages (see Figure 3.5 above). However, although indicating that it would be helpful to have materials in other languages, the interviewees inclined to the view that such changes should be considered only for basic material. It was pointed out that there needs to be one legal language between cooperating organisations due to the danger of misinterpretation and wrong translation of sensitive agreements regarding IPR issues. This should be taken into account, especially with regard to future efforts of the Enterprise Europe Network Ambassadors in translating the IPR Helpdesk material into local languages.

Through the different contract iterations the Helpline services were contractually offered in different EU languages.³⁹ Although the European IPR Helpdesk, between 2010 and 2013, is contractually only required to be implemented in English, the consortium has delivered services in other languages. According to the Helpdesk, having previously received a service in one language and subsequently not being able to receive that service is a draw-back for the user support.⁴⁰

Based on the interviews with both current and potential users and the Helpdesk, it can be concluded that there is a visible demand for support in other languages. With the help of the Enterprise Europe Network Ambassadors, the Helpdesk has organised training and awareness rising events. EEN also sporadically translates Helpdesk's materials of the IPR Helpdesk for their local community, which may support the finding that there is a demand for materials in other languages than English.

It is understood that it is intended that the Helpdesk's documents currently available directly from the Helpdesk in English will be translated by Enterprise Europe Network in order to improve understanding of IPR issues at the local level. However, although a number of interviews underlined the importance of at least initial contacts being in a local language, and the China IPR Helpdesk, which operates in 7 languages, reports that this facility greatly improves the effectiveness of its own services, some reservations were expressed in interviews with both users and non-users of the Helpdesk and with some of the other stakeholders.

³⁹ Three languages (EN/ FR/DE) in 1998; five languages EN/FR/DE/IT/ES; six EN/FR/DE/IT/ES/PL languages³⁹; and during the current contract from 2010 to 2013, in English (EN).

⁴⁰ Experience Review: Input for Policy - Requested by DG ENTR

Evaluation Results

3

Here it was argued that, although it is good to have basic information on IP in local languages, more complicated aspects of IP should be addressed in English, both because international exploitation requires the use of English and more particularly because the use of English in legal documents avoids the problems arising from mistranslations and provides a common reference point. This seems like an important point, especially because the translations by the Enterprise Europe Network do not have to be provided by an IP expert or a person with a legal background and that the Helpdesk itself does not have the capacity to validate these translations. Therefore the concerns over the quality of the material arise, which could possibly cause issues in cooperation between the Helpdesk and the Enterprise Europe Network.

One possible solution could be that the linguistic scope of the European IPR Helpdesk contract, basic documents could be translated under a separate framework contracts with the Translations Centre for the Bodies of the European Union (CdT) or alternatively the CdT could at least verify the materials translated by the Enterprise Europe Network.

3.4 Efficiency

3.4.1 The Operational Efficiency of the Helpdesk

A basic consideration for the efficiency of the operation of the Helpdesk is the contractual framework within which it operates. It will be recalled that currently the Helpdesk operates on the basis of a service contract, whereas the contracts for the previous period were based on grant agreements, as are the contracts for some of the related services, such as the China IPR Helpdesk.

The interviews have revealed that there are a number of issues relating to the current Service Contract. First of all, there is a clear administrative burden for both the Contractor and Agency, since a service contract requires a much more 'hands-on' management than is the case with a grant agreement.

After the review of the mandatory inputs from the Contractor, it is believed that the number of reports, their volume and detail appears to be considerable and probably greater than is necessary and their production and processing are very time consuming. This may divert the Contractor and especially the consortium management, from focusing on the main objective - providing IP services to its clients.

Ironically, the contractual arrangements also introduce a certain periodicity into the management process. By the time that the Status Reports are received, the information provided relates to the previous implementing periods and is already outdated. This hinders the Contractor and the Agency in making the necessary revisions.

In order to enable the Commission to inform internal stakeholders and Member States about performance of the Helpdesk, frequent reporting activities are clearly necessary. However the current arrangements have developed in an ad hoc manner – there was initially no requirement for any planning framework, for instance, and this has been added to the original contractual reporting arrangements. Furthermore, it is not clear that the orientation of the reporting requirements is best structured to assist the effective management of the Helpdesk, especially at a time of continuous change in the overall policy and institutional environment in which the Helpdesk operates. In particular, the current reporting system requires information on a set of performance indicators that consist almost entirely of outputs. There is little reference to the achievement of results and longer term impacts. As has been indicated, obtaining information on these longer-term effects is not easy, but that does not mean that nothing at all can be done, especially if it can be combined with client management systems. Collecting information on the nature of a client's registered IP, for instance, or the number of licensing agreements concluded

Evaluation Results

3

after a certain period could contribute to data on longer term results, but also assist in tailoring support and improving client follow-up.

Consequently the evaluation team believes that the quality, effectiveness and efficiency of the reporting system could be improved by developing a simplified structure on the basis of an annual planning cycle, in which reports provide information on progress in achieving longer term objectives, as well as key outputs. In between formal reports that should be timed to fit into the Commission's own annual reporting cycle, there is scope for a more informal and flexible dialogue, especially between the Agency and the consortium management on the basis of real-time reporting systems. In fact, the management team already make use of such systems providing a real time picture of developments for internal management purposes and in principle these could be shared with the Commission and the Agency. If it is felt to be necessary, this could be combined with more restricted formal requirements, including shorter Status Reports on a monthly or two-monthly basis, but it ought to incorporate an improved set of performance indicators, along the lines proposed in Annex 4.

A more fundamental issue, however, is that in contrast to the situation under a grant agreement, a service contract does make it generally more difficult to modify the terms of an initial invitation to tender, because of public procurement rules. This reduces the degree of flexibility possible, for instance in diverting resources from one service to another in the light of changing client demand. However, it has been argued by some interviewees, that the service contract might be needed to bring a certain level of assurance.

The evidence from the interviews on the question of whether current contractual arrangements are the most appropriate is mixed. Some interviewees have suggested that the form of the agreement does not pose a major problem and that there is sufficient flexibility within current arrangements. Furthermore there are contractual forms, such as 'quoted time and means' contracts that could enhance this flexibility in the future. Other interviewees, including the contractors, did, however, suggest that the contractual form poses a problem, making it difficult to shift resources major priorities over the period of the contract. In practical terms, this can be seen in the example of training provision, where in responding to a greater demand than anticipated, the consortium has been prepared to go beyond strict contractual requirements, but it has not been possible to put this provision on a new footing and plan the resource deployment in a systematic way. More generally, it is acknowledged that the current contractor is fulfilling its role efficiently within the current mandate and objectives.

Additionally, a number of interviewees have commented that the mandate is not appropriate in current circumstances, given the changes in the policy environment and the situation on the ground and that the contractual framework makes it difficult to address this issue, while there is a possibility of a legal challenge under procurement law to any substantial change to the terms of the contract. In case that decision was made to expand the mandate of the Helpdesk within the duration of the contract, the service agreement does not allow any changes or shift to the mandate or objectives. A more flexible structure would appear to be required for future.

Furthermore, a service contract of three years also imposes some constraints and arguably does not allow the Helpdesk to operate as efficiently as possible over a reasonable time frame.

The Consortium also highlighted the fact that the EC RTD- Framework Programmes have extended their scope in terms of budget, programme duration, geographic scope, and span of topics. The durations of Framework Programmes has been extended from 5 to 7 years since FP7 and the number of countries involved in the RTD projects have risen. These changes could possibly bring more users to the European

Evaluation Results

3

IPR Helpdesk and it was argued that the changes have not been reflected in extension of the contract duration or budgets allocated to the European IPR Helpdesks.

A majority of the interviewees think that the contract duration should be extended in order to deliver the most efficient support throughout the financing period. A contrary view from some interviewees is that an extension of the duration of the contract could have an adverse effect by decreasing the motivation of the Helpdesk contractor to perform better.

Both of these views could be accommodated by adding to the service contract the possibility of a year or two years extension of the initial contract (3+1 or 3+2), depending on the performance of the contractor. This would not only maintain the motivation to provide the best quality services but also improve the performance of the contractor through the incentive of a contract extension. In addition, it would also provide, for both the Commission and the contractor, a much needed degree of correspondence and continuity of the services in relation to the overall Framework Programme.

Finally, it should be recalled, within this context, that the use of a service contract was originally motivated by the problems with the ownership of IP generated under a grant agreement. The current arrangement with the other Helpdesks that operate under a grant agreement shows that the IP problem can be resolved even on the basis of such a framework. However, that is not to say that a grant agreement represents the ideal form. Apart from other considerations, it is not clear that a requirement for the successful contractor to contribute to the funding of a project, as is usual under a grant agreement, would encourage a sufficiently wide range of competent organisations to bid for the project. Consequently, and given the detailed legal questions that are also part of this issue, the evaluation team has not been able to draw any firm conclusions on the appropriateness of the current contractual arrangements. Further investigation is necessary, including the examination of some potentially innovative solutions, such as the use of a concessions framework.

3.4.2 The Helpdesk's Marketing & Communication Strategy

It has been seen that one of the work packages of the Helpdesk concerns awareness raising and this includes promoting awareness of the Helpdesk's own services. In addition, the development of an effective website and the use of social media to raise awareness of the services available from the Helpdesk are also part of the overall communications effort. It is not clear, however, that the Helpdesk has a marketing strategy. Certainly, although there are statements in other reports and plans, there has been no specific document bringing together the definition of targets, the determination of the corresponding service offer and a delineation of the means by which the service can be delivered most efficiently. There is not even a clear Communications Plan. Here it might be expected that there would be a document, developed annually, and setting out the Helpdesk's intentions in relation to:

- the key messages of awareness raising campaigns
- the targets groups for the campaign
- the instruments to be used and the actions to make potential clients aware of the existing services and instruments available
- the partners expected to co-operate with organising events and publicising activity
- the geographical coverage of the campaign

Such a plan might also consider the Helpdesk's aims in terms of the background, on-going development of relationships with other IP and research organisations that could potentially act as multipliers – over

Evaluation Results

3

and above those already involved in the campaigns. This would help to make such efforts more systematic and contribute to raising the profile of the Helpdesk over the longer term.

The Helpdesk did encounter certain difficulties in its communication efforts relating to the development of a visual identity. A distinctive presentation presence that was based on the Helpdesk's logo and the layout of the website had to be changed to conform to new requirements from the Commission relating to activities supported by EU funds. The website has now been customised to conform to the Commission's house style and the logo previously used by the Helpdesk has been removed from the website and publications. The change was somewhat disruptive while it was taking place and has undermined the Helpdesk's efforts to establish a distinct presence in its market, but it has also been argued that the change may have undermined the Helpdesk's longer term position, since the impression is now given that the service is provided by the Commission itself and this detracts from the Helpdesk's reputation as an independent and impartial service. The new layout for the website, which resembles that of the Commission may deter some of the potential users of the Helpdesk's services, especially SMEs, and there should be reflection by the Commission on this consideration. A Communication Plan would address and resolve these issues.

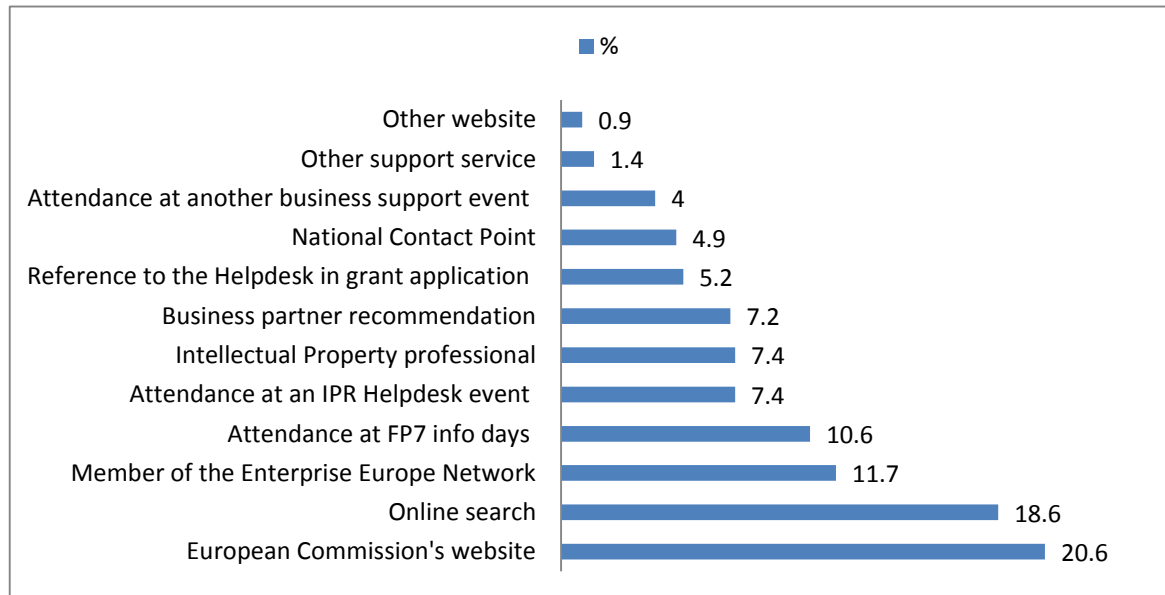
This set-back was unfortunate, since, it was pointed out in the interviews that other organisations, such as the China IPR Helpdesk, are more efficient in communicating their services to their target groups. Although it is understood that the mandate and objectives of the China IPR Helpdesk differ from those of the European Helpdesk, more could be done in this area and some of the lessons of other agencies' experience could be learned. Within the current policy context, the communication plan should set out a clear framework for all communication activities and allocate roles, tasks and targets to all services of the Helpdesk. It should serve as a reference document throughout the Helpdesk's contractual period and should include information such as the Plan's objectives, the generic and specific target groups (e.g. distribution of activities across countries), the communication tools to be used and the allocation of the budget. This is not to say that the current flexible response to demand arising from organisations on the ground should be entirely discarded. Rather, this type of response needs to be put within a framework, which ensures, for instance, that areas that are not active in seeking interventions from the Helpdesk are actively encouraged to become so.

The surveys of both users and non-users provide evidence on how efficient the Helpdesk is in reaching its target groups. It can be seen from Table 3.17 below that users learn about the Helpdesk's service from a variety of sources, most commonly either through the Commission's website (20.6%) or an online search (18.6%).

Evaluation Results

3

Figure 3.17 Users survey: Source of knowledge about the services provided by the European IPR Helpdesk



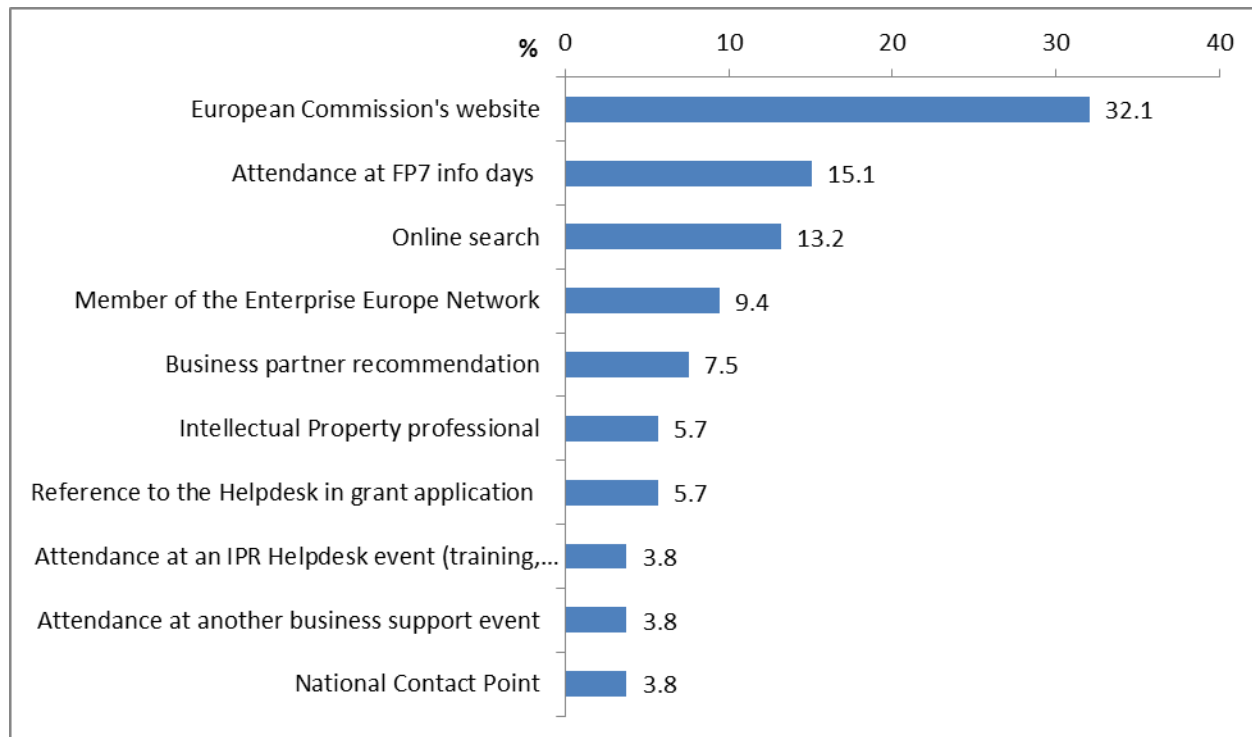
Data from the SME sub-set of users provides a similar picture, with 32.1% of SMEs learning about the services through the Commission website and 15.1% through attendance of FP7 info days or brokerage events. It is worth noting that the referral processes from different organisations e.g. National Contact Points are not as strong as might be anticipated, with only 3.8% of SMEs and 4.9% of all users referred to the Helpdesk from these sources. 11.7% of users learned about the Helpdesk through a Member of the Enterprise Europe Network, which was also the source of information on the Helpdesk for 9.4% of the SME respondents (See Figure 3.18 below).

Another significant finding is that only 0.9% of the users and none of the SMEs responding have learnt about the services through other websites than the main Commission sites. Investigation suggests that it is in fact difficult to find information on the Helpdesk in sites such as CORDIS or even the DG ENTR website. Furthermore, only 5.7% of respondents had learnt about the Helpdesk through a reference to it in grant application documentation. Clearly, although the Commission's website is making a useful contribution, further effort could be made to promote the Helpdesk through other appropriate parts of the Commission's own channels of communication.

Evaluation Results

3

Figure 3.18 Users Survey, SMEs only: Source of knowledge about services provided by the European IPR Helpdesk?



The evidence from the interviews also suggests that more could be done to promote the services and target relevant groups more efficiently. Especially with regard to SMEs, NCPs and their clients do appear not refer regularly to the IPR Helpdesk, except in cases where NCPs themselves are not completely sure that their own understanding of an IPR issue is correct. Other interviewees suggested that more should be done to involve NCPs in the promotion of the Helpdesk e.g. through participation of speakers from the IPR Helpdesk at the NCP network meetings. It is understood that action to raise awareness of the Helpdesk among NCPs is to take place in the near future.

In relation specifically to SMEs, one of the consequences of the difficulties in picking up from the previous contractual period has been that it took some time for the parties to agree on the direction that the service should take with regard to targeting SMEs. There is a feeling that more could have been done earlier. However the situation has been improving over time. Raising IP awareness and building capacities among EU SMEs is mainly done through on-site training events in the different EU Member States, participating in local awareness raising events, and by developing and disseminating publications related to IP topics. However, as the survey results indicate that there is still a lot to be done in this regard.

The evidence from the non-users survey is that almost 52% of respondents (i.e. SMEs participating in the FP7 projects) are still not aware of the Helpdesk's existence. Furthermore, even if they do know of the Helpdesk's existence, 47% of the SMEs responding say that 'they are not sure how the Helpdesk can assist them'. Almost 33% of non-users claim that they are able to manage their IP without assistance and 28% think that their research is not generating intellectual property (See Table 3.14 below). As previously mentioned it might be that the non-users are not yet capable of seeing the importance of good IPR management and the benefits for their organisation it might bring. The interviews with non-

Evaluation Results

3

users seem to confirm this finding. Some SMEs claimed that they are not at the stage where management of IPR is necessary and that they do not need to understand IPR issues before they have a product that is ready for the market. It is of interest here that one of the SME users interviewed commented that one of the things that they had learned from the assistance provided by the Helpdesk was precisely that they should move from thinking about IP as a matter of protecting existing products to considering IP in a much more flexible way as an asset that could be exploited in a variety of ways.

Table 3.1417: Non-users survey: Reason for not using the Helpdesk (although aware of it)

| Options | Nº |
|--|-----|
| Our research is not generating intellectual property that needs managing | 90 |
| Able to manage our IP without assistance | 103 |
| Managing our IP is not a high priority | 49 |
| Have not quite got around to it | 44 |
| Not sure how the Helpdesk can assist us | 151 |
| The website or publicity material did not encourage us to use the service | 20 |
| The assistance offered was not sufficient | 8 |
| It takes too long to get a reply | 7 |
| I found another source which can provide same information more effectively | 21 |

In addition, the data from the survey suggest that those SMEs that do look for assistance usually turn to Intellectual Property professionals (328 answers). Although it was agreed that all services should be complementary and that general support services should not compete with those of IP professionals, the data seem to indicate that more should be done to raise awareness of SMEs of other forms of support, since only 76 non-users seek assistance through general business support services and only 86 in other IP support organisations such as IPOs (see Table 3.15 below).

Table 3.15: Non-users survey Types of assistance required

| Options | Nº |
|--|-----|
| Intellectual Property professionals (lawyers, patent attorneys etc.) | 328 |
| Technology/Innovation support organisations | 97 |
| Other IP support organisations (Intellectual Property Offices etc.) | 86 |
| General business support services (Chambers of Commerce etc.) | 76 |
| Other | 18 |

It should be said that raising awareness of the importance of IP and its management is not only the responsibility of the Helpdesk. Changing attitudes in this area and especially ensuring that sound IP management is seen as a key part of a professional approach to conducting research requires a more general effort, not least by those responsible for research policy. Furthermore, if the Helpdesk is to contribute significantly to a greater perception of the need for its services, this will require not only a sharpening of the tools that it can use to highlight its value of its services directly, but also more effective co-operation on this matter with all the other agencies that are in contact with its target group. Again, this underlines the importance of a more explicit and elaborated marketing and communications strategy.

Evaluation Results

3

A particular point to be noted is that only 3.1% of surveyed SME users learned about the Helpdesk through attendance at an IPR Helpdesk event. This links to the previous point made with regard to training activities that the Helpdesk should be more active in encouraging participants in the training events, especially SMEs, to become users of their services. An opportunity is being lost to further engage a community of potential users. It is not necessarily the case that those attending training sessions would want to make use of the full set of online services, but with some imagination, it may be possible to devise forms of engagement that encourage the continuing development of IP management and exploitation among those initially contacted through the training programme.

3.4.3 Delivering a Professional Service

Delivering high quality services of the kind provided by the Helpdesk requires a high level of expertise and professional competence. Evidence from the interviews has been re-assuring on this point. The comments of Enterprise Europe Network members on the quality of the information available on the website have already been reported and there were similar comments on the professionalism of the people providing the helpline service. In fact, it was suggested that this valuable human resource was perhaps under-exploited and that it might be possible to go further, both with the helpline and in training sessions, where some participants felt that although the explanation of the fundamentals of IPR was done well, there was scope for dealing with more advanced exploitation issues in greater detail.

Discussions with the consortium managers confirmed that they are committed to implementing best practice in professional business support services, as identified in the 'Making IPR Work for SMEs' report and that on 'Creating Effective IPR Enforcement Support for SMEs' addressed to NIPOs under the IPEuropAware project. The helpline and the ethos of the publications and training activities, for instance, are based on a capacity building approach that seeks in its encounters with clients to strengthen their ability to address IPR problems more generally rather than simply responding to the immediate problem and, in particular, to encourage enterprises to adopt the Intellectual Asset Management approach to the development and exploitation of their IPR. Furthermore, the Helpdesk staff clearly understand the importance of tailoring information and support material to the current needs of their clients and the significance of a 'No wrong door' policy for handling approaches from a variety of organisations with different levels of knowledge and expertise. 97.5% of the users responding confirmed that the Helpdesk complies with generally recognised professional practice in the orientation and delivery of its business support services.

The embedding of these basic principles of professional practice in the services developed for the Helpdesk is an important achievement and provides a good foundation, especially for building relationships with other systems of IPR support.

In contrast to the situation with the helpline and on-line support material, however, the way that the training provision has developed does give rise to further questions, particularly about the future provision of such a service. It has been seen that, although the evidence of users on training provision is relatively restricted, the assessment that is available is generally positive. This evidence related to specific training events. However, it has also been seen that these events, although exceeding in numbers the levels initially anticipated, have largely been driven by demand from organisations and groups on the ground. And, although there have been successful experiments with new forms of provision, notably through the 'webinars', it appears that there has been little strategic thinking informing the development of the programme. Interviews have suggested that in order to be able to evaluate the long and short term impacts of the training activities more effectively, more detailed planning and monitoring processes need to be in place. It has been suggested that this could be done

Evaluation Results

3

e.g. though setting a minimum target of training events for the particular targets groups, with a minimum target for each of the modules and for the countries that have been identified as ‘white spots’ (needing more attention). Furthermore, it was argued by two or three interviewees that there could be a more visible profile for the training programme and events, if it were to be a more proactive investigation of training possibilities among the Helpdesk’s natural partners, especially in countries that are less active with regard to IPR issues (e.g. Eastern European Countries). Additionally, feedback from the participants should be systematically gathered after the event, similarly to the way it is done for webinars. All these elements need to be fed into the development of a communication plan and broader marketing strategy, as was mentioned earlier.

It was also suggested by the users of the services that there should be access to recorded Webinars by making them available online. The IPR has held a series of very interesting webinars lately and it would be helpful to have the opportunity to watch a webinar at the user’s own convenience (even though the interactive element would be lost).

These considerations point to issues concerning where the Helpdesk sits in the landscape of IP support providers and the relative weight in Helpdesk activities to be given to training multipliers as opposed to providing services directly to end-users. These questions are considered below in section 3.4.4.

3.4.4 Relationships with other IP Support Services

It has been appreciated for some time that an important way for the Helpdesk to enhance the impact that it achieves is by creating greater leverage through the channelling of its services via other outreach organisations and there have already been a consideration of the relationship that the Helpdesk has with other business support organisations from the point of view of coherence in service design and a number of other references to this relationship and especially that with ‘multipliers’. It is now necessary to consider directly how this outreach activity functions at a practical level and whether it could be made to be more effective. At the same time it is necessary to consider the possibility of overlap and duplication with other IP services.

The national IPOs have developed their general IPR support services considerably in recent years, not least as a result of the IPeuropAware project and IPorta and now with the Innovaccess network. They provide support materials on the use and management of intellectual property rights and the protection of scientific results, as well as more detailed information on the registration of IP and related matters. They also provide training in the commercialisation of research results. A number of interviewees made reference to these developments.

Overlaps and duplication with the services of the IPR Helpdesk could easily arise, especially since national IPOs are increasingly developing their services across a range of IP support matters. There are also potential overlaps with organisations specialising in various forms of technology transfer, which frequently include reference to IP matters in the services they provide and the services of regional development agencies and general business support organisations, including Chambers of Commerce. Equally there is a potential for some collaboration, including in the application of a ‘no wrong door’ policy. This refers to the principle often adopted by professional business support agencies that, even if a client approaches a support agency that is not the most appropriate, rather than refusing to provide assistance or simply telling the client to approach another organisation, the agency first approached manages the enquiry until the client can be safely taken up by the more appropriate organisation. The aim is to avoid sending clients on a confusing and discouraging journey of potential assistance points before they get to the right one. In addition, given that all the agencies operating in this area have a common interest in promoting awareness of the importance of IP and its management, there is possibly a

Evaluation Results

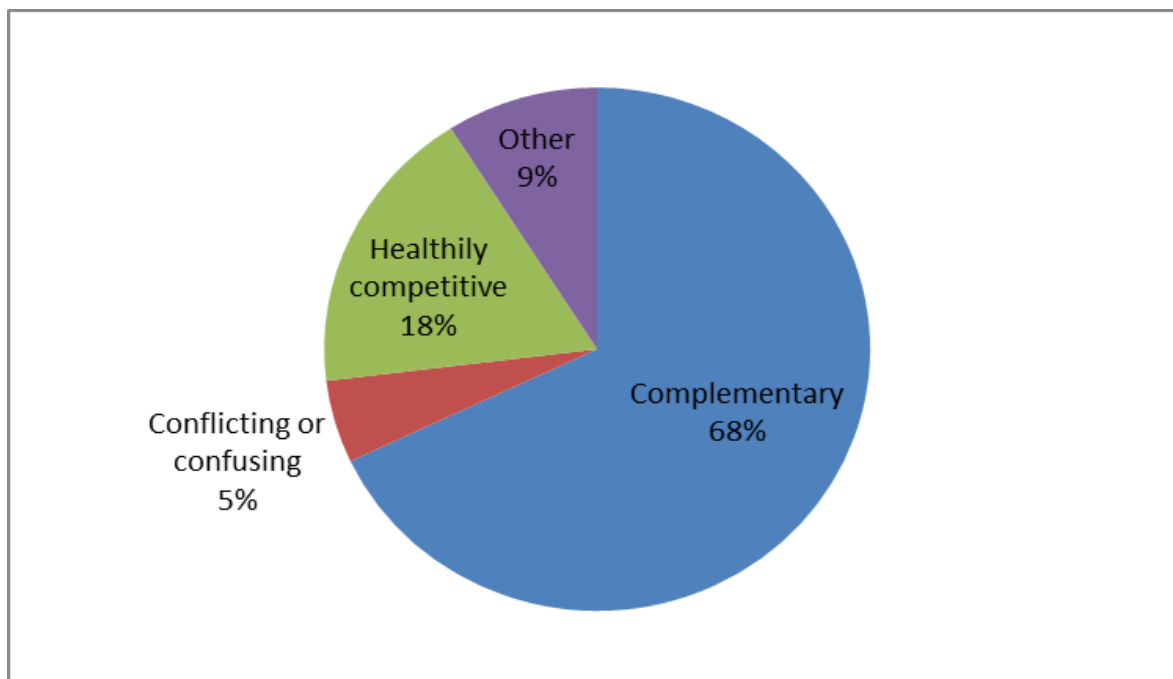
3

broader basis for co-operation, but for the foreseeable future, this is likely to be mainly on an ad hoc basis with particular clients, through cross-referral or at most co-operation in organising joint training and awareness-raising events.

Finally it should be mentioned that under FP7 there are a number of projects that have been funded that aim to support SMEs, usually in particular sectors, in exploiting the commercial potential of their research. It was also observed that these bodies already contribute to the training of multipliers themselves.

The evidence from the surveys does not support the argument that there are currently any major problems arising from the overlap with these other services. A majority of users (57.4 %) of the service do not believe that there are any significant overlaps between the European IPR Helpdesk and the other support services for SMEs. Furthermore, although 42.6% of users indicated that there are similar services in their Member State, almost 68% of that group find these to be complementary to the Helpdesk Services, with almost 18% finding them healthy competitive (See Figure 3.19 below). Only 5% of those who believe that there is an overlap, find that it is conflicting or confusing.

Figure 3.19 Users Survey: Nature of a significant overlaps between the European IPR Helpdesk and other support services for SMEs in EU MS



In these circumstances, where there is a potential overlap with services provided by other agencies at the national level, but not one that currently poses any significant problems, it is still useful to have a clear difference in function defined. The distinctive aspect of the European IPR Helpdesk's service is its explicit link with the support of organisations involved in RTD projects with a European dimension. The current and growing provision at a national level of general IP support could therefore suggest that this link, which already characterises the major part of the Helpdesk's activities, should remain its prime focus and even be reinforced to a certain extent. The question therefore is how the Helpdesk can become a more efficient instrument in the support of the EU's research and innovation programmes.

Evaluation Results

3

Before going on to consider this question further, there ought to be a further reference to another target group set for the Helpdesk by its terms of reference. This is EU SMEs (including micro-enterprises) in general in the process of negotiating or concluding transnational partnership agreements, especially through the Enterprise Europe Network. There has already been a comment that in terms of service design, these activities are complementary to the main target groups of the Helpdesk and to the relationship that the Helpdesk has with the Enterprise Europe Network. However, seeing the issue from an efficiency or practical point of view suggests certain organisational arrangements that make use of the relative strengths of the two partners. Since when the Helpdesk assists enterprises involved in research at an EU level, this usually involves arrangements between participants in the research project that are operating from different countries, there is usually a strong cross-border element in the Helpdesk's work. However, these cross-border arrangements often involve a series of matters that go well beyond IP questions. They can involve finance, human resource questions, developing marketing strategies and a series of other business management issues. It is this broad range of issues that Enterprise Europe Network members routinely take into account in their support for co-operation agreements – one of the major activities of the Network. If the research element is removed, this consideration becomes even stronger. This all suggests that in practical terms, the main driver in any services that are offered to SMEs in the process of negotiating or concluding transnational partnership agreements will continue to be the Enterprise Europe Network, in terms both of initially identifying such enterprises and of delivering the actual support. In practical terms, therefore, it makes most sense if the role of Helpdesk continues to be restricted to providing specialist support to the Network in resolving particular IP problems. Rather than the Helpdesk developing the target group in this area, the effort needs to be put into ensuring that the Enterprise Europe Network integrates IP management into the advice it gives to its co-operation clients. Once this is done, there may be scope for some of the strong features of the Helpdesk to be exploited further. For instance, the Helpdesk's reputation as an honest broker in arranging and applying consortium agreements on IP exploitation might be extended to facilitating the development and implementation of IP agreements by the Network's clients in other business co-operation contexts.

The co-operation of the Helpdesk with the Enterprise Europe Network, especially through the 'ambassadors' scheme has already been explained in the previous section. The scheme is funded from the Enterprise Europe Network Budget and participation in it is based on a voluntary commitment of the Network members to raising awareness in their Member State of IP issues and the services of the Helpdesk. The scheme is clearly of importance in extending the reach of the Helpdesk and particularly in engaging with SMEs, not least because of the possibility in this arrangement of providing services in a local language and also addressing Member State differences and contextual subtleties.

According to the IPR Helpdesk website there are currently 35 ambassadors that are promoting the Helpdesk services and providing basic IP training and information. However, there are some questions about their distribution.

Table 3.16 below, shows the distribution of ambassadors. The highest number is to be found in Spain (7), followed by Italy (3), the UK (3) and Croatia (3). Germany has 2, but a number of countries none at all. It is understood that the participation of the Network members is demand driven, however in order for the scheme to really work efficiently, it would need to be implemented more systematically and extended to cover countries, that are not currently represented.

Evaluation Results

3

Table 3.16: Number of EU IPR Helpdesk Ambassadors Team

| Country | Nº of ambassadors | Country | Nº of ambassadors |
|------------|-------------------|---------------|-------------------|
| Austria | 0 | Latvia | 1 |
| Belgium | 1 | Lithuania | 0 |
| Bulgaria | 2 | Luxembourg | 0 |
| Cyprus | 2 | Malta | 0 |
| Croatia | 3 | UK | 3 |
| Czech Rep. | 1 | Netherlands | 0 |
| Denmark | 0 | Poland | 1 |
| Estonia | 0 | Portugal | 0 |
| Finland | 0 | Romania | 0 |
| France | 2 | Slovakia | 0 |
| Germany | 2 | Slovenia | 2 |
| Greece | 1 | Spain | 7 |
| Hungary | 1 | Sweden | 1 |
| Ireland | 0 | Turkey | 2 |
| Italy | 3 | Total: | 35 |

A more systematic approach to the current ambassador scheme would build on and broaden existing expertise within the Network and ensure that there is coverage by the Network as a whole, especially for enterprises that are in the early stages of developing their understanding of the nature of IP and the importance of managing it properly. As now, the Helpdesk would support this activity, but the IP service should be integrated more clearly into the core set of services offered by the Network and would have the efforts of Network members in this area recognised, for instance as part of the targeting system. This would leave scope for a greater emphasis on downstream activities for the Helpdesk itself under the new regime brought in by Horizon 2020. Exploration with the Commission staff responsible for the Enterprise Europe Network and with the Agency of the feasibility of an enlarged and more consistent role for the Enterprise Europe Network in acting as multipliers for the Helpdesk, suggests that in principle, it should be possible to build such a role into the Network operating under the contract for the next period. It had been pointed out by existing ambassadors that the work on IP management is close to core activities already undertaken by Network members in areas such as encouraging participation in EU RTD programmes and in promoting technology transfer. A requirement to cover IP aspects of this work would actually increase its effectiveness. There are a number of compelling reasons, therefore, for the Helpdesk and the Enterprise Europe Network to have a closer and more structured relationship:

- Both the Helpdesk and the Enterprise Europe Network have a clear European vocation, which distinguishes them from other agencies active in the IP area that primarily have a national focus.
- There is quite an overlap in the client base of the Helpdesk and the Enterprise Europe Network.

Evaluation Results

3

- The Enterprise Europe Network is integrated into the main business support organisations across Europe at a regional level, since these make up the consortia contracted to provide the Enterprise Europe service. The presence of the Network on the ground at a regional level in all EU Member States and beyond provides the scale and reach that the Helpdesk currently lacks.
- There is a good fit in terms of the interrelationship of the services offered by the two bodies. The Enterprise Europe Network focuses on:
 - Helping enterprises to trade in new markets, especially by co-operating with enterprises from the target country
 - Supporting technology transfer across Europe and beyond
 - Assisting enterprises to access EU finance and funding and participate in EU research and innovation projects

Usually in assisting clients in these areas, the Network's members need to address a broad set of considerations that can include identifying potential partners, addressing finance issues and other aspects of general business management, accessing market information and business intelligence and even assisting with practical issues such as finding office space or other facilities. Nonetheless there is frequently a significant IP element within the overall package.

- Through its internal organisation the Network has been strengthening its provision of information and support on IP matters, including through the development of the Ambassadors scheme. The Helpdesk is clearly in a position to support this process, acting as a major resource providing specialised information and advice on a case by case basis and also high quality support material - newsletters featuring recent developments, support documents, frequently-asked questions (FAQ)s, brochures, e-learning tools and case studies.
- The Helpdesk could assist the further development of the IP capacity of the Network, by participating in the Network's training programme on a regular basis.
- The Network members organise a large number of events and training sessions and already often co-operate with the Helpdesk to cover IP, research and innovation matters. This process could be organised much more systematically.
- Local knowledge and language capability enable the Network to deliver services better tailored to the main target groups, especially SMEs and those at levels 1 & 2 in terms of their awareness of IP and its management.
- The Helpdesk and the Enterprise Europe Network both have contractual and strong operational relationships with DG Enterprise & Industry and the Executive Agency for Competitiveness and Innovation. These links could facilitate a much closer operational relationship in ways that are not possible with other organisations.

The combination of all these characteristics means that there is a unique opportunity to develop a close and mutually advantageous relationship between the Enterprise Europe and the Helpdesk.

There is a possibility of building a requirement for adequate provision for IP matters at a regional level into the terms of reference for the Network in the new contract period. These matters are currently being discussed in an internal consultation within the Commission and the opportunity should be taken to prepare the ground for a more effective relationship between the Helpdesk and Network members.

Evaluation Results

3

A number of the members of the IPR Working Group of the Enterprise Europe Network have said that they appreciate the fact that one agency (EACI) is responsible for managing both the Helpdesk and the Enterprise Europe Network. This not only enables better coordination of IP related activities to take place, but also ensures more visibility for the Helpdesk among Network members and the Commission. However, it was emphasised that the Helpdesk should be more proactive in encouraging volunteers to participate in the Ambassadors Scheme and further developing its relationship with the Network. In addition, the Enterprise Europe Network is currently discussing a mentoring scheme to be operated by its members, which would be geared towards the early stage of a company's IP development and envisages that they could be matched with an EEN mentor for a certain period of mentoring and coaching support. It would be interesting to see how this idea develops and to see if there is a potential for the Helpdesk to provide a back-office support for the scheme.

Conceivably over the longer term, it may be possible to build a more structured relationship with some of the organisations that offer support to organisations that are similar to Helpdesk clients, particularly if aspects of their work relate to business relationships that are European or international. Innovation or technology centres, for instance, may be in this position. It is clear that a number of such centres already make use of the Helpdesk's services and a number are registered users - 53 of them were among the registered users responding to the survey. These mainly make use of the Helpdesk's more advanced services and often require relatively sophisticated or technical support on behalf of their own clients. In this sense they are already acting as a particular kind of multiplier. However the current relationship with these organisations tends to be with particular centres who happen to have made use of the Helpdesk's services rather than anything systematic. Discussions with European networks of such organisations, for instance, showed that the Helpdesk had not achieved any particular profile in their deliberations. Any more structured relationship with innovation and technology centres other than those participating in the consortia of the Enterprise Europe Network would most likely have to be organised through such networks, through memorandums of understanding or codes of conduct.

Finally, it is necessary to consider relationships with other IPR Helpdesks operating in China, for the ASEAN region and in South America. The most established 'non-European' Helpdesk is that in China and interview evidence on the relationship of this Helpdesk with its European counter-part is perhaps the most revealing. The relations between the two organisations are said to be cordial and co-operative. Having said that, it was pointed out that although the two organisations operate in broadly the same subject area, in practice, their target groups have tended to differ, particularly since the clients of the China IPR Helpdesk tend to be further downstream in their application and exploitation of IP than those of the European Helpdesk. However, the China IPR Helpdesk also emphasised that it undertakes a considerable amount of activity in Europe on the basis of the 'Know before you go' principle. This means that the China Helpdesk is operating a parallel service across Europe that could increasingly overlap with the European Helpdesk's activities, as the latter develops more work with enterprises in the exploitation stage. This in turn implies that there will be a need for greater cross-reference and co-ordination between the European Helpdesk and the others.

Indeed there could be considerable advantage, particularly for the European Helpdesk, since a number of interviewees stated that they believe that the China IPR Helpdesk has achieved a higher profile for their activities than the European Helpdesk and the latter might be able to take advantage of this. It should be said here that the China Helpdesk is rather generous on this point, saying that, with the high political profile of relations with China, it is considerably easier for them to attract attention for their activities than it is for other Helpdesks, but overall it is clear that there will be an increasing need for more co-ordination and this should be emphasised in future contracts. One interviewee even suggested

Evaluation Results

3

that a merger and consolidation of all the Helpdesks should be considered. The evaluation team felt that investigating this possibility would go well beyond the scope of the current evaluation and is restricting itself to reporting the comment.

However, the China IPR Helpdesk predominantly focuses on both protecting and enforcing SMEs' IPR in or relating to the Chinese market. Although it also active in Europe with SMEs preparing to move into markets in China, its target audience is different and often more advanced than SMEs in general. Furthermore, the problems addressed tend to be different, in that the China IPR Helpdesk clearly has to focus on the exercise of IPR in China, whereas the European IPR Helpdesk's activities focus on the EU Internal Market, with its 28 different IP regimes and the systems that apply at an EU level.

3.4.5 The resources of the IPR Helpdesk

An important issue that underlies any assessment, especially of the efficiency of actions undertaken by the Helpdesk is the extent of the resources available to the consortium in carrying out its tasks.

The evaluation team received financial data for some items of expenditure up to the end of June 2012, an overall breakdown of the initial budget as outlined in the Consortium's 2010 Proposal and a breakdown of the budget for some aspects of the Work Packages. Since these figures do not cover much more than the first full year of the Helpdesk's operations, it is not possible to draw conclusions on even the general appropriateness of the budget and its distribution or the cost-effectiveness of the Helpdesk. Indeed, the risk is of giving an unbalanced view, since the period covered by the data includes the set-up costs for all activities but does not cover an important part of the delivery period. Unfortunately the contractor was not able to provide financial data up to the end of 2012 and with a budgetary breakdown for the different Work Packages, which would have enabled the team to undertake an analysis of the appropriateness of the budget and the cost-effectiveness of the Helpdesk. However, it can be seen from the data received that there is some divergence from the initial intentions in relation to particular budget headings. This statement is relevant mainly to training services and awareness raising events. While in July 2012 other Work Packages (such as the Helpline and the Website) still had around 30% of resources available to perform their activities compared to the initial Proposal budget, training activities and awareness-raising tasks had already exceeded the 2010 budget's estimates. It is clear that there have been more activities delivered than was initially anticipated. In addition, there has been a further expansion of the activities delivered to users since June 2012 – most notably the new training modules delivered in the second half of 2012. It should be said on this issue that the contracting consortium has itself taken on the costs of a substantial, though unquantified, proportion of the additional training.

It also appears that there has been some under-performance with regard to WP 5 Cooperation with others. It seems that that the expenditure for the first 2 years of the contract was not much higher than the estimate for one year. This could indicate that more activity should have been devoted to building cooperation with multipliers and other stakeholders.

An evaluation of the previous Helpdesk service offered quantitative indicators such as "cost per query answered" or "cost per training place". The contractor has provided the cost for such activities. According to the Helpdesk data, the cost per query answered, for instance, is € 412. The costs for participation in training events varies depending on the extent of involvement, but overall amounts to around € 3,000 per event on average, with a cost per participant of €85. It is interesting that webinar costs are somewhat lower and represent an interesting development in the potential to respond to a demand for training and awareness raising events that is greater than initially anticipated.

Evaluation Results

3

These figures do, however, need to be treated with great care. First, it is important to distinguish between the “fixed costs” of setting up the service (and specific elements within that) from the “on-going costs” of delivery. For example, we understand that there has been a considerable investment in developing the training modules. However, once developed, these training modules can be delivered at relatively modest cost and we would expect the “average cost” of training to fall over time. It may therefore be the case that a calculation of average cost per training place at this stage will prove misleading. Second, the different services delivered by the Helpdesk are, to a large extent, inseparable from each other. In other words, the process of receiving and responding to queries cannot be separated from the broader provision of information via the website, awareness-events, training etc. For example, users might find the solution to many of their potential queries via information available on the website. Those queries that are then submitted might therefore be fewer in number but more complex in nature; calculations of the average cost of resolving such queries is then misleading. Third, there is also a danger that any unit cost calculations, once published in a report, are then used out of context (either unwittingly or deliberately), again creating the risk of creating a misleading impression of the Helpdesk.

The overall conclusion from the limited information available on the budget is that the costs of particular activities appear to be in line with expectations, but that the budget distribution is turning out to be substantially different, with expenditure on training and awareness raising increasing considerably in response to demand and expenditure on stakeholder management falling below expectations. This suggests that in any future Helpdesk contract, there should be considerably more attention paid to planning such activities and the search for alternative (and cheaper) solutions stepped up, such as the greater use of webinars,

It also has to be noted that the new contract will be funded through Horizon 2020’s SME Instrument, which implies a reorientation of the Helpdesk to provide greater support to SMEs as opposed to other participants. This is consistent with the more general emphasis in Horizon 2020 on the application and exploitation of research and should be reflected in the Helpdesk mandate for the next contract period.

3.5 Sustainability & European Added Value

Key considerations in relation to the EU Added Value of the European IPR Helpdesk include the extent to which the Helpdesk is achieving outcomes that could not have been achieved at the national or even EU level by other organisations providing IP services. A further aspect concerns how sustainable are the changes brought by the services in organisations they have assisted and whether they are likely to continue without the IPR Helpdesk’s support.

There is general agreement that there has been EU Added Value from the activities of the Helpdesk. It is clear that within the scope of developing R&D in the EU, there is a growing appreciation of the significance of IP management. As the Europe 2020 Strategy underlines, the protection of IPR is crucial for the EU economy and a key to its further growth in research, innovation and employment.

Despite the fact that a few European Countries are still not particularly active in research and the management of IPR (e.g. Central and Eastern European Member States), awareness of the need to manage IPR has grown and the benefits of the better understanding encourage European investment in the area. Stakeholders have not had difficulties in identifying what the role of the Helpdesk has been in *assisting potential and current contractors taking part in EU funded research and technological development projects*. They are clear that the Helpdesk has concentrated on delivering a particular type of assistance that is not really available elsewhere.

Evaluation Results

3

As mentioned in the relevance section, the majority of users sought assistance with IP aspects of collaborative research projects (182 answers) and indicated in the interviews that other IP services were not able to provide such advice. They have also indicated that the scope of assistance of the Helpdesk should include IPR aspects of the EU's 7th Framework Programme/Horizon 2020 (213 answers) showing that the Helpdesk will have a viable role in the next programming period in assisting the beneficiaries with IPR issues. Central to this is managing intellectual property, which the majority of the users (223) think should be a definite part of the service offer.

As has been seen, even if in some cases the provision overlaps with that of other service providers, the services are believed to be complementary. Although some of the survey respondents suggested that there are overlaps between the European IPR Helpdesk and other support services (42.6%), a majority of those identifying this overlap view them as being complementary (almost 68%) or healthily competitive (almost 18%).

Furthermore, although it is not possible to place a particular value on the services received, for the reasons already explained, beneficiaries that have been interviewed have commented that the Helpdesk's advice on IPR issues can be critical in helping enterprises and research organisations obtain real value from their research activities. In specific cases the value-added can be very high, where, for instance, the Helpdesk has facilitated the successful exploitation of research results that would otherwise have failed to materialise.

However, the added value of the service is seen by the majority of users to consist of the provision of impartial, free of charge and pan-European advice on IPR issues. It was emphasised that the views of the IPR Helpdesk are independent of the Commission's and national governments', which strongly encourages the users to utilise the Helpdesk's services.

However, much more significantly for the future development of the service, some of the SMEs explained that the Helpdesk had played a critical role, acting as honest broker, in relation to IP agreements, once it came to the application of IP agreements in the exploitation of research results.

On the other hand, other organisations that provide IP services are often concerned with different IP issues, such as providing support for dealing with specific activities like registering patents or arranging technology transfers. The Helpdesk is unique in its dedication to the type of support it provides. It should also be noted that the form of the assistance provided and the professionalism of the delivery generally add to the capacities of the organisations assisted and consequently add to their longer-term viability. Although it is not clear how far the Helpdesk has been able to alter the enterprise culture in SMES and other clients in favour of permanently attributing more weight to IPR and its management, the survey results provide some indication that beneficiaries advance in their understanding of IP and its management and exploitation. In a real sense therefore the services delivered are sustainable in that they assist the organisations concerned to apply the lessons learned in their future research and commercial activity.

Finally, majority of the interviewees stated that they would like to see the Helpdesk operating in the future and that they will use its services, especially because the protection of IPR has become one of the most contentious issues in global commerce and will continue to be so in the future.

3.6 Utility of the Helpdesk

A key consideration for the evaluation is whether ultimately the results obtained by the Helpdesk are regarded as useful and pertinent to the needs of users. The research suggests that the extent of take-up

Evaluation Results

3

of the IPR services by end-users is influenced by a number of factors including: the country they come from, the type of project, the degree of involvement of end-users during the design and implementation of projects, the cost of adopting the particular technology, product or service developed, and the presence or absence of enabling and inhibiting factors (such as a regulatory framework). This influences the effectiveness of the dissemination of projects' research results, and how near to market the research outcomes are (some projects are focused on basic research and may be unlikely to generate end-user interest for a considerable time span and therefore they do not consider IPR assistance necessary).

Some types of organisation appear more likely to apply research results with a developed IPR approach. Examples include organisations in knowledge-based projects involving co-operation and the sharing of information and good practice, projects that are relatively close to the market where solutions, products, services and technologies can be operationalised within a relatively short timeframe and projects where the research results can be implemented at relatively low cost. These types of activity are more likely to generate an interest in the development of an IPR policy for the organisation.

With these qualifications relating to the extent to which the services of the Helpdesk can be taken up, the evidence from the various sources considered in the evaluation does appear to confirm the utility of the services offered and the growing extent to which they can contribute to the evolving expectations of research support.

In terms of the broader utility of the Helpdesk, in fulfilling the aims of policy, the Helpdesk potentially has a major contribution to make in terms of 'improving the return on EU Funding', one of the initial and basic objectives for the service. The management and exploitation of the results of research are a key part of the 'pay-off' of the substantial funds invested at an EU level and in nationally funded research programmes. The management of IP issues is a critical part of the overall management of results and often is an effective way of securing for the research participants the real benefits of the efforts and funding put into the research project. In other words, all the resources put into mounting and carrying out a research project can be wasted if the rights to the results are not properly managed and secured. To the extent to which the Helpdesk is assisting this process to happen, it is making a highly valuable contribution to improving the return on EU funding.

Conclusions and Recommendations

4

4.1 Conclusions

Overall, there has been visible progress in the services of the European IPR Helpdesk as compared with the previous contractual period. A number of issues highlighted in the 2006 Evaluation have been addressed though e.g. systematic tracking of hits on the website or though the introduction of greater co-operation with the Enterprise Europe Network with the ‘ambassadors’ scheme. There has also been progress in addressing the imbalances in county coverage. However, there are still a number of issues that need to be addressed. The following section explores in more detail the main conclusions of the Report, and the recommendations that arise.

The European IPR Helpdesk’s Aims and Objectives

1. The aim of the European IPR Helpdesk, as defined in its current contract with the Commission, is to:

‘assist beneficiaries of EU funded projects and EU SMEs in general in issues related to intellectual property rights’.
2. The overall conclusion of the evaluation is that, for the most part, the European IPR Helpdesk has successfully implemented the tasks with which it was charged and that its mandate and objectives continue to be appropriate and valid.

The Evidence for the Evaluation

3. The evidence that supports the evaluation has been gathered primarily from the following sources:
 - Background policy documents and reports;
 - Analysis of the management plans and reports of the Helpdesk consortium;
 - A survey of the approximately 3,500 registered users of the Helpdesk. Responses were received from 399 ‘users’;
 - A survey of over 10,000 ‘non-users’ – SMEs participating in FP7 that have not made use of the Helpdesk’s services- There were 639 responses to this survey;
 - Interviews with 46 stakeholders.

Positioning the Helpdesk

4. The IPR Helpdesk exists in a landscape of IP service providers that is relatively rich. Other active organisations include:
 - The other IPR Helpdesks established by the Commission (China IPR Helpdesk etc.)
 - Other European support organisations, supporting research and innovation (Enterprise Europe Network, National Contact Points etc.)
 - Networks and projects offering support, especially those established to assist the exploitation of research
 - National and regional organisations offering support in the management and exploitation of IP, notably Intellectual Property Offices
 - National and regional business support organisations, innovation and incubation centres and technology promotion agencies
 - Organisations offering information and support on IP generally and IP registration – European Patent Office, OHIM, national IPOs, trade associations

Conclusions and Recommendations

4

- Professionals offering commercial services relating to IP – commercial business advisers, patent attorneys etc.

While the scale and nature of the services provided vary considerably between countries and organisations, all of them share a common objective of promoting better management and greater use of intellectual property. They frequently co-operate with each other in pursuing this common objective.

5. **In its relationships with other IP organisations, the Helpdesk has to observe the principles of subsidiarity, avoid disrupting services offered on a commercial basis by private sector professionals and focus on areas where it can be most efficient.**
6. **By offering assistance with the management and exploitation of IP to participants in EU research programmes, the European IPR Helpdesk has a distinctive niche, with a clear European dimension.** This role is valued by users of Helpdesk services, who wish to see it reinforced, notably through the provision of higher level services in the sense defined below.

The Targets of the Helpdesk's Services

7. The target groups of the Helpdesk are defined as follows:
 - *beneficiaries of EU funded programmes*, namely:
 - current and potential participants in EU funded RTD projects and in particular SMEs, academic institutions, research centres and individual researchers;
 - current and potential participants in CIP projects (e.g. Intelligent Energy Europe Programme, Eco-innovation), and in particular SMEs and innovation agencies.
 - *EU SMEs* (including micro-enterprises) in general in the process of negotiating or concluding transnational partnership agreements, especially through the Enterprise Europe Network.
8. The current users of the Helpdesk's services broadly reflect the organisational composition of participants in FP7, with a slightly higher proportion of SMEs among users, especially of the helpline services.
9. **Although under Horizon 2020, the encouragement of a greater exploitation of research results suggests that more attention to assisting enterprises will develop, exploiting research results can involve all the participants in the research and consequently the current definition of targets will continue to be appropriate.**
10. The IP element in assisting EU SMEs in the process of negotiating or concluding transnational partnership agreements is only one of the issues to be addressed in often complex situations. The role of the Helpdesk is best seen as continuing to provide specialist support to the Enterprise Europe Network, whose members are very active in this area.

The Nature of the Helpdesk's Services

11. The terms of the Helpdesk's contract specify that it should provide the following services::
 - *A Website* - providing support documents, frequently-asked questions (FAQ)s, brochures, e-learning tools and case studies;
 - *A Helpline* - providing efficient first-line support that is in English and is free of charge to beneficiaries of EU funded projects and EU SMEs;

Conclusions and Recommendations

4

- *Training* - Providing training on IPR issues to ensure that beneficiaries of EU funded projects) and multipliers of the target groups have the possibility to have appropriate and up-to-date training on IPR issues;
 - *Awareness Raising Activities* - awareness actions ensuring that the appropriate target audiences are addressed at national and European level and are made aware of the services of the IPR Helpdesk;
 - *Cooperation with Other Actors* - Developing cooperation with other actors involved in IPR and the promotion of innovation in order to foster development and create synergy and multiplier effects among these actors that are beneficial for their users. This involves establishing specific cooperation schemes with the Enterprise Europe Network and other Networks in the field of Intellectual Property.
12. Section 3.3.1 of the Report describes the extent of the use of the services and users' appreciation of them. The levels of user satisfaction are generally high.
13. The remit of the Helpdesk also requires it to provide assistance relating not only to formal IP, such as patents, trademarks, etc. but to cover all intellectual assets and their management. The evidence from the users' survey is that this requirement has been fulfilled.

The Users of the Helpdesk's Services

14. Tracking of users of the core online and Helpdesk services shows that they are from 65 countries, including nearly all countries participating in FP7. There is a low level of usage by clients from central European countries. Registered users tend to reflect participation in FP7, except that the highest number of users continued to come from Spain – a legacy from the previous arrangements for the Helpdesk.
15. A basic aim of the Helpdesk is to help its clients to improve their capacity to manage and exploit IP. In the terms of a helpful definition developed by the IPeuropAware project (explained in more detail in section 3.2.1 of the Report), clients approaching the Helpdesk can be said to be at one of four levels of IP capacity:
- *Level 1 – Knowledge and Awareness*: a low understanding of intellectual property or where to access information (15.8% of current registered users)
 - *Level 2 – Protection*: a basic understanding of IP and mechanisms for protection, including its registration (33.5% of current registered users)
 - *Level 3 – Management*: an active programme of IP development and management of intellectual assets. (26.8% of current registered users)
 - *Level 4 – Strategy - Exploitation and Active Defence*: where IP is continuously developed and is a major source of value for a business, often involving licensing arrangements and extensive co-operation with other innovators (23.9% of current registered users).

Currently, then, the Helpdesk supports clients at all four levels of capacity. Generally, it helps them move towards a higher level.

16. **With the increasing emphasis for participants in EU-funded research on the effective exploitation of research results, stakeholders - users of the service, IP and research support specialists, including Commission staff, and the current staff of the Helpdesk drawing on recent experience -**

Conclusions and Recommendations

4

have all suggested that there is a need for the Helpdesk to concentrate more of its efforts on assisting clients at capacity levels 3 and 4.

17. However, there will continue to be clients at levels 1 and 2, who can be assisted in developing their IP capacity. As explained below, this can be assured by a significant reinforcement of the relationship of the Helpdesk with multipliers, most importantly in the Enterprise Europe Network, but also on an ad hoc basis with other organisations listed in point 4 above.

Meeting the Needs of Clients

18. The results of the survey of registered users can be seen in Annex 2. They are analysed in Chapter 3. They show that the service delivered by the Helpdesk meets users' current expectations. Overall the users' outlook on the Helpdesk services is very positive. In particular:
 - Users consider the Helpdesk website to provide a wide spectrum of IP related information that is highly useful, both for users directly and for other services providing support in this area, such as Enterprise Europe Network ambassadors
 - Answers to individual questions provided by the helpline and its user friendly service are appreciated by registered users and other users interviewed
 - The Helpdesk is providing an effective range of training and awareness-raising activities - many more than was envisaged in the contract. Nine training modules have been developed at different levels and these are customised to the needs of the different organisations attending the events.
 - However, as outlined below, there is scope for a more systematic approach to training and awareness-raising activities.
19. The survey of SMEs participating in FP7 that had not made use of the Helpdesk's services ('non-users') revealed that more than half of these potential users are not aware of the Helpdesk's existence. Furthermore, those that do know of the Helpdesk are not sure how it can assist them. This suggests a major problem in communication and not only for the Helpdesk.

23% of these 'non-users' are only just aware that IP is an issue (level 1) and a further 35% are only 'beginning to take some steps to manage IP' (level 2). **Consequently, as well as the Helpdesk facing a major challenge in communicating the availability of its services, there is a more extensive need for the research community to help SMEs in particular to improve their understanding of the significance of intellectual property and its role in the commercialisation of research results. Research funders have a particular contribution to make in this respect.**
20. When asked about the types of service they would require if seeking assistance, a majority of non-users indicated a need for assistance with IP management in EU supported research projects. This was the most frequently requested service.
21. The general view of stakeholders, expressed in the surveys and in interviews, is that the services and activities of the Helpdesk are performed well and in line with the objectives, functions and mandate initially attributed to the European IPR Helpdesk.
22. The support provided by the Helpdesk to the beneficiaries of FP7 is considered by the stakeholders to be its unique selling point. Other IP service providers are usually not able to provide such support.

Conclusions and Recommendations

4

Areas for Development and Improvement

23. The main issue relating to the design of the Helpdesk services at a conceptual level concerns the scope of the services that are provided, including the groups to be targeted. The evaluation concludes that the current scope is coherent and provides a distinctive role for the European IPR Helpdesk, in relation to EU policy as it is developing and in the current landscape of provision of support on IP matters that is available from various agencies at a European level and in participating countries.
24. To perform its role, the Helpdesk needs to maintain itself as a centre of IP expertise and to continue to provide the current range of services – Website, helpline enquiry service, awareness raising and training.
25. **A major part of the Helpdesk's activities consist of assisting FP7 participants to interpret and apply IP agreements. The assistance provided by the Helpdesk in this area is highly valued by participants in EU research programmes and is an essential part of the effective exploitation of research results. There is nonetheless scope to develop more extensive provision for clients at levels 3 and 4 in terms of their IP management capacity. This could include information and briefing material on the web site, training provision and direct advice.** Such a development is also indicated by the greater emphasis on the active exploitation of the results of research in the policy orientations of EU-funded research.
26. However, **it is important not to neglect the development of the potential of clients that are at levels 1 and 2.**
27. Some stakeholders have suggested that the Helpdesk might provide legal advice, especially to SMEs. Although the current consortium team have staff that are qualified to provide legal advice tailored to the individual client's specific circumstances, a service of this kind would go well beyond the generic legal advice that it currently gives and would represent a considerable departure from the usual practice of business support agencies that restrict their activities to addressing areas where there is a market failure. It would risk undermining the commercial services of private sector IP professionals.
28. Nonetheless the distinctive role of the Helpdesk as an honest broker in the research context could be applied in other circumstances, such as providing an independent assessment of IP elements within transnational co-operation agreements supported by the Enterprise Europe Network.
29. The Helpdesk is providing an effective range of training activities - many more than was envisaged in the contract. Nine training modules have been developed at different levels and these are customised to the needs of the different organisations attending the events.
30. The organisation of training events responds to demand. The data suggest that Germany has been slightly over-represented as a host for training events.
31. The use of webinars and on-line training provision has already proved to be a cost-effective innovation. Their use could be increased and the material generated could be made available on-line.
32. As with the on-site training events, awareness-raising events have taken place in a diverse range of countries.

Conclusions and Recommendations

4

Marketing and Communication

33. As is discussed in section 3.4.2 of the report, **it is not clear that the Helpdesk has a marketing strategy. There is no document providing a statement of such a strategy and not even a clear Communications Plan.** It is believed that other organisations, such as the China IPR Helpdesk, are more efficient in communicating their services to their target groups.
34. A marketing strategy would bring together the following elements:
 - an assessment of needs and the capacity of the Helpdesk to respond to them
 - a definition of targets
 - the determination of the optimal corresponding service offer
 - a description of means by which the service can be delivered most efficiently
35. A clear Communications Plan would set out, usually on an annual basis:
 - the key messages of awareness raising campaigns
 - the targets groups for the campaign
 - the instruments to be used and the actions to make potential clients aware of the existing services and instruments available
 - the partners expected to co-operate with organising events and publicising activity
 - the geographical coverage of the campaign
 - plans for background development of relationships with organisations with the capacity to act as multipliers, beyond those explicitly participating in the campaigns .

Relationship with Other IP Service Providers and with Multipliers

36. There is a strategic role for the IPR Helpdesk in contributing to the development of IP awareness in Europe, but the Helpdesk alone is not able to deliver such a service. It has to pursue such a goal in active collaboration with a range of other IP service providers.
37. Overlaps and duplication of the services of the Helpdesk with that of national IPOs could easily arise, especially given the continuing development of the latter's services for SMEs. There are also potential overlaps with organisations specialising in various forms of technology transfer, regional development agencies and general business support organisations and with projects supported under FP7 to assist other projects with the exploitation of their research results (see section 3.4.4 the Report).
38. However, in practice, there appear to be no major problems arising from such overlaps. In the survey, 42.6% of users indicated that there are similar services in their counties, but the majority of users consider them to be either complementary or healthily competitive.
39. Co-operation with a wide range of IP service providers could be developed, both in order to improve the effectiveness of a 'no wrong door' policy and to address areas of common concern, such as improving basic competence levels in intellectual asset management. This would need to build on the co-operation that already exists in the provision of training and could be made more systematic as part of a planned programme within a marketing strategy.

Conclusions and Recommendations

4

40. **Of greater significance, however, is the scope for a significant reinforcement of the relationship of the Helpdesk with multipliers, and particularly the Enterprise Europe Network.** This issue is considered extensively, particularly in section 3.4.4 of the report. The following summarises the main points.
41. There is a developing relationship with the Network in general and, through the ‘ambassadors’ scheme, with a group of Network members specialising in IP matters. However, discussion with ‘ambassadors’ and other Network members suggest that the scheme has not been implemented consistently across the Network and has scope for substantial additional expansion, especially under the revised contractual arrangements, in the next phase of the Network’s development.
42. **The Helpdesk and the Enterprise Europe Network have a series of characteristics that indicate that a more structured and integrated relationship is both feasible and desirable.** These include:
- Both the Helpdesk and the Enterprise Europe Network have a clear European vocation, which distinguishes them from other agencies active in the IP area that primarily have a national focus.
 - There is a significant overlap in the client base of the Helpdesk and the Enterprise Europe Network.
 - The Enterprise Europe Network is integrated into the main business support organisations across Europe at a regional level, since these make up the consortia contracted to provide the Enterprise Europe service. The presence of the Network on the ground at a regional level in all EU Member States and beyond provides the scale and reach that the Helpdesk currently lacks.
 - There is a good fit in terms of the interrelationship of the services offered by the two bodies. The Enterprise Europe Network focuses on:
 - Helping enterprises to trade in new markets, especially by co-operating with enterprises from the target country
 - Supporting technology transfer across Europe and beyond
 - Assisting enterprises to access EU finance and funding and participate in EU research and innovation projects

Usually in assisting clients in these areas, the Network’s members need to address a broad set of considerations that can include identifying potential partners, addressing finance issues and other aspects of general business management, accessing market information and business intelligence and even assisting with practical issues such as finding office space or other facilities. Nonetheless there is frequently a significant IP element within the overall package.

- Through its internal organisation the Network has been strengthening its provision of information and support on IP matters, including through the development of the Ambassadors scheme. The Helpdesk is clearly in a position to support this process, acting as a major resource providing specialised information and advice on a case by case basis and also high quality support material - newsletters featuring recent developments, support documents, frequently-asked questions (FAQ)s, brochures, e-learning tools and case studies.
- The Helpdesk could assist the further development of the IP capacity of the Network, by participating in the Network’s training programme on a regular basis.

Conclusions and Recommendations

4

- The Network members organise a large number of events and training sessions and already often co-operate with the Helpdesk to cover IP, research and innovation matters. This process could be organised much more systematically.
- Local knowledge and language capability enable the Network to deliver services better tailored to the main target groups, especially SMEs and those at levels 1 & 2 in terms of their awareness of IP and its management.
- The Helpdesk and the Enterprise Europe Network both have contractual and strong operational relationships with DG Enterprise & Industry and the Executive Agency for Competitiveness and Innovation. These links could facilitate a much closer operational relationship in ways that are not possible with other organisations.

The combination of all these characteristics means that there is a unique opportunity to develop a close and mutually advantageous relationship between the Enterprise Europe and the Helpdesk.

43. **A more systematic relationship with the Enterprise Europe Network could have several advantages :**

- The Helpdesk would be able to have a much more extensive interaction with potential and actual participants in research programmes and other clients, albeit indirectly
- Operating closely together, the Helpdesk and the Enterprise Europe Network could become a much more significant force in raising the awareness of participants in research and innovation programmes of the importance of IP and its active management for the commercialisation of initial results.
- The systematic provision of information through the Network on the Helpdesk's services would add considerably to the Helpdesk's communication effort. This would be re-enforced by a co-ordinated training and awareness programme
- The Helpdesk could more effectively develop a role as a centre of specialised expertise in IP matters, with a close working relationship with members of the Network This would lead to a more intensive use of the Helpdesk's key resources and specialised knowledge
- The Network would be more effectively supported in its increasing coverage of IP issues
- Both the Helpdesk and the network members would be able to deliver a higher quality service on IP matters to their clients
- Participants in research programmes could more easily be assisted in their own language and by staff sensitive to local circumstances
- A more effective division of labour could be established in which the Helpdesk dealt directly with enterprises at levels 3 & 4 in terms of their IP capabilities, whereas those at levels 1 & 2 (where language considerations are more of an issue) would be assisted by their local Enterprise Europe Network member As working with network members became more systematic, the Helpdesk would be able to strengthen inputs into the IP dimension of other aspects of the Network's work, notably in assisting clients in the process of negotiating or concluding transnational partnership agreements

Conclusions and Recommendations

4

- There may be scope for extending the application of its role as honest broker in consortium agreements on research exploitation to other areas, such as brokering IP agreements in other areas of transnational co-operation.
44. With the changing role of the Helpdesk, as it develops its links with the Enterprise Europe Network, it would be necessary to change relationships with other IP organisations, notably the China and other Helpdesks, in that their spheres of activity will overlap more than was the case in the past. The relationship with the other Helpdesks is described further towards the end of section 3.4.4.
 45. Subsequently, it may be possible to strengthen further the relationship with other agencies actively supporting enterprises and other organisations in their management of IP:
 - The national Intellectual Property Offices and other agencies have a common interest in raising awareness of IP and helping their clients to manage it effectively. (levels 1 & 2). Mutual cross-reference could be strengthened.
 - The Helpdesk already has relationships with a number of innovation or technology support organisations (53 of them were among the registered users responding to the survey). Their survey responses suggest that they tend to refer to the Helpdesk for its more specialised services. As this element of the Helpdesk's services is developed, assisting these organisations, particularly with cross-border aspects of their activities, could be organised more systematically.
 - From interview feedback, there appears to be scope especially for developing relationships through European and national networks of innovation and technology centres.

Operational Issues

46. The overall conclusion from the limited information available on the budget is that the costs of particular activities appear to be in line with expectations, but that **the budget distribution is turning out to be substantially different from the expected outcome**, with expenditure on training and awareness raising increasing considerably in response to demand and expenditure on stakeholder management falling below the level anticipated. This suggests that in any future Helpdesk contract, there should be considerably more attention paid to planning such activities and that the search for alternative (and cheaper) solutions, such as the greater use of webinars, should be stepped up.
47. The contractual relationship that the Commission has with the consortium responsible for the Helpdesk – a service contract – poses problems because of its inflexibility, while the use of grant agreements also has its difficulties, such as the need for beneficiaries to make a financial contribution to the project. Other contractual possibilities need to be investigated.
48. A majority of the interviewees think that the contract duration should be extended in order to deliver the most efficient support throughout the financing period of research programmes.
49. The reporting systems to the Commission and the EACI have evolved in such a way that they could now be streamlined and in some parts replaced by modern real time reporting systems, such as are already used internally by the Helpdesk consortium.
50. The Helpdesk did encounter certain difficulties in its communication efforts resulting from a requirement to change its logo and web design to conform to the Commission's house style. As well as involving a certain amount of disruption in the communication activities of the Helpdesk at the time, stemming from the need to redesign the web site and rebrand information material, the

Conclusions and Recommendations

4

change may have also undermined the Helpdesk's reputation for independence and impartiality and may deter some of the potential users of the Helpdesk's services, especially SMEs.

The Professionalism of the Service

51. The Helpdesk contractors have stated that they are committed to implementing best practice in professional business support services, as identified, for instance in the 'Making IPR Work for SMEs' report and that on 'Creating Effective IPR Enforcement Support for SMEs' addressed to national IPOs under the IPeuropAware project.
52. The services are based on a capacity building approach that seeks in its encounters with clients to strengthen their ability to address IPR problems more generally rather than simply responding to the immediate problem and, in particular, to encourage enterprises to adopt the Intellectual Asset Management approach to the development and exploitation of their IPR. A more detailed explanation of these issues is to be found in section 3.4.3 of the Report.
53. The Helpdesk staff clearly understand the importance of tailoring information and support material to the current needs of their clients and the significance of a 'No wrong door' policy for handling approaches from a variety of organisations with different levels of knowledge and expertise. The reasons for a 'No wrong door' policy are explained in section 3.4.4.
54. 97.5% of users of the services consider the Helpdesk to be complying with generally recognised professional practice in the orientation and delivery of its business support services.

4.2 Recommendations

The recommendations primarily concern developments in the objectives and operation of the Helpdesk itself, although there are also recommendations, primarily to the Commission services on actions that could be taken to support the Helpdesk's work. They are as follows:

The Scope and Targets of the Helpdesk's Services

- In view of its relative strengths in the area, **the prime focus of the European IPR Helpdesk should continue to be on helping participants in research, development and innovation with a European dimension, and especially SMEs, to exploit their results through the effective management of intellectual property.** A continuing service to all research participants at a European level should be ensured.
- However, any future mandate should be expressed in terms that put the promotion of competitiveness and growth, and the greater emphasis on downstream activities that flows from this, more clearly at the centre of its activities
- The shift in policy emphasis towards promoting a greater exploitation of research results and innovation in commercial products and services implies for all concerned that more attention should be directed towards downstream applications. For the Helpdesk, this would imply a shift towards provision of services adapted to enterprises at Level 4 in terms of their knowledge of IP and its management.
- As a result of concentrating more on relatively sophisticated IP services in a European context, the Helpdesk will be in a position to extend its actions beyond those supporting clients directly

Conclusions and Recommendations

4

involved in EU-funded research and innovation projects to IP aspects of other forms of transnational co-operation, such as technology transfer. The Helpdesk should do this as part of consolidating its position.

Marketing Strategy and Communication Plan

- **The service provider has to develop and implement a clear and effective marketing strategy and Communications Plan.** The marketing strategy needs to take into account the definition of targets, the determination of the corresponding service offer and a delineation of the means by which the service can be delivered most efficiently, including budgetary provisions. The Communications Plan, which should be derived from the marketing strategy, should set out on an annual basis the key messages of awareness raising campaigns and a programme of actions to make potential clients aware of the existing services and instruments available.
- The budgeting of service provision needs to be derived from the marketing strategy and the expenditure on training should be subject to the planning exercise. Cheaper forms of training provision, such as webinars, need to be explored further.

The Development of Closer Relationships with Multipliers

- **In view of the strategic opportunity presented for both sides, the Helpdesk, assisted by the Commission services and the EACI, needs to make a sustained effort to develop an integrated relationship with the Enterprise Europe Network, as the prime target for reinforcing its relationship with multipliers.**
- Such a development would strengthen the Enterprise Europe Network's work in promoting participation in research and innovation programmes, technology transfer and in developing transnational co-operation and would allow the Helpdesk to concentrate more on downstream activities, while continuing to make provision for enterprises only just beginning to manage their IP. As now, the Helpdesk could support the Network, but the IP service should be integrated more clearly into the core set of services offered by the Enterprise Europe Network.
- In order to ensure that there is a consistent and effective coverage of all regions by an IP multiplier service offered by the Enterprise Europe Network, a requirement that each regional consortium should include a professional IP support capability will need to be written into the terms of reference for the new Network contract.
- An effective relationship of the kind proposed between the Helpdesk and the Enterprise Europe Network will need close co-ordination within the Commission and the EACI, between the staff responsible for the Network and those responsible for the Helpdesk. Close institutional arrangements would facilitate this co-ordination.
- Relationships with other IP service providers at European and national levels should be developed more systematically as part of the marketing strategy

Conclusions and Recommendations

4

Support from the Commission Services

- **The Commission should develop actions in support of the Helpdesk**, such as the following:
 - Raising the visibility of the Helpdesk among national bodies and in policy fora, including at ministerial level;
 - Raising the visibility of the Helpdesk within the Commission services;
 - Emphasising, wherever possible, the importance of IP management as an effective tool for exploiting research results;
 - Making participants in EU supported research and innovation programmes more aware of the usefulness/relevance of the services provided by the Helpdesk.
- Beyond bringing attention to the Helpdesk's services, **there is an on-going need in research and innovation policy to increase the awareness of the research community, and in particular SMEs participating in research and innovation programmes, of intellectual property and its management as an important element in the innovation cycle and especially in the process of bringing new ideas to market.** Closer co-operation should be developed between the Helpdesk and Commission and Research Agency staff responsible for calls for proposals, contracts and assessment of projects, in order to increase the appreciation of participants in EU-funded research of the importance of IP management and the assistance that can be provided in this area by the Helpdesk and its multipliers.
- NCPs should be involved in the promotion of the Helpdesk e.g. through participation of speakers from the IPR Helpdesk at the NCP network meetings. It is understood that action to raise awareness of the Helpdesk among NCPs is to take place in the near future.
- The Commission should also reflect on whether conformity with the Commission's house style for the Helpdesk's web site and publications is really beneficial for the promotion of the Helpdesk's services.

Operational Developments

- In the remaining period of the current Helpdesk contract, it might be beneficial for the contractor to contribute to training and awareness raising events in those countries that have tended to be under-represented as users of the Helpdesk e.g. Poland, Hungary, the Czech Republic and the Netherlands. For a future contract, a detailed Work Plan for training activities should be developed, including a minimum target of training events and detailed guidelines on where the training and awareness activities should take place in order to cover countries which are unrepresented. The Plan should allow a balance between fully planned and demand driven provision.
- The legal basis for a renewed contract needs to be explored further, and especially the possibility of providing greater flexibility within the contractual form, while still complying with procurement law. The issue with the length of the contract could be accommodated though

Conclusions and Recommendations

4

adding the possibility of a year or two years extension (3+1 or 3+2), depending on the performance of the contractor. This would not only maintain the motivation to provide the best quality services but also improve the performance of the contractor by providing the incentive of having the contract extended.

- The reporting requirements of the Helpdesk contract should be streamlined, made more strategic with coverage of results and impacts and be partially replaced by modern real time reporting systems, such as those already used by the Helpdesk for internal management purposes.
- Reports should contain information on performance indicators that go beyond outputs to include greater reference to results and longer term impacts, especially on client performance. Although there are difficulties in obtaining such information, certain elements could be obtained from more developed client management systems.

Mapping exercise

1

| | |
|----------------------|---|
| Objectives: | <ol style="list-style-type: none"> 1. Raising awareness amongst beneficiaries of EU funded programmes and EU SMEs on the importance of a good management of IPR 2. Providing an efficient support service that helps them solving intellectual property rights related issues on their project implementation, exploitation of project's results or cross-border IPR challenges. 3. The service provider should thus offer practical advice on IPR issues especially in the specific context of EU funded programs. This will contribute to the success of the funded projects, the research and innovation efforts, the EU SME internationalisation efforts and the effective development and eventual commercialisation of their results. <p>It should be noted that, although many projects may involve patents as the relevant form of intellectual property, the service provider should offer expertise in all forms of IPR and in intellectual asset management for SMEs, in a business user-friendly fashion. The service provider should draw the attention of their target groups and multipliers to the use of other than patents IPR and help them in using such rights appropriately. The European IPR Helpdesk should also ensure direct linkages with the most important IP stakeholders at international, EU and Member State level, in order to build synergies on IP expertise and service provision and to be able to alert potential users to its services and tools or to signpost its clients further when necessary.</p> |
| Target group: | <ul style="list-style-type: none"> • beneficiaries of EU funded programmes, especially: <ul style="list-style-type: none"> - current and potential participants in EU funded RTD projects and in particular SMEs, academia, research centres and individual researchers, - current and potential participants to CIP projects (e.g. Intelligent Energy Europe Programme, Eco-innovation), and in particular SMEs and innovation agencies • EU SMEs (including micro-enterprises) in general in the process of negotiating or concluding transnational partnership agreements, especially through the Enterprise Europe Network (See below). |
| Multipliers | <ul style="list-style-type: none"> • Enterprise Europe Network - The Network partners, in their main role as multipliers, may request direct IPR Help Desk assistance. Network partners are for instance the typical receivers of the training and advisory services made available by the IPR Helpdesk. The Enterprise Europe Network would ensure direct contact with businesses, and the IPR Helpdesk would provide expertise on IPR. The link between the IPR Helpdesk and the Enterprise Europe Network is expected to achieve a coherent and seamless service to SMEs integrating aspects of support for an adequate management of IP in the context of both innovation and research funding programs and internationalisation. Organisations based in third countries participating in the EIP/CIP under the provisions of Article 4 of the |

Mapping exercise

1

| | |
|---------------|---|
| | <p>Decision 1639/2006/EC should have full access to the IPR Help Desk's services.</p> <p>Enterprise Europe Network Associated Members and Affiliates such as Unions grouping Chambers of Commerce or Industry organisations/federations SME associations, etc. may also play an important role as multipliers for communication, dissemination of relevant information and awareness-raising purposes.</p> <p>• Other Networks</p> <p>Other networks (e.g. EURADA, EBN, ePROTON, etc) should also be able to rely on the support of the IPR Helpdesk. They may refer their SME client's IPR-related questions to the IPR Helpdesk. They should also benefit from other IPR Helpdesk services within the limits specified in the detailed tasks description. The list of relevant business intermediaries' networks will be fixed at the kick-off meeting with the Commission and could be adjusted on an annual basis upon mutual agreement.</p> |
| Tasks: | <p>Task 1 Website</p> <p>Setting up of a website including support documents, FAQs, brochures, e-learning tools and case studies. Such a website should represent a first-line support service. After the signature of the contract, the service provider will have 3 (three) months for the in running-phase, this is, for setting up a website with its graphical charter and structure, to include a minimum of content that will be continuously updated and fed. This includes the following sub-tasks:</p> <ul style="list-style-type: none"> - The service provider should set up an IT System for the project and ensure its hosting; - A website graphic has to be designed together with its content and structure; - The structure of the website should be clear and easy to read and to navigate; - The website's content and updates should be managed: <p>The service provider should perform a general maintenance of the website (e.g. databases of documents, links, glossary, news, users). This general maintenance should be carried out on a regular basis and should include updates and correction of any mistakes. The service provider should ensure that updates, subscriptions, access rights, responses management, etc are properly handled. The service provider shall ensure that all the contents published is validated and subject to an internal quality control;</p> <ul style="list-style-type: none"> - It should contain an efficient search engine and user-friendly search facilities; - The service provider should provide user-friendly information understandable for non-legal experts, using different formats and media tailor-made for the target audience, following the analysis of the questions to be received plus information obtained in the future (statistics and analysis to be included in the progress reports); - It should contain a section on frequently asked questions (FAQs).The FAQs could also contain anonymous real examples by subject to help the users solve their problems; they should be catalogued by subject matter; - It should contain brochures on-line, up-dated documents divided by topics and/or by countries; - It should contain (anonymous, if necessary) case-studies and examples; - It should contain interactive e-learning tools; |

Mapping exercise

1

- It should propose a news service;
- The service provider should monitor any developments on IPR issues in Europe, with special emphasis on transnational RTD and CIP projects. The service provider is asked to define the most suitable method of regular and frequent communication of the IPR issues in Europe to the users.

Task 2 Helpline

Setting up a **Helpline** that provides efficient first-line support to beneficiaries of EU funded projects and EU SME's. This should be a free of charge Helpline in English aimed at responding at a wide range of topics (for instance those relating to transnational research and innovation projects, advice on EU rules for dissemination and exploitation of research results). After the signature of the contract, the service provider will have 2 (two) months to start an operational Helpline.

This includes the following sub-tasks:

- Professional IT system supporting the Helpline that should permit to register all request coming from fax, telephone or email and to follow up their handling;
- It should be a user-friendly service that provides personalised responses to IP questions. The service provider should provide user friendly information, business oriented and understandable for nonlegal experts. Different formats and media tailor-made should be used for the target audience, following an analysis of the questions received as well as information to be obtained in the future (statistics and analysis to be included in the progress reports);
- It should provide responses within a three-day period;
- An efficient mechanism should be put in place in order to build and draw on a pool of IP experts that contribute to the IPR Helpdesk. This will require a written strategy on how to identify and keep available a relevant pool of the specific subject matter expertise (IP in EU funded projects) how the experts will be identified and how the pool will be developed aiming at expanding range and quality of the IP information and support to be provided;
- This task requires the service provider to monitor any developments on IPR issues in Europe, with special emphasis on transnational RTD and CIP projects. The service provider is asked to define the most suitable method of regular and frequent communication of the IPR issues in Europe to the users;
- The Helpline should feed the website through a wide ranging database of FAQs providing anonymous real examples by subject to help the users solve their problems. They should be catalogued by subject matter and easily searchable. The service provider should introduce a systematic review of the information to ensure that it is accurate and up-to-date;
- The Helpline should feed the website through main cases of IP assistance provided to the target groups specifying the level of correlation between them and the final resolution of transfer of project's results onto the market;
- The service provider should provide and analyse the performance indicators and statistics on Helpline usage for internal reports and for defining priorities in content generation;
- The service provider has to prepare on an annual basis an analysis of frequently asked questions (FAQs) and of Helpdesk users to provide the EACI with feedback for the future development of IPR support activities and the Commission with feedback for policy-making.

Mapping exercise

1

Task 3 Training

Ensuring **training** on IPR issues. This task is aimed at ensuring that beneficiaries of EU funded projects (especially of RTD as well as CIP projects) and multipliers of the target groups have the possibility to follow appropriate and up-dated training on IPR issues in EU Members States and in countries contributing to EU RTD and to CIP projects. This includes the following sub-tasks:

- A comprehensive targeted training plan is designed on the basis of a need analysis of the target groups and carried out with strategic actions to reach a geographical spread of at least the 27 EU Member States; the service provider should provide and analyse the performance indicators and statistics on the training actions for internal reports and for defining priorities in content generation and geographical spread;
- An initial training plan (including the performance indicators under point 4 below), outline and structure of trainings have to be provided in the tender. After the signature of the contract, the service provider will have 3 (three) months to elaborate on this.
- A series of regular training actions are undertaken for beneficiaries of European Union-funded programmes especially RTD and CIP and for multipliers taking into account their different needs;
- The appropriate multipliers are addressed at national and European level;
- A kit of relevant and interactive e-learning tools should be developed on IP in the context of RTD and CIP;
- Feedback from training activities and the quality of the content of the training actions should be analysed to implement corrective actions where necessary;
- The service provider has to guarantee a presence in Brussels training sessions to present IPR services to target groups, applicants and beneficiaries of EU-funded programmes.

Task 4 Awareness actions

Setting up **awareness actions** of the services of the IPR Helpdesk for the target audience. This task is aimed at ensuring that the appropriate target audiences are addressed at national and European level. It is expected that the contractor will create a greater awareness of the services of the IPR Helpdesk for the target audience via different promotional tools. This includes the following sub-tasks:

- The service provider should ensure that the visibility and recognition of the IPR Helpdesk is increased amongst the target groups and is effectively used by these target groups. The proposed approach/strategy for attaining these objectives should follow the work plan template for awareness actions and marketing activities provided in **Annex 11** or a similar one to be proposed by the tenderer and could include the following activities (not exhaustive):
- Preparation of an awareness actions and marketing plan: This would include an analysis of the needs, values, attitudes and practices of the main target groups, an understanding of the current user community (how and for what purpose they use the website), and the non-users. It should also assess and take full advantage of the effectiveness of communication channels such as multipliers. The marketing strategy shall be continuously adapted to maximise the impact of IPR Helpdesk on the market and should propose activities to respond to regular reporting on performance indicators.
- Strategy for reaching multipliers networks;
- Organisation of specific actions and presence at relevant fairs, events or conferences, preferably organised by multipliers such as

Mapping exercise

1

Enterprise Europe Network and/or IP stakeholders;

- Linking with synergetic IP initiatives and campaigns. This could include links to transnational initiatives upon preliminary approval of the EACI; The service provider should provide and analyse the performance indicators and statistics on the awareness actions and marketing activities for continuous improvement to mobilise individual beneficiaries of EU funded-projects – in particular SMEs and researchers – in sufficient numbers;
- An initial work plan (including the performance indicators under point 4 below), outline and structure of awareness activities and marketing plan have to be provided in the tender. After the signature of the contract, the service provider will have 3 (three) months to elaborate on this. These elaborated plans are subject to the EACI's prior approval;
- Design and carry out an imaginative and multidimensional dissemination plan focused on the needs of the target groups (beneficiaries of EU funded projects and particularly EU SMEs) and multipliers (Enterprise Europe Network, other Networks) with concrete and measurable objectives;
- Provide regular and frequent presentations in geographically widespread locations to promote the services offered by the IPR Helpdesk;
- Analyse the feedback from dissemination activities and from any information activities organised by the IPR Helpdesk (e.g. Helpline, website, etc.) in order to adjust and improve the visibility and usage of the Helpdesk among the target audience;
- The service provider should guarantee a presence at Brussels meetings/seminars to present the IPR Helpdesk services to target groups: beneficiaries of EU funded projects and particularly EU SMEs.

Task 5 Cooperating with other actors

Cooperating with other actors involved in IPR and promotion of innovation in order to foster development and create synergy and multiplier effects among these actors that will be beneficial for their users. This includes the following sub-tasks:

- The service provider should establish specific cooperation schemes with the Enterprise Europe Network and other Networks (within the limits specified below) in the field of Intellectual Property

Rights such as:

- Co-organisation of training events and awareness actions for the target groups, particularly SMEs (See tasks 3 and 4). This task concerns co-operation mostly with the Enterprise Europe Network, e.g. by setting up with the EACI an IPR training programme for the Enterprise Europe Network partners and providing relevant trainers on topics within the expertise of the IPR Helpdesk.
- Direct access to the Helpline (See task 2) to receive answers on questions on IPR in the frame of transnational business cooperation and technology transfer agreements involving SMEs. All agreed networks should benefit from this facility.
- Besides, the service provider should establish cooperation with other relevant actors at international, European and national levels to develop an effective signposting network. Such organisations may include National Patent and Trademark Offices, OHIM, EPO, WIPO, other national IPR organisations, IPR enforcement related institutions, innovation agencies, regional development agencies etc. It will be up to the bidders to propose and justify the choice of such actors. This list can be updated during the kick-off meeting with the EACI and the Commission and on a yearly basis upon common agreement depending on the identified needs.

Mapping exercise

1

Task 6

The aim of this task is an efficient and **effective implementation of the contract** by the service provider. The service provider should offer an integrated approach to the overall management of the work programme, including co-ordination with other EU programmes and initiatives, regular reporting to the EACI.

The service provider's project manager must maintain close contact with the EACI project officer, and provide regular overviews of progress, including financial elements. Regular short management meetings with the EACI project officer should be foreseen. The implementation of the contract will also be monitored through tri-monthly reports (plus one interim report and one final report), giving a full overview of the progress in implementation, resource use, main achievements, risks management and contingency plans, outputs and impacts. In each progress report the service provider should undertake an evaluation both in terms of outputs and wider impacts of the work undertaken. In order to be able to adapt to the evolving EU policy context and priorities, the service provider should set up a flexible, reactive and dedicated management structure. The service provider should respond to requests by the EACI within 3 (three) working days and may be requested by the EACI to attend meetings as listed under the point 8 "Planning and deliverables" with the aim to exchange information and to coordinate and evaluate the activities which have been carried out or are planned. The service provider should include quantitative targets to monitor the implementation of the tender (performance indicators). In each report the service provider should undertake an evaluation both in terms of outputs and wider impacts of the work undertaken. The service provider should ensure high quality standards through the use of a pre-established quality system, ensure that all tasks and involved entities and employees meet deadlines and provide deliverables in an efficient and timely manner, define and implement a system to follow up and measure as far as possible the impact of the services provided on the level of effective transfer of project's results onto the market. The final report should include the hand-over of the IPR Helpdesk at the end of the contract to ensure a continuity of service for the IPR Helpdesk users. In addition to the description of the quality system, the tender should include the following work samples in the tender:

A) Working samples related to the helpline:

The tenderer should draft 3 (three) simulated questions and answers on IP matters of SMEs facing international competition. Three different scenarios should be chosen from the following list:

- preventing competitors from copying or closely imitating a company's products or services;
- avoiding wasteful investment in research and development (R&D) and marketing;
- creating a corporate identity through a trademark and branding strategy;
- negotiating licensing, franchising or other IP-based contractual agreements;
- obtaining access to new markets;

B) Working samples related to case studies:

The tenderer should identify and describe 2 (two) simulated or real case studies on IP management within transnational collective research and market replication projects (please note that it is not necessary that the tenderer is or had been involved in these studies as IP support service provider):

Mapping exercise

1

| | |
|------------------------|--|
| | <ul style="list-style-type: none"> • One case study on collective research project involving different EU Members States and third countries where the participants face IP issues and the resulting outcomes in relation to the final exploitation onto the market of the project's results. • One case study on market replication project involving different countries where the participants face IP issues and the resulting outcomes in relation to the effective take up of the new technologies. The service provider must provide the EACI, at any time during the contract execution, and in accordance with the development stage of the applications and products, full product description, requirement specifications, charts, source codes and any other supporting documentation application manuals, within ten working days from the date of a written request, in order to allow the EACI to fully use and further develop the applications (including the fully operational website) that have been used and developed during the project in accordance with the Draft Service Contract, General Conditions, Article II.8. The effective development of the tasks requires the service provider to monitor regularly developments on IPR issues in Europe, with special emphasis on transnational RTD as well as CIP projects. |
| Performance Indicators | <p>Indicator 1: Number of awareness actions and trainings. This indicator should focus on the number of trainings and awareness actions undertaken together with the quality provided (quantity-quality report). Apart from the number of items organised, the following indicators are relevant:</p> <ul style="list-style-type: none"> - Number of awareness actions performed by geographical coverage and thematic coverage; - Number and profile of the audience reached for the awareness actions and number of participants and profile for trainings; - Number and quantity of the materials and tools used; - Timeliness of the trainings and awareness actions vis-à-vis the initial schedule. <p>Indicator 2 Utilisation rate of the Helpline. This indicator should focus on the number of times that the Helpline is used together with the quality of the advice or information provided (quantity-quality report). It concerns in particular:</p> <ul style="list-style-type: none"> - Number of Helpline enquiries received and responded; - Utilisation rate of the Helpline by geographical and thematic coverage as well as by users profile; - Time needed to respond effectively to a question. <p>Indicator 3 Utilisation of the website. This indicator should focus on the number of times that the website is used. It concerns especially:</p> <ul style="list-style-type: none"> - Number of hits of the website; - Number of documents downloaded by type of documents; - Number of users subscribed to the news service. <p>Indicator 4 Satisfaction of the users. This indicator should focus on the number of users that have provided a positive feedback after having</p> |

Mapping exercise

1

| | |
|-----------------|--|
| | <p>followed training, having been targeted by an awareness action or having been customers of the website or the Helpline. It concerns for example:</p> <ul style="list-style-type: none"> - Number of monitoring tools developed to measure satisfaction of users (surveys after a training, enquiries on satisfaction levels in the website etc.); - Satisfaction rates related to awareness actions and trainings; - Satisfaction rates related to the use of the Helpline; - Satisfaction rates related to the use of the website and support documents (FAQ, brochures, e-learning tools, etc); - Implementation rate and timing of improvements suggested by users. |
| Duration | 36 Moths |
| Budget | 2.500.000 Euro |

Survey Results - users

2

All Users

| Please indicate whether you have: | Nº | % |
|--|------------|--------------|
| Registered with the IPR Helpdesk | 366 | 91.7 |
| Used the IPR Helpdesk, without signing up for further assistance | 26 | 6.5 |
| No answer | 7 | 1.8 |
| Total | 399 | 100.0 |

Please indicate which of the following best describes your organisation (*multi-response possible*)

| Options | Nº | % |
|---|-----|------|
| Small or medium-sized Enterprise (SME) | 139 | 34.8 |
| Larger enterprise | 36 | 9.0 |
| Higher Education Establishment Research Institute | 117 | 29.3 |
| Intellectual Property Office | 28 | 7.0 |
| Other Intellectual Property professional | 26 | 6.5 |
| National or regional government | 29 | 7.3 |
| EU Institution | 5 | 1.3 |
| National Contact Point | 18 | 4.5 |
| General business support (Chamber of Commerce etc.) | 13 | 3.3 |
| Innovation or technology support organisation | 53 | 13.3 |
| Member of the Enterprise Europe Network | 44 | 11.0 |
| Other | 50 | 12.5 |

Survey Results - users

2

Please indicate your main area of economic activity:

| Options | Nº | % |
|--------------------------------|------------|--------------|
| Research | 153 | 38.3 |
| Commercial business | 43 | 10.8 |
| Project management and support | 86 | 21.6 |
| Business support services | 74 | 18.5 |
| Public administration | 41 | 10.3 |
| No answer | 2 | 0.5 |
| Total | 399 | 100.0 |

Please indicate in which sector you mainly work:

| Options | Nº | % |
|---|------------|--------------|
| Agriculture and food | 25 | 6.3 |
| Manufacture of aircraft and spacecraft | 2 | 0.5 |
| Manufacture of chemicals, chemical products and man-made fibres | 10 | 2.5 |
| Manufacture other | 30 | 7.5 |
| Construction, Energy and Transport | 29 | 7.3 |
| Health (including pharmaceuticals) | 56 | 14.0 |
| ICT | 44 | 11.0 |
| Business and management services | 54 | 13.5 |
| Public administration and defence; | 36 | 9.0 |
| Other services | 103 | 25.8 |
| No answer | 10 | 2.5 |
| Total | 399 | 100.0 |

Survey Results - users

2

If your organisation is an SME, please provide its size, by employment:

| Options | Nº | % |
|--------------|------------|--------------|
| Medium-sized | 53 | 38.1 |
| Small | 45 | 32.4 |
| Micro | 37 | 26.6 |
| No answer | 4 | 2.9 |
| Total | 139 | 100.0 |

If your organisation is an SME, please provide its size, by annual turnover:

| Options | Nº | % |
|--------------|------------|--------------|
| Medium-sized | 26 | 18.7 |
| Small | 34 | 24.5 |
| Micro | 49 | 35.3 |
| No answer | 30 | 21.6 |
| Total | 139 | 100.0 |

Please indicate the country or countries where your organisation operates

| Country | Nº | % | Country | Nº | % |
|------------|----|------|-------------|----|-----|
| Austria | 29 | 7.3 | Latvia | 9 | 2.3 |
| Belgium | 50 | 12.5 | Lithuania | 10 | 2.5 |
| Bulgaria | 11 | 2.8 | Luxembourg | 18 | 4.5 |
| Cyprus | 11 | 2.8 | Malta | 12 | 3.0 |
| Czech Rep. | 18 | 4.5 | Netherlands | 37 | 9.3 |
| Denmark | 25 | 6.3 | Poland | 31 | 7.8 |

Survey Results - users

2

| | | | | | |
|---------|----|------|----------|-----|------|
| Estonia | 9 | 2.3 | Portugal | 29 | 7.3 |
| Finland | 31 | 7.8 | Romania | 20 | 5.0 |
| France | 69 | 17.3 | Slovakia | 14 | 3.5 |
| Germany | 74 | 18.5 | Slovenia | 16 | 4.0 |
| Greece | 24 | 6.0 | Spain | 132 | 33.1 |
| Hungary | 24 | 6.0 | Sweden | 26 | 6.5 |
| Ireland | 22 | 5.5 | UK | 65 | 16.3 |
| Italy | 69 | 17.3 | Other | 64 | 16.0 |

In which period did you first start using the IPR helpdesk support?

| Options | Nº | % |
|-------------------|------------|--------------|
| Between 1999-2004 | 41 | 11.5 |
| Between 2005-2007 | 63 | 17.6 |
| Between 2008-2010 | 97 | 27.2 |
| Since 2011 | 156 | 43.7 |
| Total | 357 | 100.0 |

How did you learn about the services provided by the European IPR Helpdesk?

| Options | Nº | % |
|--|----|------|
| European Commission's website | 72 | 20.6 |
| Online search | 65 | 18.6 |
| Member of the Enterprise Europe Network | 41 | 11.7 |
| Attendance at FP7 info days or brokerage events | 37 | 10.6 |
| Attendance at an IPR Helpdesk event (training, seminar etc.) | 26 | 7.4 |

Survey Results - users

2

| | | |
|---|------------|--------------|
| Intellectual Property professional | 26 | 7.4 |
| Business partner recommendation | 25 | 7.2 |
| Reference to the Helpdesk in grant application documentation | 18 | 5.2 |
| National Contact Point | 17 | 4.9 |
| Attendance at another business support event (training, seminar etc.) | 14 | 4.0 |
| Other support service | 5 | 1.4 |
| Other website | 3 | 0.9 |
| Total | 349 | 100.0 |

At what stage do you think your organisation was, when you sought assistance?

| Options | Nº | % |
|---|------------|--------------|
| Only just aware that IP is an issue | 49 | 15.8 |
| Beginning to take some steps to manage IP | 104 | 33.5 |
| Consistent management of IP within the enterprise/organisation | 83 | 26.8 |
| Consistent internal management of IP, plus active use and exploitation of IP (e.g. licensing) | 74 | 23.9 |
| Total | 310 | 100.0 |

For which IPR issues have you needed advice and support? (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| IP aspect in collaborative research projects | 189 | 55.9 |
| IP aspects when negotiating a consortium agreement | 162 | 47.9 |
| Definition of relevant background of a project | 78 | 23.1 |
| Definition of ownership of foreground | 85 | 25.1 |
| Dealing with foreground in dissemination activities | 74 | 21.9 |

Survey Results - users

2

| | | |
|--|-----|------|
| Setting a regime for granting access rights | 40 | 11.8 |
| Implementing IP management strategies within the project | 99 | 29.3 |
| Exploitation of results | 123 | 36.4 |
| Dealing with IP conflicts | 73 | 21.6 |
| Partnership negotiations | 99 | 29.3 |
| Transferring results (e.g. licensing assignments and others) | 108 | 32.0 |
| Patents | 135 | 39.9 |
| Trade secrets | 53 | 15.7 |
| Trademarks | 64 | 18.9 |
| Designs | 50 | 14.8 |
| Copyright | 61 | 18.0 |
| Non-Disclosure Agreements | 115 | 34.0 |
| MTA (Material Transfer Agreements) | 47 | 13.9 |
| Technology Transfer or Knowledge Transfer | 129 | 38.2 |
| Other | 24 | 7.1 |

In your opinion, how are the services of IPR Helpdesk promoted?

| Options | Nº | % |
|---------------------|------------|--------------|
| Very Well | 92 | 26.4 |
| Well | 208 | 59.8 |
| Insufficiently | 45 | 12.9 |
| Very Insufficiently | 3 | 0.9 |
| Total | 348 | 100.0 |

Survey Results - users

2

To what extent do you agree with following description of the IPR Helpdesk website?

| Options | Completely agree | | Somewhat agree | | Neither agree nor disagree | | Disagree | | Completely disagree | | Total | |
|--|------------------|------|----------------|------|----------------------------|------|----------|-----|---------------------|-----|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Website is easily accessible | 215 | 61.8 | 110 | 31.6 | 19 | 5.5 | 3 | 0.9 | 1 | 0.3 | 348 | 100.0 |
| Clear layout | 166 | 48.7 | 137 | 40.2 | 30 | 8.8 | 7 | 2.1 | 1 | 0.3 | 341 | 100.0 |
| The hierarchy of information is clear | 127 | 37.5 | 147 | 43.4 | 49 | 14.5 | 15 | 4.4 | 1 | 0.3 | 339 | 100.0 |
| Navigation is consistent throughout web site | 131 | 38.4 | 159 | 46.6 | 43 | 12.6 | 7 | 2.1 | 1 | 0.3 | 341 | 100.0 |
| Pages download quickly | 184 | 54.0 | 124 | 36.4 | 29 | 8.5 | 3 | 0.9 | 1 | 0.3 | 341 | 100.0 |
| Good use of graphic elements (photos, subheads, pull quotes) to break up large areas of text | 133 | 39.9 | 138 | 41.4 | 48 | 14.4 | 12 | 3.6 | 2 | 0.6 | 333 | 100.0 |
| Good Search facilities | 96 | 29.0 | 150 | 45.3 | 68 | 20.5 | 13 | 3.9 | 4 | 1.2 | 331 | 100.0 |

Which of the following aspects of the Helpline services provided by the IPR Helpdesk do you think are important?

| Options | Not important at all | | Not very important | | Neutral | | Quite important | | Very important | | Total | |
|--|----------------------|-----|--------------------|-----|---------|------|-----------------|------|----------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| First-line support | 3 | 1.1 | 6 | 2.3 | 43 | 16.3 | 78 | 29.7 | 133 | 50.6 | 263 | 100.0 |
| User-friendly service | 2 | 0.7 | 5 | 1.8 | 23 | 8.2 | 70 | 25.1 | 179 | 64.2 | 279 | 100.0 |
| Personalised communication with callers | 4 | 1.5 | 8 | 3.1 | 56 | 21.4 | 83 | 31.7 | 111 | 42.4 | 262 | 100.0 |
| Answers to individual questions within three working days | 4 | 1.5 | 5 | 1.9 | 22 | 8.2 | 59 | 21.9 | 179 | 66.5 | 269 | 100.0 |
| Wide range of IP topics | 2 | 0.7 | 5 | 1.8 | 20 | 7.0 | 79 | 27.8 | 178 | 62.7 | 284 | 100.0 |
| Understandable for non-legal experts and business oriented | 2 | 0.7 | 4 | 1.4 | 26 | 9.4 | 46 | 16.5 | 200 | 71.9 | 278 | 100.0 |
| Signposting to other support services | 1 | 0.4 | 13 | 5.1 | 61 | 24.0 | 101 | 39.8 | 78 | 30.7 | 254 | 100.0 |

In your opinion, how sufficient is the coverage by the Helpline of the following IP topics?

| Options | Sufficient | | Neutral | | Not sufficient | | Total | |
|------------------------|------------|------|---------|------|----------------|-----|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % |
| IP protection | 171 | 72.5 | 58 | 24.6 | 7 | 3.0 | 236 | 100.0 |
| IP management | 154 | 65.8 | 69 | 29.5 | 11 | 4.7 | 234 | 100.0 |
| IP exploitation | 128 | 56.9 | 79 | 35.1 | 18 | 8.0 | 225 | 100.0 |
| Revision of agreements | 91 | 47.4 | 82 | 42.7 | 19 | 9.9 | 192 | 100.0 |

Survey Results - users

2

How can the Helpline assistance be improved? (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| Through expanding the subject scope | 133 | 53.0 |
| Longer operating hours | 16 | 6.4 |
| Shorter waiting time for a response | 59 | 23.5 |
| Assistance available in other languages | 96 | 38.2 |
| Other | 30 | 12.0 |

How often has your organisation used the Publication services provided by the IPR Helpdesk?

| Options | Never | | Once | | Occasionally | | Many times | | Total | |
|--|-------|------|------|------|--------------|------|------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Publication services | 47 | 23.6 | 7 | 3.5 | 87 | 43.7 | 58 | 29.1 | 199 | 100.0 |
| The European IPR Helpdesk Bulletin | 17 | 6.4 | 5 | 1.9 | 112 | 42.4 | 130 | 49.2 | 264 | 100.0 |
| An email Newsletter - the latest developments in the field of IP and IPR | 21 | 8.1 | 4 | 1.5 | 81 | 31.3 | 153 | 59.1 | 259 | 100.0 |
| An events listing | 55 | 23.0 | 19 | 7.9 | 105 | 43.9 | 60 | 25.1 | 239 | 100.0 |
| Fact Sheets: short but relatively detailed explanations of particular issues, such as how to search for trademarks or: assessing value and risks of intangibles in the conduct of IP due diligence | 33 | 13.0 | 15 | 5.9 | 104 | 40.9 | 102 | 40.2 | 254 | 100.0 |
| The on-line library of useful documents | 49 | 19.9 | 24 | 9.8 | 112 | 45.5 | 61 | 24.8 | 246 | 100.0 |
| The glossary and Frequently Asked Questions | 58 | 23.2 | 28 | 11.2 | 122 | 48.8 | 42 | 16.8 | 250 | 100.0 |

Survey Results - users

2

How useful do you find Publication Services provided by the IPR Helpdesk?

| Options | Not useful at all | | Slightly useful | | Useful | | Very useful | | Total | |
|--|-------------------|-----|-----------------|------|--------|------|-------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Publication services | 3 | 1.7 | 23 | 12.9 | 86 | 48.3 | 66 | 37.1 | 178 | 100.0 |
| The European IPR Helpdesk Bulletin | 2 | 0.8 | 40 | 15.1 | 118 | 44.5 | 105 | 39.6 | 265 | 100.0 |
| An email Newsletter - the latest developments in the field of IP and IPR | 3 | 1.2 | 28 | 10.8 | 112 | 43.2 | 116 | 44.8 | 259 | 100.0 |
| An events listing | 6 | 2.6 | 48 | 20.8 | 100 | 43.3 | 77 | 33.3 | 231 | 100.0 |
| Fact Sheets: short but relatively detailed explanations of particular issues, such as how to search for trademarks or: assessing value and risks of intangibles in the conduct of IP due diligence | 6 | 2.4 | 19 | 7.6 | 89 | 35.6 | 136 | 54.4 | 250 | 100.0 |
| The on-line library of useful documents | 2 | 0.9 | 21 | 9.4 | 90 | 40.2 | 111 | 49.6 | 224 | 100.0 |
| The glossary and Frequently Asked Questions | 7 | 3.1 | 35 | 15.6 | 101 | 45.1 | 81 | 36.2 | 224 | 100.0 |

How often has your organisation used the training services provided by the IPR Helpdesk?

| Options | Never | | Once | | Occasionally | | Many times | | Total | |
|---|-------|------|------|------|--------------|------|------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Training material such as case studies, available on-line | 93 | 38.0 | 24 | 9.8 | 94 | 38.4 | 34 | 13.9 | 245 | 100.0 |
| Workshops, organised in differing locations in co-operation with key multipliers, such as National Contact Points (NCP) for FP7 & CIP or members of the Enterprise Europe Network | 137 | 55.0 | 24 | 9.6 | 72 | 28.9 | 16 | 6.4 | 249 | 100.0 |
| IPR Helpdesk contributions to training events organised by others | 144 | 60.8 | 25 | 10.5 | 58 | 24.5 | 10 | 4.2 | 237 | 100.0 |
| Tailored training sessions | 179 | 74.0 | 22 | 9.1 | 33 | 13.6 | 8 | 3.3 | 242 | 100.0 |
| 'Train the trainers' workshops for staff of intermediary organisations | 189 | 81.8 | 16 | 6.9 | 22 | 9.5 | 4 | 1.7 | 231 | 100.0 |
| Web-based training packages in the form of nine different training modules conceived as half-day training sessions | 161 | 68.5 | 17 | 7.2 | 44 | 18.7 | 13 | 5.5 | 235 | 100.0 |
| Webinars on issues such as Tech Watch & Competitive Intelligence | 140 | 58.6 | 24 | 10.0 | 47 | 19.7 | 28 | 11.7 | 239 | 100.0 |
| Webinars on individual modules | 117 | 47.8 | 31 | 12.7 | 64 | 26.1 | 33 | 13.5 | 245 | 100.0 |
| Quizzes and educational clips | 172 | 75.8 | 15 | 6.6 | 34 | 15.0 | 6 | 2.6 | 227 | 100.0 |
| Training catalogue | 147 | 64.5 | 13 | 5.7 | 52 | 22.8 | 16 | 7.0 | 228 | 100.0 |

Survey Results - users

2

How useful do you find the training services provided by the IPR Helpdesk?

| Options | Not useful at all | | Slightly useful | | Useful | | Very useful | | Total | |
|---|-------------------|-----|-----------------|------|--------|------|-------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Training material such as case studies, available on-line | 2 | 1.1 | 19 | 10.8 | 83 | 47.2 | 72 | 40.9 | 176 | 100.0 |
| Workshops, organised in differing locations in co-operation with key multipliers, such as National Contact Points (NCP) for FP7 & CIP or members of the Enterprise Europe Network | 3 | 2.0 | 23 | 15.5 | 66 | 44.6 | 56 | 37.8 | 148 | 100.0 |
| IPR Helpdesk contributions to training events organised by others | 0 | 0.0 | 22 | 17.3 | 54 | 42.5 | 51 | 40.2 | 127 | 100.0 |
| Tailored training sessions | 1 | 0.9 | 19 | 16.8 | 50 | 44.2 | 43 | 38.1 | 113 | 100.0 |
| 'Train the trainers' workshops for staff of intermediary organisation | 2 | 2.0 | 16 | 16.2 | 47 | 47.5 | 34 | 34.3 | 99 | 100.0 |
| Web-based training packages in the form of nine different training modules conceived as half-day training sessions | 2 | 1.7 | 14 | 12.2 | 55 | 47.8 | 44 | 38.3 | 115 | 100.0 |
| Webinars on issues such as Tech Watch & Competitive Intelligence | 4 | 3.0 | 22 | 16.5 | 58 | 43.6 | 49 | 36.8 | 133 | 100.0 |
| Webinars on individual modules | 3 | 1.9 | 21 | 13.3 | 70 | 44.3 | 64 | 40.5 | 158 | 100.0 |
| Quizzes and educational clips | 3 | 2.8 | 24 | 22.4 | 45 | 42.1 | 35 | 32.7 | 107 | 100.0 |
| Training catalogue | 0 | 0.0 | 23 | 19.5 | 53 | 44.9 | 42 | 35.6 | 118 | 100.0 |

What should be the scope of assistance offered by the IPR Helpdesk (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| IPR aspects of the EU's 7th Framework Programme/Horizon 2020? | 223 | 78.2 |
| IPR aspects of the EU's Competitiveness and Innovation Programme/COSME? | 213 | 74.7 |
| Issues relating to the European Institute of Innovation and Technology (EIT)? | 177 | 62.1 |
| Any IPR issue faced by SMEs? | 165 | 57.9 |
| Detailed information on the nature of protection available | 152 | 53.3 |
| Registration and other procedures | 150 | 52.6 |
| Managing intellectual property | 133 | 46.7 |
| Assistance with confidentiality agreements | 106 | 37.2 |
| Assistance with licensing | 94 | 33.0 |
| Alternative dispute resolution | 88 | 30.9 |
| Protecting IPR | 70 | 24.6 |
| Other | 13 | 4.6 |

Survey Results - users

2

In your opinion, how effective is the European IPR Helpdesk as a mechanism to achieve each of these objectives?

| Options | Not effective at all | | Slightly effective | | Effective | | Very Effective | | Total | |
|--|----------------------|------|--------------------|------|-----------|------|----------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | | |
| Raising awareness of the value of intellectual assets and of the necessity to secure and manage them | 6 | 2.4 | 51 | 20.5 | 143 | 57.4 | 49 | 19.7 | 249 | 100.0 |
| Empowering its target groups to develop capacities of their own to deal with IP/IPR | 7 | 3.2 | 64 | 28.8 | 113 | 50.9 | 38 | 17.1 | 222 | 100.0 |
| Building long-term partnerships with relevant networks to deliver effective services | 20 | 11.6 | 54 | 31.4 | 70 | 40.7 | 28 | 16.3 | 172 | 100.0 |
| Building partnerships with other IP initiatives to anticipate and evaluate IP/IPR challenges | 18 | 11.3 | 46 | 28.8 | 69 | 43.1 | 27 | 16.9 | 160 | 100.0 |
| Assisting SMEs and beneficiaries of EU-funded programmes in dealing with IPR matters | 5 | 2.5 | 40 | 19.7 | 105 | 51.7 | 53 | 26.1 | 203 | 100.0 |
| Providing advice and first-line, high-quality support on IP/IPR issues | 6 | 2.6 | 42 | 18.3 | 107 | 46.5 | 75 | 32.6 | 230 | 100.0 |

In your opinion, does the Helpdesk comply with generally recognised professional practice in the orientation and delivery of its business support services?

| Options | Nº | % |
|--------------|------------|--------------|
| Yes | 231 | 97.5 |
| No | 6 | 2.5 |
| Total | 237 | 100.0 |

Are there significant overlaps between the European IPR Helpdesk and other support services for SMEs in your country?

| Options | Nº | % |
|--------------|------------|--------------|
| Yes | 78 | 42.6 |
| No | 105 | 57.4 |
| Total | 183 | 100.0 |

Survey Results - users

2

If there are significant overlaps between the European IPR Helpdesk and other support services for SMEs in your country, are they:

| Options | Nº | % |
|--------------------------|-----------|--------------|
| Complementary | 53 | 67.9 |
| Conflicting or confusing | 4 | 5.1 |
| Healthily competitive | 14 | 17.9 |
| Other /no answer | 7 | 9.0 |
| Total | 78 | 100.0 |

At what stage is your organisation, after receiving assistance?

| Options | Nº | % |
|---|------------|--------------|
| Only just aware that IP is an issue | 19 | 7.5 |
| Beginning to take some steps to manage IP | 61 | 24.2 |
| Consistent management of IP within the enterprise/organisation | 85 | 33.7 |
| Consistent management of IP, plus active use and exploitation of IP | 65 | 25.8 |
| Other | 22 | 8.7 |
| Total | 252 | 100.0 |

After using IPR Helpdesk services, have you registered or (where registration is not possible) actively managed any of the following? (multi-response possible)

| Options | Nº | % |
|--------------------------|-----|------|
| Patents | 103 | 81.1 |
| Trade marks | 56 | 44.1 |
| Designs | 26 | 20.5 |
| Geographical indications | 8 | 6.3 |
| Copyright | 43 | 33.9 |

Survey Results - users

2

Overall, what have been the main impacts of the IPR Helpdesk for your organisation? (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| Better performance of your organisation | 59 | 22.8 |
| Changes in awareness, knowledge and skills | 169 | 65.3 |
| Changes in organisational capacity | 28 | 10.8 |
| Changes to products or services | 15 | 5.8 |
| Better co-operation with other enterprises/partners | 78 | 30.1 |
| Further research and innovation | 44 | 17.0 |
| Licensing or similar arrangements | 34 | 13.1 |
| There have been no impacts | 36 | 13.9 |

If the support provided by the IPR Helpdesk has led to a better performance, what form has this taken? (multi-response possible)

| Options | Nº | % |
|--|-----|------|
| Safeguarding current position in markets | 51 | 22.9 |
| Increased market share | 15 | 6.7 |
| Increased revenue | 12 | 5.4 |
| Increased employment | 12 | 5.4 |
| None of these | 118 | 52.9 |

Survey Results - users

2

Users – SMEs only

| Please indicate whether you have: | Nº | % |
|--|-----------|--------------|
| Registered with the IPR Helpdesk | 48 | 73.8 |
| Used the IPR Helpdesk, without signing up for further assistance | 15 | 23.1 |
| No answer | 2 | 3.1 |
| Total | 65 | 100.0 |

Please indicate your main area of economic activity:

| Options | Nº | % |
|--------------------------------|-----------|--------------|
| Research | 16 | 24.6 |
| Commercial business | 19 | 29.2 |
| Project management and support | 21 | 32.3 |
| Business support services | 9 | 13.8 |
| Total | 65 | 100.0 |

Please indicate in which sector you mainly work:

| Options | Nº | % |
|---|----|------|
| Agriculture and food | 8 | 12.3 |
| Manufacture of aircraft and spacecraft | 0 | 0.0 |
| Manufacture of chemicals, chemical products and man-made fibres | 4 | 6.2 |
| Manufacture other | 9 | 13.8 |
| Construction, Energy and Transport | 7 | 10.8 |
| Health (including pharmaceuticals) | 9 | 13.8 |

Survey Results - users

2

| | | |
|------------------------------------|-----------|--------------|
| ICT | 9 | 13.8 |
| Business and management services | 8 | 12.3 |
| Public administration and defence; | 0 | 0.0 |
| Other services | 11 | 16.9 |
| Total | 65 | 100.0 |

| Size by employment | Nº | % |
|--------------------|-----------|--------------|
| Medium-sized | 18 | 29.5 |
| Small | 22 | 36.1 |
| Micro | 21 | 34.4 |
| Total | 61 | 100.0 |

| Size by annual turnover | Nº | % |
|-------------------------|-----------|--------------|
| Medium-sized | 10 | 17.9 |
| Small | 16 | 28.6 |
| Micro | 30 | 53.6 |
| Total | 56 | 100.0 |

Please indicate the country or countries where your organisation operates (*multi-response possible*)

| Country | Nº | % | Country | Nº | % |
|----------|----|------|------------|----|-----|
| Austria | 5 | 7.7 | Latvia | 1 | 1.5 |
| Belgium | 7 | 10.8 | Lithuania | 1 | 1.5 |
| Bulgaria | 0 | 0.0 | Luxembourg | 1 | 1.5 |
| Cyprus | 1 | 1.5 | Malta | 1 | 1.5 |

Survey Results - users

2

| | | | | | |
|------------|----|------|-------------|----|------|
| Czech Rep. | 1 | 1.5 | Netherlands | 9 | 13.8 |
| Denmark | 6 | 9.2 | Poland | 6 | 9.2 |
| Estonia | 0 | 0.0 | Portugal | 3 | 4.6 |
| Finland | 3 | 4.6 | Romania | 3 | 4.6 |
| France | 15 | 23.1 | Slovakia | 2 | 3.1 |
| Germany | 13 | 20.0 | Slovenia | 2 | 3.1 |
| Greece | 2 | 3.1 | Spain | 24 | 36.9 |
| Hungary | 5 | 7.7 | Sweden | 4 | 6.2 |
| Ireland | 4 | 6.2 | UK | 14 | 21.5 |
| Italy | 11 | 16.9 | Other | 11 | 16.9 |

In which period did you first start using the IPR helpdesk support?

| Options | Nº | % |
|-------------------|-----------|--------------|
| Between 1999-2004 | 9 | 16.4 |
| Between 2005-2007 | 7 | 12.7 |
| Between 2008-2010 | 18 | 32.7 |
| Since 2011 | 21 | 38.2 |
| Total | 55 | 100.0 |

How did you learn about the services provided by the European IPR Helpdesk?

| Options | Nº | % |
|---|----|------|
| Attendance at an IPR Helpdesk event (training, seminar etc.) | 2 | 3.8 |
| Attendance at FP7 info days or brokerage events | 8 | 15.1 |
| Attendance at another business support event (training, seminar etc.) | 2 | 3.8 |

Survey Results - users

2

| | | |
|--|-----------|--------------|
| European Commission's website | 17 | 32.1 |
| National Contact Point | 2 | 3.8 |
| Intellectual Property professional | 3 | 5.7 |
| Member of the Enterprise Europe Network | 5 | 9.4 |
| Business partner recommendation | 4 | 7.5 |
| Online search | 7 | 13.2 |
| Other support service | 0 | 0.0 |
| Other website | 0 | 0.0 |
| Reference to the Helpdesk in grant application documentation | 3 | 5.7 |
| Other organisation | 0 | 0.0 |
| Total | 53 | 100.0 |

At what stage do you think your organisation was, when you sought assistance?

| Options | Nº | % |
|---|-----------|--------------|
| Only just aware that IP is an issue | 6 | 12.2 |
| Beginning to take some steps to manage IP | 23 | 46.9 |
| Consistent management of IP within the enterprise/organisation | 13 | 26.5 |
| Consistent internal management of IP, plus active use and exploitation of IP (e.g. licensing) | 7 | 14.3 |
| Total | 49 | 100.0 |

For which IPR issues have you needed advice and support? (multi-response possible)

| Options | Nº | % |
|--|----|------|
| IP aspect in collaborative research projects | 35 | 70.0 |
| IP aspects when negotiating a consortium agreement | 28 | 56.0 |

Survey Results - users

2

| | | |
|--|----|------|
| Definition of relevant background of a project | 15 | 30.0 |
| Definition of ownership of foreground | 19 | 38.0 |
| Dealing with foreground in dissemination activities | 17 | 34.0 |
| Setting a regime for granting access rights | 5 | 10.0 |
| Implementing IP management strategies within the project | 11 | 22.0 |
| Exploitation of results | 18 | 36.0 |
| Dealing with IP conflicts | 14 | 28.0 |
| Partnership negotiations | 12 | 24.0 |
| Transferring results (e.g. licensing assignments and others) | 10 | 20.0 |
| Patents | 18 | 36.0 |
| Trade secrets | 8 | 16.0 |
| Trademarks | 9 | 18.0 |
| Designs | 6 | 12.0 |
| Copyright | 7 | 14.0 |
| Non-Disclosure Agreements | 19 | 38.0 |
| MTA (Material Transfer Agreements) | 5 | 10.0 |
| Technology Transfer or Knowledge Transfer | 11 | 22.0 |

In your opinion, how are the services of IPR Helpdesk promoted?

| Options | Nº | % |
|---------------------|-----------|--------------|
| Very Well | 11 | 20.8 |
| Well | 31 | 58.5 |
| Insufficiently | 11 | 20.8 |
| Very Insufficiently | 0 | 0.0 |
| Total | 53 | 100.0 |

Survey Results - users

2

To what extent do you agree with following description of the IPR Helpdesk website?

| Options | Completely agree | | Somewhat agree | | Neither agree nor disagree | | Disagree | | Completely disagree | | Total | |
|--|------------------|------|----------------|------|----------------------------|------|----------|-----|---------------------|-----|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Website is easily accessible | 28 | 53.8 | 20 | 38.5 | 3 | 5.8 | 1 | 1.9 | 0 | 0.0 | 52 | 100.0 |
| Clear layout | 16 | 32.7 | 26 | 53.1 | 6 | 12.2 | 1 | 2.0 | 0 | 0.0 | 49 | 100.0 |
| The hierarchy of information is clear | 13 | 26.0 | 22 | 44.0 | 11 | 22.0 | 4 | 8.0 | 0 | 0.0 | 50 | 100.0 |
| Navigation is consistent throughout web site | 15 | 30.0 | 25 | 50.0 | 8 | 16.0 | 2 | 4.0 | 0 | 0.0 | 50 | 100.0 |
| Pages download quickly | 23 | 46.9 | 19 | 38.8 | 7 | 14.3 | 0 | 0.0 | 0 | 0.0 | 49 | 100.0 |
| Good use of graphic elements (photos, subheads, pull quotes) to break up large areas of text | 10 | 21.7 | 21 | 45.7 | 12 | 26.1 | 3 | 6.5 | 0 | 0.0 | 46 | 100.0 |
| Good Search facilities | 12 | 25.0 | 16 | 33.3 | 17 | 35.4 | 3 | 6.3 | 0 | 0.0 | 48 | 100.0 |

Which of the following aspects of the Helpline services provided by the IPR Helpdesk do you think are important?

| Options | Not important at all | | Not very important | | Neutral | | Quite important | | Very important | | Total | |
|--|----------------------|-----|--------------------|-----|---------|------|-----------------|------|----------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| First-line support | 0 | 0.0 | 0 | 0.0 | 10 | 24.4 | 9 | 22.0 | 22 | 53.7 | 41 | 100.0 |
| User-friendly service | 0 | 0.0 | 0 | 0.0 | 9 | 21.4 | 9 | 21.4 | 24 | 57.1 | 42 | 100.0 |
| Personalised communication with callers | 0 | 0.0 | 2 | 4.7 | 8 | 18.6 | 9 | 20.9 | 24 | 55.8 | 43 | 100.0 |
| Answers to individual questions within three working days | 0 | 0.0 | 0 | 0.0 | 6 | 14.3 | 4 | 9.5 | 32 | 76.2 | 42 | 100.0 |
| Wide range of IP topics | 1 | 2.3 | 0 | 0.0 | 2 | 4.5 | 14 | 31.8 | 27 | 61.4 | 44 | 100.0 |
| Understandable for non-legal experts and business oriented | 0 | 0.0 | 1 | 2.4 | 3 | 7.1 | 4 | 9.5 | 34 | 81.0 | 42 | 100.0 |
| Signposting to other support services | 0 | 0.0 | 0 | 0.0 | 13 | 31.7 | 16 | 39.0 | 12 | 29.3 | 41 | 100.0 |

Survey Results - users

2

In your opinion, how sufficient is the coverage by the Helpline of the following IP topics?

| Options | Sufficient | | Neutral | | Not sufficient | | Total | |
|------------------------|------------|------|---------|------|----------------|-----|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % |
| IP protection | 27 | 73.0 | 9 | 24.3 | 1 | 2.7 | 37 | 100.0 |
| IP management | 27 | 71.1 | 11 | 28.9 | 0 | 0.0 | 38 | 100.0 |
| IP exploitation | 21 | 58.3 | 12 | 33.3 | 3 | 8.3 | 36 | 100.0 |
| Revision of agreements | 17 | 51.5 | 16 | 48.5 | 0 | 0.0 | 33 | 100.0 |

How can the Helpline assistance be improved?

| Options | Nº | % |
|---|----|------|
| Though expanding the subject scope | 20 | 51.3 |
| Longer operating hours | 4 | 10.3 |
| Shorter waiting time for a response | 14 | 35.9 |
| Assistance available in other languages | 9 | 23.1 |
| Other | 9 | 23.1 |

How often has your organisation used the Publication services provided by the IPR Helpdesk?

| Options | Never | | Once | | Occasionally | | Many times | | Total | |
|--|-------|------|------|------|--------------|------|------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Publication services | 12 | 35.3 | 2 | 5.9 | 15 | 44.1 | 5 | 14.7 | 34 | 100.0 |
| The European IPR Helpdesk Bulletin | 7 | 17.5 | 2 | 5.0 | 18 | 45.0 | 13 | 32.5 | 40 | 100.0 |
| An email Newsletter - the latest developments in the field of IP and IPR | 6 | 15.4 | 1 | 2.6 | 16 | 41.0 | 16 | 41.0 | 39 | 100.0 |
| An events listing | 15 | 38.5 | 5 | 12.8 | 14 | 35.9 | 5 | 12.8 | 39 | 100.0 |
| Fact Sheets | 10 | 25.6 | 3 | 7.7 | 12 | 30.8 | 14 | 35.9 | 39 | 100.0 |
| The on-line library of useful documents | 12 | 31.6 | 5 | 13.2 | 12 | 31.6 | 9 | 23.7 | 38 | 100.0 |
| The glossary and Frequently Asked Questions | 11 | 28.2 | 3 | 7.7 | 20 | 51.3 | 5 | 12.8 | 39 | 100.0 |

Survey Results - users

2

How useful do you find Publication Services provided by the IPR Helpdesk?

| Options | Not useful at all | | Slightly useful | | Useful | | Very useful | | Total | |
|--|-------------------|-----|-----------------|------|--------|------|-------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Publication services | 1 | 4.2 | 4 | 16.7 | 11 | 45.8 | 8 | 33.3 | 24 | 100.0 |
| The European IPR Helpdesk Bulletin | 1 | 3.0 | 7 | 21.2 | 16 | 48.5 | 9 | 27.3 | 33 | 100.0 |
| An email Newsletter - the latest developments in the field of IP and IPR | 1 | 3.1 | 5 | 15.6 | 17 | 53.1 | 9 | 28.1 | 32 | 100.0 |
| An events listing | 1 | 3.7 | 7 | 25.9 | 15 | 55.6 | 4 | 14.8 | 27 | 100.0 |
| Fact Sheets | 0 | 0.0 | 5 | 16.1 | 12 | 38.7 | 14 | 45.2 | 31 | 100.0 |
| The on-line library of useful documents | 1 | 3.6 | 5 | 17.9 | 13 | 46.4 | 9 | 32.1 | 28 | 100.0 |
| The glossary and Frequently Asked Questions | 2 | 6.7 | 4 | 13.3 | 16 | 53.3 | 8 | 26.7 | 30 | 100.0 |

How often has your organisation used the training services provided by the IPR Helpdesk?

| Options | Never | | Once | | Occasionally | | Many times | | Total | |
|---|-------|------|------|------|--------------|------|------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Training material such as case studies, available on-line | 25 | 59.5 | 4 | 9.5 | 7 | 16.7 | 6 | 14.3 | 42 | 100.0 |
| Workshops, organised in differing locations in co-operation with key multipliers, such as National Contact Points (NCP) for FP7 & CIP or members of the Enterprise Europe Network | 31 | 73.8 | 5 | 11.9 | 6 | 14.3 | 0 | 0.0 | 42 | 100.0 |
| IPR Helpdesk contributions to training events organised by others | 31 | 73.8 | 5 | 11.9 | 6 | 14.3 | 0 | 0.0 | 42 | 100.0 |
| Tailored training sessions | 36 | 85.7 | 4 | 9.5 | 2 | 4.8 | 0 | 0.0 | 42 | 100.0 |
| 'Train the trainers' workshops for staff of intermediary organisations | 38 | 90.5 | 2 | 4.8 | 2 | 4.8 | 0 | 0.0 | 42 | 100.0 |
| Web-based training packages in the form of nine different training modules conceived as half-day training sessions | 33 | 78.6 | 4 | 9.5 | 4 | 9.5 | 1 | 2.4 | 42 | 100.0 |
| Webinars on issues such as Tech Watch & Competitive Intelligence | 31 | 79.5 | 4 | 10.3 | 3 | 7.7 | 1 | 2.6 | 39 | 100.0 |
| Webinars on individual modules | 31 | 75.6 | 4 | 9.8 | 3 | 7.3 | 3 | 7.3 | 41 | 100.0 |
| Quizzes and educational clips | 34 | 89.5 | 1 | 2.6 | 3 | 7.9 | 0 | 0.0 | 38 | 100.0 |
| Training catalogue | 35 | 85.4 | 2 | 4.9 | 4 | 9.8 | 0 | 0.0 | 41 | 100.0 |

Survey Results - users

2

How useful do you find the training services provided by the IPR Helpdesk?

| Options | Not useful at all | | Slightly useful | | Useful | | Very useful | | Total | |
|---|-------------------|-----|-----------------|------|--------|------|-------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Training material such as case studies, available on-line | 0 | 0.0 | 5 | 26.3 | 6 | 31.6 | 8 | 42.1 | 19 | 100.0 |
| Workshops, organised in differing locations in co-operation with key multipliers, such as National Contact Points (NCP) for FP7 & CIP or members of the Enterprise Europe Network | 1 | 5.9 | 1 | 5.9 | 7 | 41.2 | 8 | 47.1 | 17 | 100.0 |
| IPR Helpdesk contributions to training events organised by others | 0 | 0.0 | 4 | 26.7 | 7 | 46.7 | 4 | 26.7 | 15 | 100.0 |
| Tailored training sessions | 0 | 0.0 | 1 | 8.3 | 9 | 75.0 | 2 | 16.7 | 12 | 100.0 |
| 'Train the trainers' workshops for staff of intermediary organisation | 0 | 0.0 | 3 | 30.0 | 6 | 60.0 | 1 | 10.0 | 10 | 100.0 |
| Web-based training packages in the form of nine different training modules conceived as half-day training sessions | 0 | 0.0 | 4 | 30.8 | 6 | 46.2 | 3 | 23.1 | 13 | 100.0 |
| Webinars on issues such as Tech Watch & Competitive Intelligence | 0 | 0.0 | 6 | 46.2 | 6 | 46.2 | 1 | 7.7 | 13 | 100.0 |
| Webinars on individual modules | 0 | 0.0 | 4 | 23.5 | 9 | 52.9 | 4 | 23.5 | 17 | 100.0 |
| Quizzes and educational clips | 0 | 0.0 | 2 | 16.7 | 8 | 66.7 | 2 | 16.7 | 12 | 100.0 |
| Training catalogue | 0 | 0.0 | 1 | 7.7 | 10 | 76.9 | 2 | 15.4 | 13 | 100.0 |

What should be the scope of assistance offered by the IPR Helpdesk

| Options | Nº | % |
|---|----|------|
| IPR aspects of the EU's 7th Framework Programme/Horizon 2020? | 35 | 81.4 |
| Managing intellectual property | 33 | 76.7 |
| Any IPR issue faced by SMEs? | 31 | 72.1 |
| Protecting IPR | 25 | 58.1 |
| Assistance with confidentiality agreements | 24 | 55.8 |
| IPR aspects of the EU's Competitiveness and Innovation Programme/COSME? | 23 | 53.5 |
| Assistance with licensing | 23 | 53.5 |
| Detailed information on the nature of protection available | 18 | 41.9 |

Survey Results - users

2

| | | |
|---|----|------|
| Registration and other procedures | 13 | 30.2 |
| Alternative dispute resolution | 12 | 27.9 |
| Issues relating to the European Institute of Innovation and Technology (EIT)? | 10 | 23.3 |
| Other | 2 | 4.7 |

In your opinion, how effective is the European IPR Helpdesk as a mechanism to achieve each of these objectives?

| Options | Not effective at all | | Slightly effective | | Effective | | Very Effective | | Total | |
|--|----------------------|------|--------------------|------|-----------|------|----------------|------|-------|-------|
| | Nº | % | Nº | % | Nº | % | Nº | % | Nº | % |
| Raising awareness of the value of intellectual assets and of the necessity to secure and manage them | 1 | 3.0 | 12 | 36.4 | 13 | 39.4 | 7 | 21.2 | 33 | 100.0 |
| Empowering its target groups to develop capacities of their own to deal with IP/IPR | 2 | 6.5 | 15 | 48.4 | 9 | 29.0 | 5 | 16.1 | 31 | 100.0 |
| Building long-term partnerships with relevant networks to deliver effective services | 2 | 9.1 | 8 | 36.4 | 9 | 40.9 | 3 | 13.6 | 22 | 100.0 |
| Building partnerships with other IP initiatives to anticipate and evaluate IP/IPR challenges | 2 | 10.0 | 9 | 45.0 | 7 | 35.0 | 2 | 10.0 | 20 | 100.0 |
| Assisting SMEs and beneficiaries of EU-funded programmes in dealing with IPR matters | 1 | 2.9 | 6 | 17.1 | 15 | 42.9 | 13 | 37.1 | 35 | 100.0 |
| Providing advice and first-line, high-quality support on IP/IPR issues | 1 | 2.8 | 8 | 22.2 | 12 | 33.3 | 15 | 41.7 | 36 | 100.0 |

In your opinion, does the Helpdesk comply with generally recognised professional practice in the orientation and delivery of its business support services?

| Options | Nº | % |
|--------------|-----------|--------------|
| Yes | 31 | 96.9 |
| No | 1 | 3.1 |
| Total | 32 | 100.0 |

Survey Results - users

2

Are there significant overlaps between the European IPR Helpdesk and other support services for SMEs in your country?

| Options | Nº | % |
|--------------|-----------|--------------|
| Yes | 13 | 41.9 |
| No | 18 | 58.1 |
| Total | 31 | 100.0 |

If there are significant overlaps between the European IPR Helpdesk and other support services for SMEs in your country, are they:

| Options | Nº | % |
|--------------------------|-----------|-------------|
| Complementary | 7 | 53.8 |
| Conflicting or confusing | 3 | 23.1 |
| Healthily competitive | 2 | 15.4 |
| Total | 12 | 92.3 |

At what stage is your organisation, after receiving assistance?

| Options | Nº | % |
|---|-----------|--------------|
| Only just aware that IP is an issue | 4 | 10.0 |
| Beginning to take some steps to manage IP | 15 | 37.5 |
| Consistent management of IP within the enterprise/organisation | 15 | 37.5 |
| Consistent management of IP, plus active use and exploitation of IP | 4 | 10.0 |
| Other | 2 | 5.0 |
| Total | 40 | 100.0 |

Survey Results - users

2

After using IPR Helpdesk services, have you registered or (where registration is not possible) actively managed any of the following? (*multi-response possible*)

| Options | Nº | % |
|--------------------------|----|------|
| Patents | 15 | 78.9 |
| Trade marks | 10 | 52.6 |
| Designs | 1 | 5.3 |
| Geographical indications | 0 | 0.0 |
| Copyright | 7 | 36.8 |

Overall, what have been the main impacts of the IPR Helpdesk for your organisation? (*multi-response possible*)

| Options | Nº | % |
|---|----|------|
| Better performance of your organisation | 9 | 22.0 |
| Changes in awareness, knowledge and skills | 25 | 61.0 |
| Changes in organisational capacity | 2 | 4.9 |
| Changes to products or services | 3 | 7.3 |
| Better co-operation with other enterprises/partners | 19 | 46.3 |
| Further research and innovation | 6 | 14.6 |
| Licensing or similar arrangements | 6 | 14.6 |
| There have been no impacts | 4 | 9.8 |

If the support provided by the IPR Helpdesk has led to a better performance, what form has this taken? (*multi-response possible*)

| Options | Nº | % |
|--|----|------|
| Safeguarding current position in markets | 12 | 32.4 |

Survey Results - users

2

| | | |
|------------------------|----|------|
| Increased market share | 2 | 5.4 |
| Increased revenue | 1 | 2.7 |
| Increased employment | 2 | 5.4 |
| None of these | 14 | 37.8 |

Survey Results – non-users

3

Please indicate which of the following best describes your organisation (*multi-response possible*)

| Options | Nº | % |
|--|-----|------|
| Small or medium-sized Enterprise (SME) | 621 | 97.2 |
| Larger enterprise | 3 | 0.5 |
| Higher Education Establishment | 9 | 1.4 |
| Research Institute | 25 | 3.9 |
| Public and non-profit Research Centres | 17 | 2.7 |
| Non-research commercial sector, including project management | 15 | 2.3 |
| Private / Commercial Research Centres | 36 | 5.6 |
| Non-research Public Sector | 3 | 0.5 |
| Other organisation type | 22 | 3.4 |

Please indicate your main area of economic activity:

| Options | Nº | % |
|--------------------------------|------------|--------------|
| Research | 172 | 27.1 |
| Commercial business | 335 | 52.8 |
| Project management and support | 90 | 14.2 |
| Business support services | 34 | 5.4 |
| Public administration | 3 | 0.5 |
| Total | 634 | 100.0 |

Please indicate in which sector you mainly work:

| Options | Nº | % |
|----------------------|----|-----|
| Agriculture and food | 61 | 9.6 |

Survey Results – non-users

3

| | | |
|---|------------|--------------|
| Manufacture of aircraft and spacecraft | 16 | 2.5 |
| Manufacture of chemicals, chemical products and man-made fibres | 33 | 5.2 |
| Manufacture other | 114 | 17.9 |
| Construction, Energy and Transport | 82 | 12.9 |
| Health (including pharmaceuticals) | 73 | 11.5 |
| ICT | 129 | 20.3 |
| Business and management services | 23 | 3.6 |
| Public administration and defence; | 7 | 1.1 |
| Other services | 99 | 15.5 |
| Total | 637 | 100.0 |

If your organisation is an SME, please provide its size, by employment:

| Options | Nº | % |
|--------------|------------|--------------|
| Medium-sized | 124 | 20.3 |
| Small | 243 | 39.8 |
| Micro | 243 | 39.8 |
| Total | 610 | 100.0 |

If your organisation is an SME, please provide its size, by annual turnover:

| Options | Nº | % |
|--------------|------------|--------------|
| Medium-sized | 76 | 12.9 |
| Small | 196 | 33.3 |
| Micro | 316 | 53.7 |
| Total | 588 | 100.0 |

Survey Results – non-users

3

Please indicate the country or countries where your organisation operates: (multi-response possible)

| Country | Nº | % | Country | Nº | % |
|------------|-----|------|-------------|-----|------|
| Austria | 48 | 7.5 | Latvia | 13 | 2.0 |
| Belgium | 82 | 12.8 | Lithuania | 19 | 3.0 |
| Bulgaria | 25 | 3.9 | Luxembourg | 21 | 3.3 |
| Cyprus | 21 | 3.3 | Malta | 8 | 1.3 |
| Czech Rep. | 41 | 6.4 | Netherlands | 79 | 12.4 |
| Denmark | 40 | 6.3 | Poland | 39 | 6.1 |
| Estonia | 18 | 2.8 | Portugal | 53 | 8.3 |
| Finland | 24 | 3.8 | Romania | 34 | 5.3 |
| France | 123 | 19.2 | Slovakia | 17 | 2.7 |
| Germany | 155 | 24.3 | Slovenia | 28 | 4.4 |
| Greece | 54 | 8.5 | Spain | 151 | 23.6 |
| Hungary | 28 | 4.4 | Sweden | 60 | 9.4 |
| Ireland | 34 | 5.3 | UK | 128 | 20.0 |
| Italy | 122 | 19.1 | Other | 107 | 16.7 |

At what stage would you say you are in terms of knowledge and management of IP?

| Options | Nº | % |
|--|-----|------|
| Only just aware that IP is an issue | 145 | 23.1 |
| Beginning to take some steps to manage IP | 222 | 35.3 |
| Consistent management of IP within the enterprise/organisation | 144 | 22.9 |
| Consistent internal management of IP plus active use and exploitation of IP (e.g. licensing) | 104 | 16.5 |

Survey Results – non-users

3

| | | |
|--------------|------------|--------------|
| Other | 14 | 2.2 |
| Total | 629 | 100.0 |

Which of the following describes your reasons for not using the IPR Helpdesk? (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| Not aware of the IPR Helpdesk at all | 331 | 51.8 |
| Aware of the Helpdesk, but unsure of the nature of its services | 158 | 24.7 |
| Aware of the Helpdesk, but do not require assistance | 125 | 19.6 |
| Aware of the Helpdesk, but have sought assistance elsewhere | 33 | 5.2 |

If you are aware of it, have you ever considered using any of the following services provided by the European Helpdesk? (multi-response possible)

| Options | Nº | % |
|----------------------|-----|------|
| Direct helpline | 109 | 35.4 |
| Publication services | 72 | 23.4 |
| Training services | 76 | 24.7 |
| Don't know | 209 | 67.9 |

If you are aware of the IPR Helpdesk, please explain further why have you not used it? (multi-response possible)

| Options | Nº | % |
|--|-----|------|
| Our research is not generating intellectual property that needs managing | 90 | 29.2 |
| Able to manage our IP without assistance | 103 | 33.4 |
| Managing our IP is not a high priority | 49 | 15.9 |

Survey Results – non-users

3

| | | |
|--|-----|------|
| Have not quite got around to it | 44 | 14.3 |
| Not sure how the Helpdesk can assist us | 151 | 49.0 |
| The website or publicity material did not encourage us to use the service | 20 | 6.5 |
| The assistance offered was not sufficient | 8 | 2.6 |
| It takes too long to get a reply | 7 | 2.3 |
| I found another source which can provide same information more effectively | 21 | 6.8 |

If you were to seek assistance, from one source or another, which types of assistance could you require? (multi-response possible)

| Options | Nº | % |
|---|-----|------|
| Assistance with IP management in EU supported research projects | 333 | 52.1 |
| Detailed information on the nature of protection available | 209 | 32.7 |
| Registration and other procedures | 182 | 28.5 |
| Managing intellectual property | 235 | 36.8 |
| Assistance with IP issues in trade with other countries | 168 | 26.3 |
| Assistance with confidentiality agreements | 182 | 28.5 |
| Assistance with licensing | 196 | 30.7 |
| Alternative dispute resolution | 80 | 12.5 |
| Responding to abuses of IPR | 106 | 16.6 |

Have you used other support to help you address your IP management? (multi-response possible)

| Options | Nº | % |
|--|-----|------|
| Intellectual Property professionals (lawyers, patent attorneys etc.) | 328 | 51.3 |
| Technology/Innovation support organisations | 97 | 15.2 |

Survey Results – non-users

3

| | | |
|---|----|------|
| Other IP support organisations (Intellectual Property Offices etc.) | 86 | 13.5 |
| General business support services (Chambers of Commerce etc.) | 76 | 11.9 |
| Other | 18 | 2.8 |

If you answered yes to the question above, how satisfied are you with their IPR services?

| Options | Nº | % |
|----------------------|------------|--------------|
| Very satisfied | 123 | 32.3 |
| Moderately satisfied | 237 | 62.2 |
| Not satisfied | 21 | 5.5 |
| Total | 381 | 100.0 |

If you are a researcher/scientist – are you involved in the exploitation of research results?

| Options | Nº | % |
|--------------|------------|--------------|
| Yes | 276 | 84.1 |
| No | 52 | 15.9 |
| Total | 328 | 100.0 |

Performance Indicators

4

The ToR for the evaluation required the development of an appropriate set of indicators for the IPR Helpdesk, based on those defined in the 2010 CIP-EIP Work Programme and in the Evaluation of the Indicators of the Entrepreneurship and Innovation Programme. Any proposed indicators had to build both on these strategic documents and on the monitoring arrangements that already exist under the current contract for the Helpdesk. New indicator systems should not be developed without regard for the accountability and reporting procedures to which they will ultimately contribute. At the same time, it was not necessary to re-invent the arrangements that are already in place. Monitoring of the Helpdesk is already supported by reporting requirements that form part of the current contractual arrangements. Any development should build on these arrangements.

The contract for 2010-2013 period specify that the IPR Helpdesk contractor should provide and analyse certain performance indicators (PI) and statistics on Helpline usage, both for on-going management purposes and to assist in defining priorities in content generation. The performance indicators and statistics are analysed and reported by the Contractor quarterly as per the contract (3 Monthly Progress Reports) and also presented in the Annual Work Plans. Four groups of indicators have featured in the Progress Reports since the start of the contract. A fifth group of Indicators was added in the Annual Work Plan for 2013. These specified indicators include those in the table below.

Performance indicators of the IPR Helpdesk

- Indicator 1: Number of awareness actions and trainings. This indicator focuses on the number of training sessions and awareness actions undertaken together with the quality provided (quantity-quality report);
- Indicator 2: Utilisation rate of the Helpline. This indicator focuses on the number of times that the Helpline is used together with the quality of the advice or information provided (quantity-quality report);
- Indicator 3: Utilisation of the website. This indicator focuses on the number of times that the website is used;
- Indicator 4: Satisfaction of the users. This indicator should focus on the number of users that have provided a positive feedback after having followed training, having been targeted by an awareness action or having been customers of the website or the Helpline.
- Indicator 5: Project Management. The project management indicators will take steps to ensure a correct hand-over of project assets to the EACI, with support from all consortium partners.

Research and consultation undertaken during the course of this study has led us to develop a set of indicators that can be applied during the next contractual period of the IPR Helpdesk. Here, we feel it is essential to make a clear distinction between the nature of the indicators and the purpose that they serve. We propose four types of indicator:

Output (activity) indicators: these relate to the activities, products and services that the Helpdesk provides, as specified in the contract; performance against these indicators is entirely within the control of the contractor and is therefore a matter of contractual compliance; any failure to meet the required level of performance would therefore lead to remedial action and/or termination of the contract. It should also be noted that the required level of quality will need to be specified for each output. Evidence of outputs would be immediately available to the contractor and could be reported to the Commission on a regular basis, e.g. quarterly as at present.

Performance Indicators

4

Utilisation indicators: these relate to the level of use of the various activities, products and services and participation in events; performance against these indicators is only partly within the control of the contractor. Low utilisation might reflect poor quality of provision and/or low awareness (resulting from weak publicity), which would be the responsibility of the contractor. Alternatively, low utilisation might reflect a lack of demand. In monitoring low utilisation, the Commission should therefore consider the underlying reason and take appropriate action – either address poor contractor performance or shift the focus of the service so that it better reflects the needs of target groups. Evidence of utilisation would be immediately available to the contractor and could be reported to the Commission on a regular basis, e.g. quarterly as at present.

User satisfaction indicators: as with utilisation, user satisfaction performance against these indicators is only partly within the control of the contractor, since it reflects both quality and relevance. Again, the Commission would need to explore underlying reasons for low levels of user satisfaction and request appropriate action, either improvements in delivery or a change to content or format. Evidence of user satisfaction would be best gathered by the contractor on a regular basis, usually as a routine part of implementing the service; for example, all participants in training events would be invited to complete feedback questionnaire upon completing a module and users submitting a query would receive a request for feedback after receiving a response.

Impact indicators: these relate to the impact on the organisations served by the Helpline in terms of better awareness of IPR issues and better exploitation and protection of IPR, as well as positive benefits for the organisations, e.g. in terms of capacity for protecting and exploiting IP, etc. As such, these indicators relate to the fulfilment of the overall objectives for the Helpdesk set by the Commission. Performance against impact indicators may be influenced by the performance of the contractor (i.e. through good output performance which leads to high utilisation and high user satisfaction) but is often outside the control of the contract; effective protection and exploitation of IPR depends on several other factors, not least the behaviour of users, as well as external factors such as wider regulatory and policy frameworks for IP. Evidence on external factors is unlikely to be gathered by the routine monitoring of the Helpdesk but will require additional research, such as through a survey, interviews and focus groups. Such evidence gathering can best be undertaken during the course of an independent evaluation, in order to ensure impartiality and, where necessary, confidentiality. Given the long-term nature of such impacts, evidence would be best gathered at intervals of around 2-4 years or so (depending on the length of the Helpdesk contract). However, there is information about the longer-term performance of Helpdesk clients that is becoming increasingly feasible to collect, especially as grant agreements are increasingly requiring similar information to be provided on the longer term effects of the support received. Furthermore, there is an opportunity for the Helpdesk to develop better client management systems that can improve the longer-term tracking of the performance of its clients and reinforce the relationship between the Helpdesk and those that come to it for assistance. This would require the Helpdesk to ask those approaching the Helpline, for instance, to agree to provide information on the effects of the assistance provided over a longer-term. This can be best achieved within a more intensive client-management process, whereby the Helpdesk develops a closer on-going relationship with its clients, in which such information would be disclosed. The purpose of such a development would primarily be to provide a better service for the clients, but one the additional benefits would be that better information could be generated on the longer term performance of Helpdesk clients.

With these points in mind, we propose in the table below a set of indicators that might be applied to the next contract for the Helpdesk. This builds on the current indicators, the evidence gathered during the

Performance Indicators

4

evaluation and the proposed indicators of the COSME programme.⁴¹ The precise choice of output, utilisation and user satisfaction indicators will, of course, depend on the activities implemented. Impact indicators will reflect the objectives of the EU policies prevailing at the time.

| Proposed Helpdesk indicators for the next contractual period | |
|---|---|
| Output (activity) indicators | <ul style="list-style-type: none"> • Number of awareness-raising events attended/organised • Number of training modules developed • Number of training sessions delivered • Number of webinars delivered • Thematic coverage of training modules developed and delivered • Geographical coverage/diversity of training sessions delivered • Number/regularity of newsletters • Number of other publications (e.g. guides, manuals) • Number of contacts with multipliers established and maintained (e.g. EEN) |
| Utilisation indicators | <ul style="list-style-type: none"> • Number of website hits • Breakdown of website hits by country • Number of registered Helpline users • Breakdown of registered Helpline users by country, type of organisation • Number and types of document downloaded • Number of queries submitted • Breakdown of queries submitted by country, type of organisation • Number of participants in training sessions and webinars • Breakdown of participants by country, type of organisation • Number of subscribers to newsletters • Number of followers on Twitter, Facebook, etc. |
| User satisfaction indicators | <ul style="list-style-type: none"> • Satisfaction with website (content, format, functionality) • Satisfaction with publications and downloads • Satisfaction with time taken to respond to queries • Satisfaction with response to query • Satisfaction with training (including content, format, location) |

⁴¹ COM(2011) 834 final: Proposal for a Regulation of the European Parliament and of the Council establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (2014 - 2020)

Performance Indicators

4

Impact indicators*Impact on protection and exploitation of IP*

- Number of clients' Consortium Agreements, Partnership Agreements and Non-disclosure Agreements
- Increase in copyrights, licences, patents and trademarks (amongst Helpdesk users)

Impact on organisations receiving support

- Organisations reporting improved capacity and propensity to manage IP
- Organisations reporting improved capacity and propensity to exploit IP

Specific impact on SMEs receiving support

- Feedback from SMEs on added-value, utility and relevance of the Helpdesk
- SMEs launching new products or services, as a result of better protection & exploitation of IP
- SMEs reporting growth in turnover and employees, as a result of better protection & exploitation of IP

Note that all of the Impact Indicators listed require the Helpdesk to obtain feedback from clients as part of the management of client relations over the longer term.

1. Annual Work Plan 2012 excel file
2. Annual Work Plan 2013 excel file
3. Copy of Awareness Events 2012 Report excel file
4. Copy of Training Events 2011-2012 Eurice Final excel file
5. Deliverable WP1a
6. Deliverable WP2
7. EU IPR Helpdesk Awareness Event Reports
8. EU IPR Helpdesk Events Calendar 2013
9. EU IPR Helpdesk Events Calendar 2013
10. EU IPR Helpdesk external evaluation requests for resources
11. EU IPR Helpdesk Overview Awareness Events Q2 2013
12. EU IPR Helpdesk Overview Awareness Events Q2 2013
13. EU IPR Helpdesk Overview Training Events Q2 2013
14. EU IPR Helpdesk Policy Input Report V1
15. EU IPR Helpdesk Training Reports Q2 2013
16. EU IPR Helpdesk Webinars Overview and Feedback Q2_2013
17. EU_IPR Helpdesk Overview Training Events Q2 2013
18. Invitation List v1
19. Management plan v.5
20. Minutes for the Contractual meeting on 10 April 2013
21. Minutes for the Contractual meeting on 12.04.2011
22. Minutes for the Contractual meeting on 17.01.2012
23. Minutes for the Contractual meeting on 20.11.2012
24. Minutes for the Contractual meeting on 21.10.2011
25. Minutes for the Contractual meeting on 22.01.2013
26. Minutes for the Contractual meeting on 22.07.2013
27. Minutes for the Contractual meeting on 24.07.2012
28. No annual Work Plan 2011
29. PowerPoint Presentation European IPR Helpdesk Stakeholder Meeting Brussels, 21 January 2013
30. PROGRESS MONITORING Three monthly progress report April 2012– June 2012 Period 6
31. PROGRESS MONITORING Three monthly progress report January 2012– March 2012 Period 5
32. PROGRESS MONITORING Three monthly progress report January -March 2011 Period 1

33. PROGRESS MONITORING Three monthly progress report July 2012– Sept 2012 Period 7
34. PROGRESS MONITORING THREE MONTHLY REPORT January 2013– March 2013 Period 9
35. PROGRESS MONITORING THREE MONTHLY REPORT July – October 2011 Period 3
36. PROGRESS MONITORING THREE MONTHLY REPORT April - June 2011 Period 2
37. PROGRESS MONITORING THREE MONTHLY REPORT Oct 2012–Dec 2012 Period 8
38. PROGRESS MONITORING Three monthly report October 2011– December 2011 Period 4
39. PROGRESS MONITORING Three Monthly Progress Report April 2013 – June 2013
40. Signposting Directory v.2
41. Status Report of the European IPR Helpdesk Jan 2012 - Mar 2012
42. Status Report of the European IPR Helpdesk January - March 2011
43. Status Report of the European IPR Helpdesk January - March 2013
44. Status Report of the European IPR Helpdesk May - June 2011
45. Status Report of the European IPR Helpdesk October 2012 -December 2012
46. Status Report the European IPR Helpdesk July 2012 - Sept 2012
47. Unique Visitors APR2011-JUN2013 excel file
48. Use of subpages excel file
49. WP1b Deliverables Info
50. WP1b Deliverables Info

