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Commission services comments and follow-up of the recommendations of the external evaluation of the European IPR Helpdesk

The Commission commissioned in December 2012 an evaluation of the European IPR Helpdesk to CSES and is grateful for the work done. The evaluation aimed to assess the objectives, effectiveness and the efficiency of the Helpdesk. At the time of the publication of the call for proposals nr. H2020-INNOSUP-2014-2¹, the preliminary results of the evaluation did not suggest altering the broad objectives of the call for proposals, thus the call could be published as planned. The conclusions and recommendations of the evaluation touch more upon efficiency issues and suggest a number of paths to improve the functioning of the European IPR Helpdesk.

The conclusions of the evaluation indicate that, for the most part, the European IPR Helpdesk has successfully implemented the tasks with which it was charged. There is a clear need for the service. Users are very satisfied with the service and especially training is of very good quality. However the Helpdesk should in particular improve - along with other concerned parties - its communication results, in order to make potential users more aware of the service. In its further development the Helpdesk should follow current policy to support researchers and in particular SMEs as regards IP to bring their R&D results to the market.

We would like to comment on the results achieved by the evaluation, in particular as regards priority actions for follow-up and aspects of the design of the European IPR Helpdesk that go beyond the results achieved by the evaluation. These should serve as a source of information to better implement upcoming and future European IPR Helpdesks, as well as a reference to increase the efficiency of other IP support initiatives, such as the China, Asean and Mercosur IPR SME Helpdesks. Potential beneficiaries may find it useful to address them in proposals to be submitted to the call H2020-INNOSUP-2014-2, but only the call text will directly influence the evaluation results.

The commission services confirm that the call is organised as a call for proposals.

¹ <http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/h2020/calls/h2020-innosup-2014-2.html>

Priorities

All conclusions and recommendations as set out in the evaluation would be useful to improve the quality and efficiency of the implementation of the European IPR Helpdesk. Commission services (DG Enterprise and Industry), would like to draw attention on some measures as we perceive them as more important or urgent than others:

1. The communication deficiencies as described by the evaluation are evident and have already been set out by a previous evaluation. A dedicated and well-designed marketing strategy and a communication plan are essential in order to ensure that the service is broadly known by (potential) users, in particular better known by potential client SMEs.
2. The evaluation recommends an extended focus on IP aspects of downstream activities, i.e. on activities that lead to the application of research results or reaching with them to the marketplace. This can provide further support to competitiveness and growth. Innovation and results of innovation in commercial products should thus be encouraged and facilitated. In addition the Helpdesk can play the role of a neutral intermediary between cooperating parties and facilitate trust, e.g. when checking as an objective intermediary IP sections in partnership agreements at the request of both parties.
3. In the same line an improvement of the relationship with multipliers is of high importance. Here a strengthening of the relationship with the Enterprise Europe Network (hereinafter "EEN"), notably through the Ambassador Scheme, is useful. In addition, however, an expansion of the cooperation with other multipliers, in particular EU and national innovation support, industry associations, chambers of commerce etc. that go beyond the IP community is useful. This development of relationships would best be based on the marketing strategy.
4. The Helpdesk needs to continue strengthening its services in support of SMEs doing transnational cooperation by expanding them beyond research support. Bearing in mind subsidiarity principles and to avoid duplication this is best achieved through the various intermediaries. The Enterprise Europe Network is a priority partner in this task, but other multipliers should be taken into account as well.
5. The Helpdesk constantly needs to strive for a geographical balance of its services and efforts. Some countries still need to be addressed. This also implies searching for new partners and spreading information about the Helpdesk. The high number of Spanish users illustrates the potential of the Helpdesk in other countries.
6. Contractual improvements concerning the form, the duration and reporting will be implemented through on-going and future calls.

Need analysis

We believe a deeper analysis of the needs of SMEs and researchers (and potential other targets such as intermediaries) would be useful to better tailor the intensity and proportions of planned activities, the future European IPR Helpdesk could perform a need analysis for the services it is to provide in the current economic context. This analysis can re-use and expand the analysis included in this evaluation and in documents from other IP support initiatives (IPEuropAware²). The analysis would be most useful, if completed within the first 6 months of operations of the Helpdesk and would help designing the further support services strategy.

² http://www.ipeuropaware.eu/public_documents/Gap%20Analysis%20-%20IP%20support%20services.PDF

Responses to, and action taken on, the main Recommendations arising from the Evaluation Report

Recommendation	Response/Action(s)
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.	Yes. This would be taken into account in the implementation of the call for proposals (n° H2020-INNOSUP-2014-2) for the service 2015-2018: http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/h2020/calls/h2020-innosup-2014-2.html
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	Yes. This would be taken into account in the implementation of the above mentioned call. See priority 2 above.
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.	Yes. See our priority2 above. In any case, the Helpdesk service should not substitute to the private consulting sector.
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 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.	Yes. See our priority 4 above.
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.	Yes (see priority 1). This requirement will be added to the terms of references of future calls and would be taken into account in the implementation of the call n° H2020-INNOSUP-2014-2.

<p>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.</p>	
<p>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.</p>	<p>Yes. As pointed above.</p>
<p>The Development of Closer Relationships with Multipliers</p>	
<p>In view of the strategic opportunity presented for both sides, the Helpdesk, assisted by the Commission services and the EACI³, needs to make a sustained effort to develop its relationship with the Enterprise Europe Network, as the prime target for reinforcing its relationship with multipliers.</p> <p>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.</p>	<p>Yes. This effort has been started, in particular through the Ambassador Scheme which may be usefully extended. See priority 3.</p>
<p>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.</p>	<p>This suggestion will be shared with the relevant services. In the current call for proposal of EEN, each consortium is requested to appoint an IPR contact person.</p>
<p>An effective relationship of the kind proposed between the Helpdesk and the Enterprise Europe Network will need close co-ordination within the Commission and</p>	<p>Yes. Formal documents setting out the co-ordination and relationship with EASME are being prepared. Within EASME, the IPR Helpdesk and the EEN are at present</p>

³ As of 1 January 2014 EACI is called EASME – Executive Agency for Small and Medium-sized Enterprises. The evaluation was drafted in 2013, therefore it still refers to “EACI”. Replies from the Commission refer however to “EASME”.

the EACI, between the staff responsible for the Network and those responsible for the Helpdesk. Close institutional arrangements would facilitate this co-ordination.	managed by the same unit.
Relationships with other IP service providers at European and national levels should be developed more systematically as part of the marketing strategy.	Yes. Part of priority 1
Support from the Commission Services	
<p>The Commission should develop actions in support of the Helpdesk, such as the following:</p> <ul style="list-style-type: none"> • 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. 	We take note of this recommendation. The Commission will continue to raise the visibility of the Helpdesk. EASME will integrate systematically reference of the Helpdesk in the applicant's guides of the programmes managed by the Agency.
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.	We take note and we will share this recommendation with relevant services. Several trainings of REA and DG RTD already took place in the last years.
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	Yes. This also would need to be part of the activities of the consortium that would implement the on-going call for proposals.

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.	We will bring this feedback to the decision taken by DG COMM.
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.	Yes. This recommendation will be provided to the current contractor. Future implementation of the Helpdesk should provide for a detailed Work Plan for training activities.
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 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.	Under the current call for proposals (n° H2020-INNOSUP-2014-2) more flexibility is provided and the length of the grant contract has been extended to four years. The possibility of grant contracts with an extension will be taken into account when drafting terms for future calls, depending on procurement rules and coordination inside the Commission and with EASME. The contract form has been modified to a grant, which provides more flexibility than a tender. In the preparation of future calls the Commission will consider this recommendation, taking into account public procurement rules and internal consultation results.
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.	Yes. This recommendation needs to be taken into account in the current call for proposals and will be taken into account in future ones.