



CALL FOR PROPOSALS N° GR/001/17

Support for awareness raising activities about the value of Intellectual Property and the damages caused by counterfeiting and piracy

GUIDELINES FOR APPLICANTS

TABLE OF CONTENTS

CHAPTER I – GENERAL OVERVIEW OF THE CALL FOR PROPOSALS

1. INTRODUCTION
2. BACKGROUND
3. OBJECTIVES AND PRIORITIES
4. TARGETED PROJECTS BY LOT
5. TIMETABLE
6. AVAILABLE BUDGET

CHAPTER II - SUBMISSION AND SELECTION PROCEDURES

7. PROCEDURE FOR THE SUBMISSION OF PROPOSALS
8. PROCEDURE FOR THE SELECTION OF PROPOSALS
 - 8.1. ADMISSIBILITY REQUIREMENTS
 - 8.2. ELIGIBILITY CRITERIA
 - 8.3. EXCLUSION CRITERIA
 - 8.4. SELECTION CRITERIA
 - 8.5. AWARD CRITERIA
 - 8.6. SELECTION PROCEDURE
9. AWARD OF GRANT

CHAPTER III - FINANCIAL AND CONTRACTUAL CONDITIONS

10. FUNDING RULES AND ELIGIBILITY OF COSTS
11. SUB-CONTRACTING AND AWARD OF PROCUREMENT CONTRACT
12. PUBLICITY, COMMUNICATION AND DISSEMINATION
13. FINANCIAL AND CONTRACTUAL CONDITIONS
14. DATA PROTECTION
15. CONTACT

CHAPTER I – GENERAL OVERVIEW OF THE CALL FOR PROPOSALS

1. INTRODUCTION

The European Union Intellectual Property Office (EUIPO) was created as a decentralised agency of the European Union to help protect IP rights across the EU. It has been based in Alicante, in Spain, since 1994, where it manages registration of the European Union trade mark and the registered Community design. These industrial property rights are valid throughout the European Union. The European Observatory on Infringements of Intellectual Property Rights brings public and private stakeholders together in the fight against piracy and counterfeiting.

2. BACKGROUND

The European Observatory on Infringements of Intellectual Property Rights was established in 2009 by the European Commission as a centre of excellence on information and data relating to the value of intellectual property rights (IPR) and the negative consequences of IPR infringements.

The Observatory was entrusted to EUIPO in June 2012 by Regulation (EU) No 386/2012.

The Regulation transferring the Observatory to EUIPO covers responsibility for a wide range of tasks relating to research, awareness, spreading of best practices, and enforcement of all types of intellectual property rights.

The tasks listed in the Regulation include:

- Improving the understanding of the scope and impact of infringements of intellectual property rights, including industrial property rights, copyright, and rights related to copyright;
- Improving the understanding of the value of intellectual property;
- Enhancing the knowledge of best public and private sector practices to protect intellectual property rights;
- Raising citizens' awareness of the impact of infringements of intellectual property rights;
- Enhancing the expertise of persons involved in the enforcement of intellectual property rights;
- Enhancing the knowledge of technical tools to prevent and combat counterfeiting and piracy, including tracking and tracing systems;

- Improving the online exchange between Member States' authorities and fostering cooperation with and between the central industrial property offices of the Member States, including the Benelux Office for Intellectual Property;

Since the publication of Regulation 386/2012, entrusting the Office with the EU Observatory, the Office has received a number of enquiries regarding potential funding for existing or developing national awareness raising initiatives, which are being put at risk as a result of shortages of national funds.

Moreover, according to article 1 of Regulation 386/2012, the Office should support the activities of national authorities, the private sector and the European Union institutions in the fight against infringements of the intellectual property rights covered by Directive 2004/48/EC.

A first call for proposals was published in 2015, awarding 11 projects to "Support for awareness raising activities about the value of IP and the damages of counterfeiting and piracy", as part of the Office's contribution to familiarise EU citizens with intellectual property and its value, as well as to inform them about the dangers of counterfeiting and piracy, as stated in [the Grants 2015 Compendium](#).

Relevant studies have been published by the Office since then, such as [IP and Education](#), [SME Scoreboard](#) and [IPR Intensive Industries](#), as well as other [sectorial studies on IP](#). These are meant to be the background information for the development of further awareness raising campaigns, in line with the positioning promoted by the Office through the Observatory. The [IP Perception Study 2017](#) and the [Intellectual Property & Youth Scoreboard Study 2016](#) show evidence of how IP rights are perceived by EU citizens at a time when encouraging innovation and creativity is increasingly the focus of economic policy.

3. OBJECTIVES AND PRIORITIES

The call for proposals will aim to raise awareness about the benefits of intellectual property as well as the damages caused by infringements of IP rights

It aims to increase knowledge and to engage priority audiences to develop respect for IP, with a view to ultimately change people's behaviour by reducing their purchase of counterfeits and their access of digital content from illegal sources.

The specific objectives of the call are to:

1-Increase knowledge of the value of IP as a tool to protect creativity and innovation by providing concrete and objective knowledge about IP in this context and increasing knowledge on the damages of IP infringements.

2-Engage priority audiences on these issues taking into account relevant leverage possibilities and especially how audiences expect to be addressed on these

questions (non-patronizing, objective and neutral) with the view to changing behaviour, reducing appeal for counterfeiting and piracy.

Through this call, the Office expects to:

- Reach the identified targets;
- Create an engagement of relevant influencers such as bloggers, artists, or multipliers such as media, public authorities or youth associations, able to reach the target audiences through a clearly defined process;
- Ensure the sustainability and scalability of the results of the project.

To achieve the expected results, the Office has developed some specific narratives (Annex 1), that need to be followed by the grant's beneficiaries. The Office targets three defined audiences:

. **Children at schools:** Knowledge of basic principles, built around respect for one's own and others' expression of ideas and creations, linked with awareness of their value and existing tools. Allowing the young citizens to reap financial, societal and cultural benefits of such intellectual potential should be deeply rooted in the education of 21st century young Europeans. This is why EUIPO is targeting children at schools and focusing on educational activities to provide from an early age a deeper understanding and awareness on intellectual property.

. **Young citizens (15-30 years)** through key influencers and multipliers, as a way to leverage the reach to the targets. The results of the [IP Perception Study 2017](#) and the [Intellectual Property & Youth Scoreboard Study 2016](#) show key data and conclusions in regards to tolerance for buying counterfeits and accessing legal and illegal digital content among the youngest generation. Providing information and building trust among youngsters through their daily influencers can help gain a better understanding on the importance of creativity, innovation and entrepreneurship and the respect of it.

. **Policy/decision makers and opinion leaders** through conferences and fora. Support of policy and opinion representatives is key to build on policies to support the fight against counterfeiting and piracy.

4. TARGETED PROJECTS BY LOT

Applicants will be required to explain precisely how they intend to measure the results of their action. Only actions under the three lots below will be considered, taking into account the specific types of actions defined below. An entity may apply in the different lots and consequently by default be awarded a grant in the different lots.

Lot 1: Reaching children through educational activities for schools

The objective is to support educational actions for children from 5 to 18 years approximately attending primary and secondary education level. The actions should

involve teachers and/or academic experts in the development of materials and educational activities. The endorsement of the Ministry of Education will be considered an added value, as well as the proved experience on the development of educational programmes or materials for schools.

The beneficiary will need to include a quantitative and qualitative estimation of the results' expectations. The application will need to ensure the effectiveness of the planned objectives. The real figure will be provided at the end. The results of the project under this lot should be measured by:

- o The number of students directly and indirectly reached
- o Number of teachers
- o Number of schools
- o Qualitative assessment on the level of engagement of the students (the beneficiary will need to provide at the end of the action a concrete percentage on the evolution linked to the change of perception and improved understanding of IP of the target audience - measurement therefore should be done at the start and end of the action with questionnaires or other effective ways which have to be suggested by the applicant

Lot 2: Reaching to young citizens

On the basis of the [IP Perception Study 2017](#) and the [Intellectual Property & Youth Scoreboard Study 2016](#), the Office is targeting youngsters (approximately from 13 to 30 years) as a key audience to be addressed in regards to IP. Awareness activities should be in line with the Office's narratives (annex 1) and involve relevant leverage partners for dissemination and reach to the audiences (**influencers** such as bloggers or artists and **multipliers** such as relevant media, public authorities, youth and/or citizen organisations, etc.). Campaigns with implementation in two or more Member States will be favoured. The applicant's proven track of successful implementation of awareness projects targeting youngsters and citizens will be an advantage. Creativity and originality will be positively valued.

The beneficiary will need to include a quantitative and qualitative estimation of the results' expectations. The application will need to ensure the effectiveness of the planned objectives. The real figure will be provided at the end. The results of the project under this lot should be measured by:

- o The number of young people directly and indirectly reached
- o Number of influencers (those groups and actors showing effective and trustable ways to reach the audience, because of their inspirational role, easy access or recognition among the young generation such as bloggers, artists, etc.) and number of multipliers (those organisations and groups that have a specific close relation with youngsters such as universities, youth associations, etc.) engaged;

- o Level of engagement of the youngsters (should be measured through indicators linked to the type of influencer or multiplier, number of likes/followers gained/sentiment of the comments, number of students from university/learning institution engaged, number of youngsters engaged in youth association activities linked to IP). In addition, the beneficiary will need to be prepared to provide at the end of the action concrete comparative percentages on the evolution linked to the change of perception and improved understanding of IP of the target audience.

Lot 3: Reaching policy makers and opinion leaders through conferences and fora

This lot is reserved for events targeting policy makers, opinion leaders and politicians in the EU. The event(s) should include the participation of private and public sector and/or civil society and should be complementary to Observatory activities, not intending to overlap Observatory existing or planned events as mentioned in the [Observatory work programmes](#). The substance and content of the event(s) should be aligned with [the objectives of the Observatory](#) and with [the European Commission's general objective on IP protection and enforcement](#). Events including implementation in more than one MS will be privileged. The aim is to ensure a wide geographical coverage. Events should include media involvement and coverage.

Participants should not be exclusively from the Member State where the action is taking place. At least one third of participants and speakers should be from a different Member State where the action is taking place.

EUIPO/Observatory should have a prominent slot or presence in the agenda to present/discuss its research, data and activities, integrating IP and IP infringement topics and attracting significant media exposure.

The beneficiary will need to include a quantitative and qualitative estimation of the results' expectations. The application will need to ensure the effectiveness of the planned objectives. The real figure will be provided in the final report. The results of the project under this lot should be measured by:

- o The number of people directly (in the event) and indirectly reached (media, social media, other dissemination tools);
- o Number of policy makers and opinion leaders engaged;
- o Level of engagement of the policy makers, opinion leaders, politicians measured by intention for action, initiatives, announcement and follow-up IP related steps and actions to be taken. The list of participants should be shared with the Office before the event. Interviews with key policy makers, opinion leaders and politicians may be requested before, during and after the event for EUIPO use.

5. TIMETABLE

The deadline for submission is **25/09/2017 before 13:00 (Alicante time)**

Any application sent after the deadline will automatically be rejected.

Applicants should be notified of the outcome of the selection procedure at the latest six months after the application deadline. Therefore, the intention is to follow the below timetable:

	DATE
Deadline for requesting any clarifications from the Office	15/09/2017
Last date on which clarifications are issued by the Office	19/09/2017
Deadline for submission of applications	25/09/2017
Evaluation committee meetings	October/November 2017
Applicants receive written notification of the results ¹ .	December 2017
Signature of grant agreements²	January 2018

Provisional dates: This indicative timetable may be updated by the Office during the procedure.

6. AVAILABLE BUDGET

The total budget available for the co-financing of actions under this call for proposals is estimated at **EUR 1.000.000**. This amount is subject to the availability of the funds after the adoption of the budget for 2018 by the budgetary authority of the Office.

The amount of the financial contribution to be awarded will be determined within the limits of the available budgetary resources and with regards to the cost and nature of each proposed action.

¹ Article 128(1a) of the Financial Regulation), the applicants should be informed of the outcome of the evaluation of their application within 6 months from the final date for the submission of the proposals.

² Within three months from the date of information to successful applicants

The financial contribution of the Office cannot exceed **80%** of the total eligible costs of the action.

The Office reserves the right not to distribute all available funds.

The indicative split between the three lots will be the following:

- Lot 1 – Reaching children through educational activities for schools: an indicative amount of **EUR 400.000**.
- Lot 2 – Reaching to younger generation and citizen: an indicative amount of **EUR 400.000**.
- Lot 3 – Reaching policy makers and opinion leaders through conferences and fora: an indicative amount of **EUR 200.000**.

CHAPTER II - SUBMISSION AND SELECTION PROCEDURES

7. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

7.1 Publication

This Call for Proposals is published in the Official Journal of the European Union and on the internet site of the Office at the following address:

<https://euiipo.europa.eu/ohimportal/en/grants>

7.2 Online application form (e-Form)

An online application system has been set up. The application must be drawn up in one of the official EU languages, using the online form (e-Form) specifically designed for this purpose. To facilitate the assessment of the application, applicants are advised to submit documents (description of the project, budget form, third party form, etc.) relevant to the assessment of the project in English.

The e-Form can be obtained from the webpage of the Call for proposals above indicated. Specific guidelines are available in order to help the applicants.

Applicants are very strongly encouraged not to wait until the final day to submit their application.

Please note that no other method of submission of an application will be accepted. Applications submitted in any other way will be automatically rejected. No exceptions will be made.

7.3 Submission of the grant application

Proposals must be submitted by the deadline mentioned in the call for proposals and in Section "5. Timetable" of the present document before 13:00 (Alicante time), using the online application form.

Applicants shall ensure that all the documents requested and mentioned in the e-Form are provided electronically.

Make sure that you have officially submitted your electronic application form and that you have received an e-mail acknowledging receipt of your submission. A project response ID will be indicated in the PDF version of your application that must be saved as proof of submission.

No changes can be made after the deadline for the submission of applications. However, if there is a need to clarify certain aspects, the Office may contact the applicant for this purpose.

8. PROCEDURE FOR THE SELECTION OF PROPOSALS

The awarding of grants from the Office is subject to the principles of transparency, equal treatment and non-discrimination. The Office will appoint an evaluation committee to oversee the management of the whole selection process.

Throughout the selection procedure applications will be assessed against the following criteria: eligibility, exclusion, selection and award criteria.

The assessment is made solely on the basis of the documents sent by the relevant deadline. Nevertheless, the Office reserves the right to request additional information from the applicant.

In the following sections criteria applying to all lots will be presented:

8.1 Admissibility requirement

Applications must comply with the following requirements:

- they must be sent no later than the deadline for submitting applications referred to in section 5 of the present document;
- they must be submitted using the online application form (see section 10 of the present document);
- they must be drafted in one of the EU official languages. However, applicants are encouraged to submit their applications in English to facilitate their assessment. Failure to comply with those requirements will lead to the rejection of the application without being further evaluated.

8.2 Eligibility criteria

Applications must fully comply with the eligibility criteria common to all lots. Only applications complying with these criteria will be the subject of an in-depth evaluation.

The eligibility criteria are divided into the following main categories:

8.2.1 Eligible applicants

In order to be eligible for a grant, the applicant must:

- be a legal entity, public or private. Such organisation can be, in particular::
 - non-profit organisation, association or NGOs;
 - public body at local, regional or national level;

- university or foundation private company or TV channel
- be registered in one of the 28 Member States³ and provide evidence from their country of registration certifying that the applicant is correctly established and registered for more than 2 years.

Public entities that receive funds or support from EUIPO by means of other financing measures such as cooperation programmes, which aim to pursue the same objectives as this call are not eligible (e.g national and regional IP offices or international organisations).

Natural persons may not apply for a grant.

Applicant shall fill in a Third party file using the appropriate template available in the application package.

8.2.2 Associated partners (optional)

To incentivise or facilitate presentation of candidatures, applicants may set partnerships with partner organisations, the so-called 'associated partners'.

For simplification purposes, applicants and associated partners apply as one single entity where the applicant will act as lead organisation and, if selected, as the contracting party (i.e. the "Beneficiary").

Associated partners contribute to the designing and implementation of the project(s), and the costs they incur are eligible in the same way as those incurred by the Beneficiary.

Therefore, the applicant and the associated partners are free to put in place those internal financial and administrative arrangements that they deem fit. However, associated partners must be identified in the application and comply with eligibility, selection and non-exclusion criteria applying to applicants.

The Beneficiary will sign the grant agreement and will be liable vis-à-vis the Office for obligations arising from it and it will be responsible for re-distributing the funds of the Grant received among the associated partners, if applicable.

Each associated partner must sign a letter of intent. There is no limitation in the number of associated partners that an applicant can be associated with.

Associated partners do not have the obligation to contribute financially to the project.

³ Article 128(1a) For applicants from the United Kingdom: Please be aware that eligibility criteria must be complied with for the entire duration of the grant. If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article II.17 of the grant agreement.

Subcontractors are not partners and do not have to sign the letter of intent. Subcontractors are subject to procurement rules set out in section 11 of these guidelines.

8.2.3 Eligible activities

Types of eligible activities which may be financed under this call cover awareness raising activities, as for example (non-exhaustive):

- For lots 1 and 2:

- media and social media activities,
- production and dissemination of audio-visual materials, publications or e-communications
- organisation of events, fairs, exhibitions or training activities
- infotainment (debates, youth programmes, quizzes, video-games or music programmes
- web-based tools, activities, solutions.

- For lot 3:

- International conferences in the EU context
- Fora
- Debates

All projects must be elaborated in line with the narratives (Annex 1) to the call and so as to achieve at least one of the Call's expected results and develop both specific objectives set out above.

Eligible activities must be linked to awareness raising activities, should contain 3 pre-defined mandatory key performance indicators (KPI), that need to be clearly mentioned and established from the planning stage of the project. These are:

- 1- Number of people directly and indirectly reached by targets
- 2- Number of influencers
- 3- Assessment of the level of engagement of the target audience

See above in section 4 the specific assessment for each of the lots.

In the case of a set of varied actions aimed at a specific group, the project must be presented in the form of a coherent action plan and calendar.

Grants will only be offered to project proposals which follow the specific narratives developed by EUIPO and will be evaluated on the effectiveness of exploiting these narratives. The projects will need to be clear, articulate and well-defined and fully developed having taken all time-schedule and budget considerations, which are ready to commence, and which aim at achieving the above-mentioned objectives.

Particular attention will be given to the ability to reach and impact the targets taking into consideration the young European's current behaviour linked to IP, based on the results of the [IP Perception Study 2017](#) and the [Intellectual Property & Youth Scoreboard Study 2016](#).

8.2.4 Duration

The initial planned duration of a project may not exceed 12 months from the date of signature of the agreement. However, if after the signing of the agreement and the start of the project it becomes impossible for the beneficiary, for fully justified reasons beyond its control, to complete the project within the scheduled period, an extension to the eligibility period may be granted. A maximum extension of 6 additional months will be granted, if requested before the deadline specified in the agreement.

No grant may be awarded retrospectively for projects that have already started or have been completed.

8.2.5 Location

Actions must take place in one or more Member States of the EU (this includes the online environment).

8.2.6 Ineligible actions

- projects concerned only or mainly with individual sponsorships for participation or speaking activities in workshops, seminars, conferences and congresses or any other events;
- projects concerned only or mainly with individual scholarships for studies or training course.

8.3 Exclusion criteria

Applicants must sign a declaration on their honour certifying that they are not in one of the situations referred to in the below two sections, filling in the relevant Declaration on Honour form attached to the application package.

8.3.1 Exclusion from participation

Applicants will be excluded from participating in the call for proposals procedure if they are in any of the following situations:

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they or persons having powers or representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member States which has the force of res judicata;

(c) they have been guilty of grave professional misconduct proven by any means which the responsible authorising officer can justify including by decisions of the EIB and international organisations;

(d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the responsible authorising officer or those of the country where the grant agreement is to be performed;

(e) they or persons having powers or representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union' financial interests;

(f) they are currently subject to an administrative penalty referred to in Article 109(1) of the Financial Regulation.

8.3.2 Exclusion from award

Applicants will not be granted financial assistance if, in the course of the grant award procedure, they:

(a) are subject to a conflict of interests;

(b) are guilty of misrepresentation in supplying the information required by the Office as a condition of participation in the grant award procedure, or fail to supply this information;

(c) find themselves in one of the situations of exclusion referred to in the above section 8.3.1.

Administrative and financial penalties may be imposed on applicants who are guilty of misrepresentation or are found to have seriously failed to meet their contractual obligations under a previous grant award procedure.

8.4 Selection criteria

Applicants must submit a declaration on their honour, completed and signed, attesting:

- **Financial capacity:** they have stable and sufficient sources of funding to maintain their activity throughout the period for which the grant by lot is awarded and to participate in its funding;
- **Operational capacity:** they have the professional competencies and appropriate qualifications necessary to complete the proposed project;

In addition to the declaration on their honour, applicants must submit the following information:

- The Europass CVs of the key persons responsible for carrying out the project, showing the relevant professional experience related to the topic of the call (maximum 3 CVs);
<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae>
- A list of previous relevant activities performed by the Applicant organisation in the last 5 years in the same field and including awareness raising activities of a similar nature which can be demonstrated by organisation activity reports, case studies, books, etc.

8.5 Award criteria

The award criteria allows the quality of the applications submitted to be evaluated in relation to the set objectives and priorities, and grants to be awarded to actions which maximise the overall effectiveness of the call for proposals.

They cover such aspects as the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.

The following award criteria are applying to all lots:

Criteria	Minimum threshold	Maximum score
1- Relevance and general interest of the project	25	35

Project should be consistent with the narratives provided by EUIPO included in annex 1 and with the objectives of the call and should clearly identify targets in one (or several) of the 3 lots and cover their criteria.		
2- Reach and impact	25	35
<p>Projects should include a quantitative and qualitative measurement of the results. The results of the project under this lot should be measured by the 3 mandatory key performance indicators (KPIs) defined for the action in the call in line with each lot.</p> <p>Quantitative measurement should include the number of directly and indirectly reached target in line with each lot and should pay special attention to the involvement of relevant influencers, multipliers and other actors able to leverage the initiative.</p> <p>Qualitative measurement should pay special attention to the effectiveness of the action and should be precise enough to be able to get a comparative number before and after the action.</p> <p>Projects should explain precisely how to reach their targets, including the strategy and dissemination.</p>		
3- Methodology and sustainability	14	20
Projects should ensure that the tools and methods proposed are relevant to reach their objectives and expected results and that results can last in time. Projects should have an innovative approach, creative and original methods, tools and techniques.		
4- Cost-effectiveness (Feasibility and efficiency	6	10
Projects should ensure there is a consistency between the activities planned and the budget foreseen for their application. The project implementation demonstrates overall an efficient and effective use of resources to implement the project and appropriate value for money.		
Total	70	100

To be considered for funding, proposals by lot must score:

- At least **70 points** overall

&

- At least the **minimum points in each of the sub-criterion** mentioned above.

8.6 Selection procedure

The eligible proposals which comply with exclusion and selection criteria will be ranked in each lot according to the award criteria defined. Within the limit of the available budget, applications obtaining the highest scores in each lot will be selected.

9. AWARD OF GRANT

9.1 Award decision

Only after completion of the selection procedure, an award decision will be adopted by the Office.

Applicants will be informed of the results of the selection within two weeks of the date of adoption of the award decision.

Unsuccessful applicants will receive a letter stating the reasons why their application was not selected.

9.2 Award of grant agreement

Up to the limits of funds available, selected applicants will receive a Grant Agreement quoting the amount of the grant awarded by the Office and setting out the conditions under which the grant is awarded.

9.3 Publication

By submitting a proposal the applicant accepts that in case of award certain data like its name, locality and amount (amongst others) will be published.

Once the applicants are informed the list of selected proposals will be published on the website of the Office: <https://euipo.europa.eu/ohimportal/en/grants>

CHAPTER III - FINANCIAL AND CONTRACTUAL CONDITIONS

10. FINANCING RULES AND ELIGIBILITY OF COSTS

10.1 General Principles

A grant is an incentive to carry out activities that would not be possible without the support of the Office. It is based on the following principles:

a) Non-cumulative award

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

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

b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

c) Co-financing

Co-financing means that the resources which are necessary to carry out the action may not be entirely provided by the EUIPO grant.

Co-financing of the action may take the form of:

- the beneficiary's own resources;
- financial contributions from associated partners;
- financial contributions from third parties.

Contributions in kind will not be considered.

d) Balanced budget

The estimated budget by project is to be attached to the e-Form. It must have revenue and expenditure in balance.

The budget must be drawn up in euros. Applicants which foresee that costs will not be incurred in euros shall use the exchange rate published in the Official Journal of the European Union.

e) Conversion of costs

Any conversion into euro of costs incurred in other currencies shall be made by the applicant at the monthly accounting rate established by the Commission and published on its website (http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm) applicable on the month when the call for proposals is published.

10.2 Funding method

The system of financing applied under this call for proposals for all the lots is based on the application of

- reimbursement of eligible costs actually incurred
- flat rates financing

a. Maximum grant amount

The EUIPO grant is limited to a maximum co-financing rate of 80% of eligible costs. The size of the grants requested under this Call for Proposals must fall between the following minimum and maximum amounts, in line with the 3 different lots available:

For lot 1 - Reaching children through educational activities in schools

- Minimum amount: 20,000€
- Maximum amount: 60,000€

For lot 2- Reaching the younger generation through influencers and multipliers

- Minimum amount: 20,000€
- Maximum amount: 60,000€

Lot 3: Reaching decision/policy makers and opinion leaders through conferences and fora

- Minimum amount: 15,000€
- Maximum amount: 40,000€

b. Calculation of the grant amount

The grant amount is calculated on the basis of a detailed estimated budget indicating clearly the costs that are eligible for funding (budget form in annex).

The grant is limited to the maximum co-financing rate and amounts indicated in the previous section a).

Part of the total estimated eligible expenses must be financed from sources other than the EUIPO grant.

The budget must be complete and in balance, i.e. total estimated expenditure must equal total revenue.

Acceptance of an application by the Office does not constitute an undertaking to award a grant equal to the amount requested by the beneficiary. Furthermore, under no circumstances may the amount awarded exceed the amount requested.

The award of a grant does not establish an entitlement for subsequent years.

c. Eligible costs

Eligible costs are costs actually incurred by the beneficiary of a grant which meet all of the following criteria:

- they are incurred during the lifetime of the project, with the exception of costs relating to final reports and audit certificates;

The period of eligibility of costs will start as specified in the grant agreement.

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

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

Value added tax (VAT) is not eligible, unless the beneficiary can prove that he is unable to recover it according to national legislation.

d. Eligible direct costs

The eligible direct costs for the action are those costs which, with due regard for the conditions of eligibility set out above, are identifiable as specific costs directly

linked to the performance of the project and which can therefore be booked to it directly.

In particular, the following categories of direct costs are eligible provided that they satisfy the criteria set out previously:

A) Technical costs related to the development of activities such as:

- Copyright and other intellectual property rights;
- Production of publications either print or electronic and production of audio-visual material and items;
- Production of communication materials such as gadgets, rolls-ups, panels, posters, signage items;
- Purchase or rental of equipment as well as their transport, storage, installation and dismantling;
- Translation and/or interpretation only in the official EU languages;

If personnel from the Beneficiary are involved under these activities, its cost must only be presented under category D (Staff costs).

B) Communication, promotion and dissemination costs such as:

- Costs entailed for the distribution, advertising and promotion of activities, including media buying, media relations support, organisation of events;

If personnel from the Beneficiary are involved under these activities, its cost must only be presented under category D (Staff costs).

C) Costs related to travel and subsistence

- Costs of travel and subsistence allowances for staff or external provider taking part in the project are considered eligible, provided that they are in line with the beneficiary's usual practices on travel costs. In any case, these costs cannot exceed the maximum rates provided by the Office (there are available in the last sheet of the budget form);

Subsistence rates cover accommodation, meals and all local travel costs.

The travel cost for a journey should include all costs and all means for travel from the point of origin to the point of destination (and vice

versa) and may include visa fees, travel insurance and cancellation costs. It is required to use the cheapest means of travel.

D) Staff costs

Costs of staff from the Beneficiary or associated partners assigned to the action, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this does not exceed the average rates corresponding to the beneficiary's usual policy on remuneration.

The conditions under which the beneficiary may award subcontracting contracts are defined in section 11.

e. Eligible indirect costs

A flat-rate amount not exceeding 7% of the eligible direct costs of the project is eligible under indirect costs, representing the beneficiary's general administrative costs: Premises and related expenses (e.g. office rent, insurance, electricity, water, cleaning, etc) and offices expenses and consumables (e.g. telephone/fax/Internet connections, postage, photocopies, etc).

Indirect costs may not include costs entered under another budget heading. Indirect costs are not eligible where the beneficiary already receives an operating grant from the budget of the European Union.

The costs do not need to be supported by accounting documents.

f. Ineligible costs

The following costs shall not be considered eligible:

- return on capital;
- debt and debt service charges;
- provisions for losses or debts;
- interest owed;
- doubtful debts;
- exchange losses;
- VAT, when it is considered as recoverable under the applicable national VAT legislation (see above 10.2);
- costs declared by the beneficiary and covered by another project or work programme receiving an EU grant (see also above paragraph on eligible indirect costs);
- excessive or reckless expenditure;

- in the case of leasing of equipment, the cost of any buy-out option at the end of the lease or rental period;
- costs of opening and operating bank accounts (including costs of transfers from/to the Office charged by the bank of the beneficiary).
- purchases of land or buildings;
- contributions in kind (e.g. land, immovable property whether in its entirety or in part, durable capital goods, raw materials and unpaid voluntary work) under any circumstances.

11. SUBCONTRACTING AND AWARD OF PROCUREMENT CONTRACT

Sub-contracting, i.e. the externalisation of specific tasks or activities which form part of the project as described in the proposal and which cannot be performed by the beneficiary itself must satisfy the conditions applicable to any implementation contract and in addition to them the following conditions:

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

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

Entities acting in their capacity of contracting authorities in the meaning of Directive 2014/24/EU or contracting entities in the meaning of Directive 2014/25/EU shall abide by the applicable national public procurement rules.

12. PUBLICITY, COMMUNICATION AND DISSEMINATION

12.1 Publicity by the Office

All grants awarded in the course of a financial year must be published on the Internet site of the Office during the first half of the year following the closure of the budget year in respect of which they were awarded.

The beneficiary authorises the Office to publish the following information in any form and medium, including via the Internet:

- the beneficiary's name and the address,
- the subject and purpose of the grant,

– the amount awarded and rate of funding

Upon a reasoned and duly substantiated request by the beneficiary at the application stage, the Office may agree to forgo such publicity, if disclosure of the information indicated above would threaten the safety of the beneficiaries or harm their business interests.

12.2 Publicity by the beneficiaries

Beneficiaries will need to clearly acknowledge the EUIPO/Observatory's support in all communications or publications, in whatever form or whatever medium or on the occasion of activities for which the grant is used ie "supported by EUIPO through the Observatory".

Furthermore, beneficiaries are required to give prominence to EUIPO visibility (logo) developed by Observatory for awareness activities in all their publications, posters, programmes and other products realised under the co-financed project.

The name and logo of the programme must appear on all publications, posters, programmes and other products created in relation to the co-financed action.

The text, the logo and the instructions can be downloaded from the webpage of the call for proposals: <https://euipo.europa.eu/ohimportal/en/grants>

If this requirement is not fully complied with, the beneficiary's grant may be reduced.

12.3 Communication and dissemination

To maximise impact, projects should have a clear and strong strategy for communication and dissemination of their activities and results, and applicants must provide enough time and resources to communicate and interact appropriately with peers, audiences and local communities as appropriate.

The Office may identify good practices and prepare relevant dissemination materials to be shared within and across all participating countries and beyond.

Results of the action may be reproduced, communicated and/or distributed to the public in line with the conditions as specified in the grant agreement.

Beneficiaries may be invited to attend and to participate in events organised by the Office to share their experience with other participants and/or policy makers.

13. FINANCIAL AND CONTRACTUAL CONDITIONS

13.1 Grant Agreement

In the event of definitive approval by the Office, a grant agreement, drawn up in euro and detailing the conditions and level of funding will be sent to the beneficiary.

The 2 copies of the original Grant Agreement must be signed by the beneficiary and returned to the Office immediately. The Office will sign it last.

13.2 Pre-financing payment

A pre-financing payment of 70% will be transferred to the beneficiary within 30 days of the date when the last of the two parties signs the agreement. Pre-financing is intended to provide the beneficiary with a float.

The account or sub-account indicated by the Beneficiary must make it possible to identify the funds transferred by the Office.

13.3 Payment or recovery of the Balance

The amount of the final payment to be made to the beneficiary will be established on the basis of a final report to be submitted by the deadline indicated in the grant agreement. The calculation of the final grant amount by the Office is based on a detailed final financial statement of the beneficiary, accompanied by supporting documentation for the incurred expenditure.

If a) the events generating the grant are not implemented or are implemented in a different way than planned; or b) the eligible costs actually incurred by the beneficiary are lower than those planned at application stage, or c) the quality of the realised activities/outputs is of insufficient quality, the funding may be reduced proportionally or, where applicable, the beneficiary will be required to repay any excess amounts already received as pre-financing payment.

As a general rule, the final payment or request for recovery of the balance will be issued within 60 calendar days of the receipt of the final report.

13.4 Checks and audits

The Office and/or the European Court of Auditors, or a body mandated by them, may check the use made of the grant any time up to five years starting from the date of payment of the balance or execution of the recovery by the Office. Therefore, beneficiaries shall keep records, original supporting documents, statistical records and other documents connected with the grant during this period. The office may perform regular monitorings of the actions including field visits, requests for supporting documents and information and meetings/ videoconferences/ teleconferences.

The detailed provisions concerning check and audits are described in the grant agreement.

14. DATA PROTECTION

Personal data gathered for the purpose of the present procedure shall be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data.

Said data will be processed only for the purpose of evaluating the proposals in accordance with the specifications of the call for proposals. The applicant may, upon request, obtain the communication of his personal data and rectify any inaccurate or incomplete data. Any request to that effect shall be addressed to EUIPO's Data Protection Officer. The applicant also has a right of recourse at any time to the European Data Protection Supervisor pursuant to Regulation (EC) No 45/2001.

Applicants and, if they are legal entities, persons who are members of the administrative, management or supervisory body of that applicant or who have powers of representation, decision or control with regard to that applicant, or natural or legal persons that assume unlimited liability for the debts of that applicant, are informed that, their personal data (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the Early Detection and Exclusion System (EDES) by the Authorising Officer of the Office, should they be in one of the situations mentioned in the Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298 of 26.10.2012, p. 1) as amended by the Regulation (EU, Euratom) No 2015/1929 of the European Parliament and of the Council of 28 October 2015 (OJ L 286, 30.10.2015, p. 1).

15. CONTACT

For any further information or if you have any questions, please contact:

Grants@euipo.europa.eu

The Office will publish the answers to questions that are frequently asked by potential applicants. It is very important for applicants to refer to these regularly to ensure that they benefit from supplementary information and clarification that has been asked for by other applicants and provided by the Office.

These FAQs are made public to ensure that all applicants are treated fairly with respect to having access to the same information on the webpage of the call for proposals.

LIST OF ANNEXES

1. Narratives
2. Application package to be attached to the e-Form:

Annex A: Description of the project Form (Word format)

Annex B: Budget Form (Excel format)

Annex C: Declaration on honour (Word format)

Annex D: Third Party File (Excel format)

Annex E: Letter of intent (Word format)

3. Models of Grant agreement

All the above annexes can be found on the webpage of the call for proposals.