



**CALL FOR PROPOSALS No GR/001/24**

**Ideas Powered for business SME Fund**

**Intellectual property vouchers**

**GUIDELINES FOR APPLICANTS**

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# 1 GENERAL OVERVIEW OF THE CALL FOR PROPOSALS

## 1.1 Introduction and background

Intellectual property rights (IPRs) are crucial to help European small and medium-sized enterprises (SMEs) protect and commercially exploit their intangible assets resulting from their innovation efforts. European SMEs represent over 99 % of all European enterprises and provide 67 % of total employment in Europe. Therefore, their role is decisive in strengthening EU resilience during the challenging times we are currently facing, boosting industrial competitiveness, driving the EU economy and improving the lives and well-being of the European public.

Considering this, the European Union Intellectual Property Office's ('the EUIPO' or 'the Office') current Strategic Plan (SP2025) aims to improve how the European IP system works for businesses and especially for SMEs. Through the SME Programme, the EUIPO tackles the need to make IP services more accessible to small businesses and supports the competitiveness of SMEs through better use and protection of their IP.

Following the successful implementation of the 2021 SME Fund pilot initiative in November 2021, the Office, in partnership with the European Commission (EC), signed a Contribution Agreement for the multiannual SME Fund 2022-2024 initiative under the EU Single Market Programme (SMP).

Building on this success, the Office, in collaboration with the EC and with the support of the Member State IP offices (MS IPOs), launched the 2022 SME Fund in January 2022. This was the first call for proposals under the new multiannual SME Fund 2022-2024 initiative. The EC's Single Market Programme (SMP), of which the SME Fund is part, aims to boost the competitiveness of EU SMEs while supporting the EU's goal of green and digital transition. Since 2023, also Ukraine-based SMEs may benefit from the SME Fund scheme. The 2024 SME Fund is the third and last call of this initiative, following the 2022 and 2023 SME Funds.

## 1.2 Objectives and priorities

SMEs are the backbone of the European economy. The general objective of this action is to contribute to the strengthening of EU SMEs' growth and competitiveness thereby allowing a faster recovery of the EU economy and greater resilience in the challenging business environment caused by the COVID-19 pandemic and the Russian aggression in Ukraine.

The action specifically aims at helping European and Ukraine-based SMEs leverage their intellectual property assets by providing financial support for IP-related costs. With this financial support, SMEs that may be experiencing economic hardship will hopefully be deterred from cutting costs on their IP assets and/or on their protection.

The objective of the 2024 SME Fund is to financially support SMEs that wish to:

- benefit from an IP Scan and/or IP Scan enforcement services, and/or;
- directly protect their trade marks and designs through national, regional, European or international IP systems, and/or;

- protect their patents at national or European level, including prior art search services provided or coordinated by the Member State IP offices (MS IPOs and Visegrad Patent Institute) and legal representation costs for drafting and filing European patent applications (only representatives from the EPO list) and/or;
- protect their Community plant varieties.

As in previous years, financial support will be provided in the form of vouchers and the funding will be implemented by the EUIPO through grants awarded to EU and Ukraine-based SMEs in accordance with the EU and the EUIPO's financial regulations. It will co-finance the activities described in this call for proposals.

The 2024 SME Fund, which is based on the success of the 2022 and 2023 schemes, brings further improvements and is expected to provide the following benefits:

- economic support to SMEs during the post-pandemic recovery period;
- increased awareness of the benefits of IPR among EU SMEs and Ukraine-based SMEs;
- increased investment in IP-related activities such as IP advice and IP protection;
- greater competitive advantages due to better management of intangible assets, including increased protection of EU SMEs' intellectual property in the EU and beyond (including Ukraine-based SMEs);
- promotion of the EU's objective of supporting the EU and Ukrainian economies' recovery, as well as the resulting reputational benefits for the MS IPOs and the EU;
- increased support for SMEs involved in the ecological transition and the EC's Green Deal objectives;
- harmonisation of IP Scan service practices in Europe.

### 1.3 Eligible IP activities

As a principle, the voucher(s) only apply to the registration of new IP rights, renewals of IP rights are not eligible.

**The vouchers have a limited time to be used. Therefore, SMEs are encouraged to apply for a voucher when they plan to implement one of the eligible activities within the next 2 months.**

#### a) IP Scan – Voucher 1

Voucher 1 will cover IP Scans – IP pre-diagnostic audits / IP Scan enforcement services for a maximum grant amount of up to EUR 1 350 per beneficiary.

- IP Scan

IP Scan or IP pre-diagnostic audit (IPPDA) services aim to advise SMEs on the potential of IP to develop their businesses, identifying the types of IP assets that may be valuable and should be protected. They also aim to identify any IP that is already protected and that could be further exploited to gain additional benefits to support the growth of their business.

- IP Scan Enforcement services

IP Scan enforcement services aim to advise SMEs whose IP rights are infringed, that face charges of IP rights infringement by a third party, or that run a high risk of such infringements.

IP Scan and IP Scan enforcement services are offered by experts appointed by the participating MS IPOs under their coordination, upon request from the SMEs. For both IP Scan and IP Scan enforcement services, under the SME Fund scheme, SMEs must be established in an EU Member State where these services are provided.

The list of Member States offering the services and the maximum grant amount per Member State are available in Annex 1 of the call for proposals.

Eligible SMEs can apply for both IP Scan and IP Scan enforcement services but not in the same application. The second service may be requested through a subsequent application from the next weekly cut-off. As a result, a maximum of two vouchers can be granted in those countries where both services are offered.

EU SMEs will be entitled to apply for a **90 % reimbursement** of the cost of each voucher within the limits established in Annex 1.

## b) Trade mark and design protection – Voucher 2

Up to EUR 1 000 per beneficiary for:

- trade mark and design protection at national, regional and EU levels

Eligible IP rights are trade marks and designs filed directly and electronically (where possible) at the EUIPO and at MS IPOs.

Eligible SMEs can apply for a **75 % reimbursement of the trade mark and design fees** for acquiring trade mark or design protection in the EU (including application, classes, examination, registration, publication and deferment of publication fees). IP rights similar to trade marks are included depending on applicable legislation (e.g. logotype protection under Portuguese law is covered).

- trade mark and design protection at international level.

To support EU SMEs' growth on a more international scale, the eligible fees for international trade marks and designs administered by the World Intellectual Property Organization may be **reimbursed by up to 50 %**. This activity intends to extend the support currently offered to EU SMEs, assisting them in the internationalisation process, while boosting the innovation and competitiveness of EU SMEs globally.

The fees subject to reimbursement are those charged for applications (including basic fees, designation fees and subsequent designation fees) under:

- the international trade mark system (Madrid System);
- the international design system (The Hague System).

Designation fees for an international trade mark and/or design are eligible, including EU MS(s) and/or EUIPO.

The handling fees charged by the office of origin for an international trade mark and/or design application are excluded from this scheme.

### c) Patents – Voucher 3

To apply for a patent-related activity, SMEs will have to indicate in the application form, for information purposes, whether they are in possession of an IP Scan certificate from an authorised national IP Scan provider in an EU Member State or whether they have received the [Horizon IP Scan](#). SMEs are encouraged to apply for an IP Scan service first to maximise the benefits of any patent-related activities.

- (i) The maximum amount of the voucher is up to **EUR 3 500** per beneficiary for the following activities:

Patent prior art searches provided or coordinated by MS IPOs and the official administrative fees charged by the IPOs for the protection of national and European patents will be reimbursed **by 75 % up to a maximum of EUR 1 500**.

- Patent prior art search service fees

The fees charged for providing patent prior art search services by the MS IPOs (including searches provided by the Visegrad Patent Institute).

- Patent fees for national patent protection

The fees charged by the MS IPOs for registering national patents includes the applicable fees for obtaining national patent protection in an EU Member State (namely, filing, search and examination fees, grant and publication fees).

- Fees for European patent applications

The fees, including both filing and search fees, charged by the European Patent Office (EPO) for European patents.

Patent applications submitted via a Patent Cooperation Treaty (PCT) are not eligible.

- (ii) Legal costs for the drafting and filing of a new European patent application will be reimbursed by 50 % up to a maximum of EUR 2 000.

The legal costs for services related to the drafting and filing of **new** European patent applications are eligible if provided by persons or entities established

in the EU and who are entitled to represent applicants in proceedings before the EPO <sup>(1)</sup> in accordance with the European Patent Convention (EPC).

These costs are only reimbursed if the service is related to preparing and filing a European patent application that is duly filed at the EPO.

#### d) Community plant varieties – Voucher 4

The maximum amount of the voucher is up to **EUR 1 500** per beneficiary for European Community plant varieties.

The online filing and examination fees charged by the Community Plant Variety Office (CPVO) will be **reimbursed by 75 %**.

A summary of the different vouchers is provided below:

|    | IP ACTIVITY           | ACTIVITY INCLUDED FEES   | COVERAGE                             | REIMBURSEMENT % | Value (EUR)  |
|----|-----------------------|--|--------------------------------------|-----------------|--------------|
| V1 | IP Scan               | IP Scan in countries with participating offices  | National level                       | 90%             | 1 350<br>(4) |
|    |                       | IP Scan Enforcement in countries of participating offices  |                                      |                 |              |
| V2 | Trade marks & designs | Trade mark or design protection<br>Application, class, examination, registration, publication, and<br>deferment of publication fees <sup>(1)</sup>             | National, regional,<br>and EU levels | 75%             | 1 000        |
|    |                       | Madrid and The Hague trade mark or design protection<br>Basic, designation, and subsequent designation fees<br>including EU countries <sup>(2)</sup>           | International<br>Level               | 50%             |              |
| V3 | Patents               | Patent protection<br>Patent prior art searches provided by IPOs <sup>(1)(3)</sup><br>Filing, search and examination, grant and publication fees <sup>(1)</sup> | National level                       | 75%             | 1 500        |
|    |                       | Filing and search fees <sup>(1)(5)</sup>   | European level                       | 75%             |              |
|    |                       | Legal costs for patent application drafting & filing <sup>(1)(6)</sup>   | European level                       | 50%             |              |
| V4 | Plant variety rights  | Plant variety protection <sup>(1)</sup><br>Online filing and examination fees with CPVO  | EU level                             | 75%             | 1 500        |

(1) Ukraine-based SMEs have access to these services.

(2) Excluded fees: handling fees charged by the office of origin.

(3) Service provided by MS IPOs for global searches, including searches provided by Visegrad Patent Institute.

(4) Depending on the applicable fees at national level for this service.

(5) See the [list of countries](#) covered by European patents.

(6) Eligible only if provided by persons or entities established in the EU and who are entitled to represent applicants in proceedings before the EPO in accordance with the European Patent Convention (EPC) and related to a registered.

**An exhaustive list of fees per type of IP activity is available on the SME Fund web page at the following address:**

<https://euipo.europa.eu/ohimportal/en/web/guest/online-services/sme-fund>

Please also refer to the **FAQs** where additional information regarding the eligibility of fees per type of IP activity is further detailed.

(1) [https://www.epo.org/en/applying/representatives?size=n\\_10\\_n](https://www.epo.org/en/applying/representatives?size=n_10_n)

## 1.4 Available budget and funding rules

The total budget available for the co-financing of actions under this call for proposals is at **EUR 20 million**.

**The Office reserves the right not to distribute all the available funds, to increase the budget, or to reuse, either fully or partially, the budget of those vouchers that have not been used and have expired.**

An SME can request and be granted one voucher per type of IP activity (except for the IP Scan voucher) within the rules and limits for funding provided in the following table:

| Voucher | IP activities           | Budget (EUR) | Value (EUR)     | Fees included  | Coverage                  | Contribution        |
|---------|-------------------------|--------------|-----------------|--|---------------------------|---------------------|
| 1       | IP Scan (1)             | 18.850.000   | Up to 1.350 (2) | IP Scan  | National                  | EUIPO               |
|         |                         |              |                 | IP Scan Enforcement  |                           |                     |
| 2       | Trade marks and designs | 18.850.000   | 1.000           | Application, class, examination, registration, publication and deferment of publication fees | National, regional and EU | EUIPO               |
|         |                         |              |                 | Basic, designation and subsequent designation fees including EU countries (2)                |                           |                     |
| 3       | Patents                 | 1.000.000    | 1.500           | Filing, search, examination, grant and publication fees                                      | National                  | European Commission |
|         |                         |              |                 | Patent prior art searches  | National                  |                     |
|         |                         |              | 2.000           | Filing and search fees for European Patents  | European                  |                     |
| 4       | Plant variety rights    | 150.000      | 1.500           | Online application and examination fees  | EU                        | European Commission |

(1) Two vouchers can be requested, one for IP Scan and another for IP Scan Enforcement. The second service may be requested through a subsequent application from the next weekly cut-off.

(2) Depending on the applicable fees at national level for this service. (See Annex 1)

## 1.5 Timetable

The call for proposals will be opened according to the provisional time frame below:

|  |                               |
|--|-------------------------------|
| Call submission period                         | from 22/01/2024 to 06/12/2024 |
| Start evaluation of the submitted applications | Weekly cut-off: every Friday  |
| Evaluation and notification of results         | 10 working days from cut-off  |

The weekly cut-off means that all the applications submitted during the preceding week will go through the evaluation step. So, all applications received from Saturday to the next Friday will be evaluated in the following week.



In the event that the Office contacts the applicant during the evaluation process to request complementary information, the evaluation and notification periods will be suspended on the date the Office sends the request. The period will resume on the day on which the requested information or revised documents are received.

**For any voucher, should the budget be exhausted before the end of the call submission period, the online application system (eForm) will be closed for that voucher and applicants will be informed on the website.**

**Should additional funds be made available before the end of the call submission period, the online application system (eForm) will be reopened for that voucher and applicants will be informed on the website.**

## 1.6 Who can get the voucher?

To be eligible, applicants must be small or medium-sized enterprises (SMEs) established in one of the EU Member States or in Ukraine, in territories that are under the effective control of the Ukrainian government at the time the application is submitted.

However, SMEs that are established in the aforementioned Ukrainian territories are not entitled to apply for Voucher 1.

EU restrictive measures – Special rules apply to certain entities (e.g. entities subject to [EU restrictive measures](#) under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU) and entities covered by Commission Guidelines No [2013/C 205/05](#)). These entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

'Small and medium-sized enterprise ([SME](#))' is defined in Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises<sup>(2)</sup>. These enterprises are engaged in economic activities, irrespective of their legal form (including, in particular, self-employed persons and family businesses engaged in craft or other activities, and partnerships or associations regularly engaged in an economic activity) based on the following thresholds:

| Enterprise category | Headcount: annual work unit (AWU) | Annual turnover  | Annual balance sheet total |
|---------------------|-----------------------------------|------------------|----------------------------|
| Medium-sized        | < 250                             | ≤ EUR 50 million | ≤ EUR 43 million           |
| Small               | < 50                              | ≤ EUR 10 million | ≤ EUR 10 million           |
| Micro               | < 10                              | ≤ EUR 2 million  | ≤ EUR 2 million            |

<sup>(2)</sup> OJ L 124, 20.5.2003, p. 36.

A legal entity is considered to be engaged in an 'economic activity' if it proves to be involved in any form of trade or activity done in exchange for payment or commercial gain on the market. Therefore, in general, any activity consisting of (directly or indirectly) offering goods or services on a given market is an economic activity.

Self-employed applicants are eligible to apply to the SME Fund provided that they submit an official certificate issued by the relevant national authority proving that they are involved in an economic activity.

Foundations are eligible to apply to the SME Fund provided less than 25 % of their capital or voting rights are directly or indirectly controlled, jointly or individually, by one or more public bodies.

**In the online application form (eForm), applicants will have to declare their compliance with the above set of rules and will be requested to upload a recent value-added tax (VAT) or national taxpayer registration (TIN) extract from the competent national authority.**

SMEs must also self-declare that they have not and will not receive funding from any other national or EU schemes for the same activities or part of the activities covered by this call.

### **External representatives**

A representative is defined as any third party, whether a natural or legal person, who is duly authorised by the SME to represent it legally.

The SME may authorise **an external representative** (third person) to submit the application on its behalf. In these cases, the SME must fill in, date and sign the declaration on honour for external representatives in Annex 3 of the present call for proposals.

This declaration is valid for any subsequent application submitted on its behalf under the present call for proposals.

If an SME uses the services of an external representative, only the SME will be the beneficiary of the grant decision (voucher). The representative can fill in the application form or the subsequent 'request for reimbursement' form on behalf of the SME. However, the reimbursement will be paid directly into the SME's bank account as the beneficiary of the grant decision.

## 1.7 How does the voucher work?



**Vouchers are not retroactive, costs incurred prior to the date of the grant decision notification will not be reimbursed by the voucher.**

**It is important to follow the sequential order of the steps described below.**

**In step 1**, applicants apply for the grant (voucher) that they are interested in. You may apply for one or several voucher(s) at the same time or during subsequent application(s).

**For Voucher 1, both IP Scan (IP pre-diagnostic audit) and IP Scan enforcement services cannot be requested under the same application. You may apply for the second service in a subsequent application. This is the only voucher that can be requested more than once (only in those countries where both services are offered).**

**Please do NOT implement any of the eligible IP activities (see section 1.3) BEFORE receiving the grant decision that is notified electronically.** Otherwise, related fees will be considered ineligible and, therefore, non-refundable.

In step 2, applicants will be notified of the result. The grant decision related to specific voucher(s) will take effect on the date of its notification to the beneficiaries (via

email to the email address(es) provided in the SME Fund application). Once notified, the vouchers will also be displayed in the SME Fund account.

In step 3, beneficiaries may implement the IP-eligible activities related to the voucher(s) awarded. **Do not forget that you have a limited period of 2 months (plus the option of a 2-month extension) to activate your voucher(s).** Once a voucher expires, it cannot be used and cannot be requested again during the present call.

In step 4, beneficiaries request their reimbursement(s) for the IP activities implemented, **up to the limit** of their voucher(s).

This process will also be published on the [SME FUND web page](#).

## 2 PROCEDURE FOR SUBMISSION

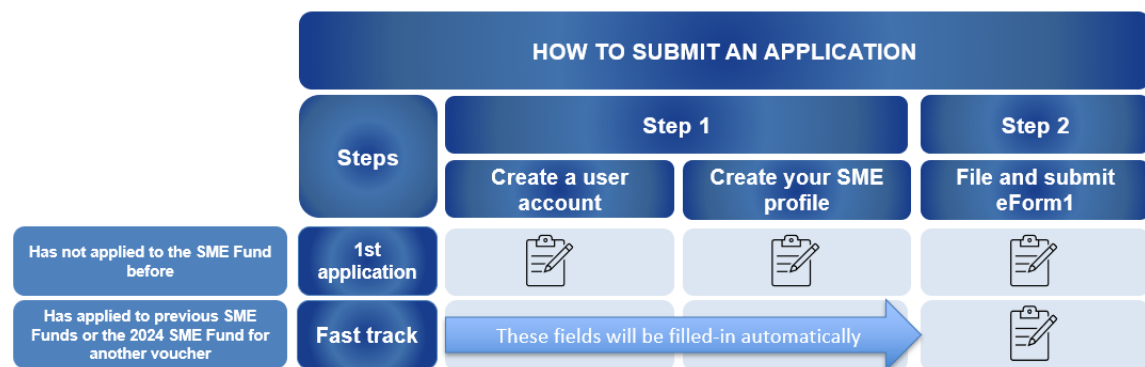
### 2.1 How to submit an application

Applicants must use the online application form (eForm) available in the 2024 SME Fund account, which is accessible from the Ideas Powered for business SME Fund web page:

<https://euipo.europa.eu/ohimportal/online-services/sme-fund>

Applications sent to the Office by other means such as email or paper will not be accepted.

The application process is as follows:



#### 2.1.1 Step 1 – creation of a user account and ‘My SME’ profile

**This step applies to first-time applicants only, with no prior participation in the 2022 or 2023 SME Fund schemes.**

**For other applicants, who have already been beneficiaries under the 2022 and/or 2023 SME Fund or have previously been awarded a voucher under the current 2024 call, the Fast Track option takes you directly to step 2 ‘submission of the application’.**

To use the eForm (the only way to apply), applicants must first create an EUIPO login user account.

- The credentials from the EUIPO login user account are the same as those to be used to access the SME Fund account.
- Vouchers cannot be transferred from one user to another. The vouchers are **linked to the EUIPO user account**, which is used to fill in the SME Fund application in the first instance. The user filling in the SME Fund application will be the only user with rights to manage the application and the voucher(s) (extend them, activate them, submit subsequent reimbursement requests, renounce them, etc.).

Once the EUIPO login user account is created, the applicants will have access to their SME Fund account, where they can create their SME profile by filling in the necessary data and uploading the related and mandatory documentation.

**Please pay particular attention to providing the correct email addresses for the contact persons as all communications related to this procedure will only be sent by email to the contact persons provided.**

Upload the following documentation to create your SME profile.

- A **VAT or TIN certificate**. In the SME Fund web page, there will be a [link](#) to examples of accepted certificates from all EU Member States as well as from Ukraine.
- An **official bank certificate** which must be issued for a **bank account that accepts currency in euro and SEPA bank transfers** (exception for Ukraine using international bank transfers). The bank account holder must be the SME. Please verify on an IBAN checker website on internet if your bank account accepts euro, otherwise it is likely that the payment will be rejected.
- Where the application is managed by an external representative, a third document is required: the **Declaration on honour for external representatives**, which must be duly filled out, dated and signed by both parties.

**Please upload legible versions of these documents as they will be used during the application evaluation process and for making payments.**

### 2.1.2 Step 2 – submission of the application

**This step applies to all applicants:**

- **first-time applicants, with no previous participation in the SME Fund scheme;**

- **Fast Track applicants, who have already been awarded a voucher under the 2022 and/or 2023 SME Fund or have previously been awarded another voucher under the current 2024 call.**

An application can be submitted in a few simple steps. SMEs must access the SME Fund application through the SME Fund account and:

- select which vouchers they are interested in;
- check the accuracy of the prefilled mandatory information regarding the applicant, and:
  - if there are no changes or errors, the applicant can continue with the application process;
  - if there are changes or errors, the applicant must return to the 'My SMEs' section, correct the information and/or upload any updated supporting documents;

**Please check that the correct data, and especially the email addresses of the contact persons, are still valid, as all communication related to this procedure will be sent electronically to these contact persons.**

- confirm the statements concerning the grant principles of co-financing, prohibition of double financing and the administrative sanctions in the event of false declarations before submission.

Once all the information has been completed and the supporting documents have been uploaded, please review your proposal and **submit it**.

## 2.2 Confirmation of submission

Once an eForm is submitted, the applicant will be directed to a confirmation screen certifying that the application has been correctly submitted. Furthermore, within the SME Fund account, the application reference number will be shown as 'In process' and the applicant will receive an automatic email confirming that the application has been successfully received. However, this acknowledgement of receipt should not be taken as an indication that the application is admissible. It only means that the application has been successfully submitted for evaluation at the EUIPO.

If you do not receive this confirmation email within an hour, please contact the following mailbox: [customercare@euipo.europa.eu](mailto:customercare@euipo.europa.eu).

If there is a need for further clarification regarding the application data and/or supporting documents, the Office will contact the applicant during the evaluation process. A request for clarification will be sent electronically to the contact persons (the email addresses provided in the application), so please check your mailbox during this period (including the spam folder). In the SME Fund account, your application will be shown as 'Clarification'.

The SME must reply by the fixed deadline given in the request for clarification, otherwise the application may be rejected.

### 2.3 Withdrawal of application

If an applicant wants to withdraw its application before it reaches the award/notification stage, an email must be sent to: [grants.smefund@euipo.europa.eu](mailto:grants.smefund@euipo.europa.eu) specifying the application reference number.

Withdrawal takes effect on the date of the confirmation email sent by the Office.

Once withdrawn, the SME may apply again for voucher(s) they are interested in.

### 2.4 Contact during the submission period

All questions related to this call must be addressed to the EUIPO Information Centre at: [customercare@euipo.europa.eu](mailto:customercare@euipo.europa.eu)

or by calling: [+34 965139100](tel:+34965139100)

Should you have any questions, please consult the [SME Fund FAQs section](#) first as the Office will regularly use it to publish answers to any questions submitted, to ensure all applicants are treated equally.

## 3 AWARD PROCEDURE

The Office is responsible for the evaluation and selection of applications submitted under this call for proposals.

The evaluation process is based on the following key principles:

- equal treatment – all applications are evaluated in the same manner against the same criteria, and;
- transparency – adequate feedback is provided to applicants on the outcome of the evaluation of their applications.

### 3.1 Admissibility requirements

All applications are first checked for compliance with the admissibility requirements. These checks aim to assess:

- whether the application has been submitted electronically using the online application form (eForm);
- whether it has been submitted during the submission period (see Section 1.5 – Timetable);

- whether it is complete (an application in draft status is not admissible);
- whether, under the present call for proposals, the same voucher has already been granted to the same applicant (even if not used/expired), except for voucher 1 where one voucher can be granted for each type of IP Scan in those countries offering both services.

### 3.2 Eligibility checks

- **Eligibility of applicants:** applicants that are not a small and medium-sized enterprise (SME) as defined in EU Recommendation 2003/361 established in one of the EU Member States or in Ukraine (in territories that are under the effective control of the Ukrainian authorities at the time the application is submitted), are not eligible.
- **Exclusion criteria:** applicants in certain situations will be excluded (e.g. applicants that are bankrupt or being wound up, applicants that have been found guilty of grave professional misconduct, etc.).

The exclusion situations are laid down in Article 136(1)(a) to (h) of the Financial Regulation<sup>(3)</sup> and are described in Annex 2 of the present guidelines. The EU's Early Detection and Exclusion System may be consulted by the Office to check applicants' status.

- **Selection criteria:** applicants that are not deemed to have the capacity to implement and maintain the eligible activities described in section 1.3. for the duration of the grant, will not be considered as eligible applicants.

**The above criteria (eligibility, exclusion and selection criteria) will be checked on the basis of a self-declaration and/or appropriate supporting documentation, as follows.**

Applicants will be requested to declare that they have read the declaration of honour embedded in the eForm and to certify that:

- they are fully eligible and have the capacity in accordance with the criteria specified in the call for proposals;
- they are not in one of the situations of exclusion specified therein.

In addition, applicants will be requested to provide a recent VAT or TIN certificate issued by their competent national authority demonstrating the legal existence of their company.

The Office reserves the right to request further documentation to prove the veracity of this declaration. Administrative sanctions may be imposed on applicants if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

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<sup>(3)</sup> [Regulation \(EU, Euratom\) 2018/1046](#) of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union



If any further clarification is needed, applicants may be contacted during the evaluation process.

**Applications which do not meet the admissibility or eligibility requirements will be rejected, and applicants will be duly informed of the ground(s) for rejection.**

### **3.3 Evaluation / Final selection process**

Admissible and eligible applications will be assessed on the basis of the following criteria.

- **Any identified/identifiable risks of double-funding from EU schemes or other EU-funded national schemes for the same activities.**

This requirement is only fulfilled if applicants tick the appropriate box in the online application form (eForm) indicating they have not applied for, or received funding from EU schemes or EU-funded national schemes for the same action. If double funding is detected, the proposal will be rejected.

- **First come, first served basis.**

The proposed action(s) must conform to the set objectives and priorities of the call, and applications received first will be given priority, as recognition of the motivation and speed of purpose of the applicants. Applications will be funded in chronological order based on the application date and time (registration number) until the budget per type of voucher is exhausted.

During the evaluation process, a list of successful applications for funding will be drawn up. Another list will be drawn up for those applications that have been denied funding.

The award decision related to the weekly cut-off of applications is then adopted. A list of all the applications selected and rejected for funding will be made, together with the respective maximum amounts of funding per action(s) and the beneficiaries of the grants.

### **3.4 Notification of the outcome**

Applicants will be notified of the results of the evaluation individually after the award decision has been adopted.

Applicants whose applications are rejected will be duly informed of the ground(s) for rejection.

Applicants whose applications are selected for funding will receive a grant decision, drawn up in euro and detailing the general conditions and level of funding. The decision should neither be signed nor returned to the Office.

The grant decision will take effect on the date of its notification to the beneficiary.

The model grant decision available in Annex 4 is not negotiable. The applicants understand that submission of a grant application implies acceptance of the provisions of the present guidelines, the grant decision and the general conditions.

This formal notification will be sent by email to the contact person(s) provided in the eForm. It is the responsibility of the applicant to provide valid email address(es) and to regularly check its mailbox (including the spam folder)

In the SME Fund account, your application status will be shown as 'Awarded' and the voucher(s), together with the maximum amount, the issuance date, and the expiry date, will also be visible.

### 3.5 Publicity and dissemination of results

Information on the awarded grants and on the beneficiaries may be disclosed to the public in accordance with Article 38 of the Regulation (EU, Euratom) 2018/1046 to publish information on the outcome of grant procedures.

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

- the beneficiary's name and location,
- the subject and purpose of the grant,
- the amount awarded.

## 4 PROCEDURE FOR IMPLEMENTING THE GRANT DECISION (VOUCHER)

**The grant decision will take effect on the date of its notification to the beneficiary ('the starting date').**

The voucher(s) (signed grant decision(s) in attachment) is notified electronically to the contact persons provided in the application form. In the SME Fund account, the granted voucher(s) is/are displayed with the maximum reimbursement amount, issuance date (starting date) and expiry date of the activation period.

Once a voucher is granted and notified, it is **not possible**:

- to change a voucher coverage to another type of voucher;
- to transfer a voucher from one company to another company, regardless of whether the owner is the same;
- to use the voucher balance from a previous voucher granted in a previous call in the present call.

The grant decision is divided into two periods, one for **activating** and one for **implementing** the voucher(s) as follows:

### Activation period

The activation period runs for a period of **2 months** from the day following the date of notification of the voucher(s).

The voucher(s) must be activated within this period as follows.

- The vouchers are activated when at least one IP activity has been implemented and the corresponding request for reimbursement is submitted by the beneficiary.
- Voucher 1 may also be activated by the Office upon confirmation from the MS IPO that the services have been requested. In this case, the beneficiary will be notified of the activation of their voucher(s).

The activation period may be extended prior its expiration under the same conditions. To extend a voucher's expiry date, you must access your SME Fund account. In the voucher itself, an 'Extend expiry date' button will appear. This can only be done once, and only during the final month of the initial 2-month activation period.

Once extended, the activation period will run for another period of 2 months.

Please note that vouchers are extended individually. Extending one voucher does not automatically extend other vouchers awarded.



**The overall activation period may, under no circumstance, exceed 4 months.**

Activation of the voucher triggers the implementation period (please see the following subsection). If the first reimbursement request uses up the entire amount of the voucher, there is no implementation period.

If the voucher is not activated within the activation period (of 2 months), including, where relevant, within its extension period (of 2 additional months), it will be considered as having **expired** and access to the eForm section dealing with requests for reimbursement will no longer be available.

**Once a voucher has expired (meaning has not been activated) it cannot be used or requested again during the present call.**

## Implementation period

The implementation period starts on the first day following its activation for a period of:

- **up to 6 months for vouchers 1 & 2,**
- **up to 12 months for vouchers 3 & 4.**

During this period, beneficiaries may implement the IP activities covered by their voucher(s) and submit their requests for reimbursement until the expiry date or until the available balance is exhausted.

For voucher 1, only one service per type of IP Scan granted may be implemented. If the reimbursed amount is lower than the maximum amount awarded per voucher 1, beneficiaries will no longer be able to use the remaining balance per voucher. The remaining amount will be returned to the SME Fund budget in order to contribute to the funding of other SME applicants.

Beneficiaries may also terminate their voucher(s) once they have completed all the IP activities they had planned and have received all their related reimbursements, even if there is a remaining balance that they will not use.

| Patent                              |                 | ACTIVATED  | RENOUCE | Ukraine srl |
|-------------------------------------|-----------------|--|---------|-------------|
|                                     |                 | Co-funded by the COSME programme of the European Union |         |             |
| <b>ID: 13202315023-3</b>            |                 |  |         |             |
| Issuance Date                       | Activation Date | New Expiry date  |         |             |
| 13/06/2023 09:28:49                 | 13/06/2023      | 13/06/2024   |         |             |
| <b>Maximum reimbursement amount</b> |                 | <b>1500</b> (Available balance: €1500)                 |         |             |

By renouncing the voucher via the SME Fund account, beneficiaries will no longer be able to use the remaining balance or submit another application for the same voucher during the current year of the call. Beneficiaries accept that the remaining amount will be returned to the SME Fund budget to contribute to the funding of other SME applicants.

The grant decision is therefore divided into two periods of activation and implementation as follows:

| Voucher | IP activities           | Activation  | Implementation                    |
|---------|-------------------------|---|-----------------------------------|
| 1       | IP Scan                 | 2 months with possible extension of 2 months (maximum 4 months) | 6 months from date of activation  |
| 2       | Trade marks and designs |   |                                   |
| 3       | Patents                 |   | 12 months from date of activation |
| 4       | Plant variety rights    |   |                                   |

The voucher will terminate if it is exhausted or:

- it has reached the end of the activation period and no request for payment has been submitted ('the expiry date');
- it has reached the end of the implementation period after activation ('the ending date');
- upon request from the beneficiary to terminate the voucher.

For activated voucher(s) only, the beneficiary has an additional **7 calendar days** from the final day of the implementation period ('the ending date') of the voucher to request reimbursement related to IP activities that were implemented and paid for by the beneficiary before the ending date. Once this period has elapsed, the link to access the electronic payment request form (see section 5) will be deactivated for this specific voucher.

#### Contact during the implementation period

Please consult the SME Fund website and the [SME Fund FAQs section](#) first where additional information and guidance on the implementation of voucher(s) can be found. Otherwise, any specific questions must be addressed to the EUIPO Information Centre at: [customercare@euipo.europa.eu](mailto:customercare@euipo.europa.eu)

## 5 PROCEDURE FOR REQUESTING PAYMENT

### 5.1 Submission of requests for payment

Beneficiaries must request the payment of eligible activities under their vouchers by using the link to the electronic reimbursement request form (eForm) available in the user account.

The information submitted in this payment request form must provide details of the activity or activities implemented and the related fees actually incurred and claimed by the beneficiary.

Please make sure you apply for your IP service(s) and/or right(s) and pay the related fees in full before submitting any request for reimbursement under the voucher. If a payment is still needed to complete the registration process (or service), your request for reimbursement will be suspended until that payment is issued and confirmed by the pertinent IP office(s).

The beneficiary must certify that the information provided in the request is complete, correct and true. The beneficiary must also certify that the costs incurred are eligible and that the request for payment is substantiated by adequate supporting documents.

**Please note that once the total amount of the voucher has been spent, no further request for payment will be possible.**

### 5.2 Assessment of requests for payment

Payments are subject to the approval of the payment request and of the accompanying documents.

The assessment of the request includes the following elements per voucher and type of activity:

**VOUCHER 1**

**IP Scan / IP Scan Enforcement**

|   |   |
|---|---|
| <b>Documents to be provided</b>   | IP Scan / IP Scan Enforcement report signed by the MS IPO and the author (Ideas Powered for business template)  |
| <b>Mandatory information in order to be able to process the request</b> | <ul style="list-style-type: none"> <li>✓ Date of completion</li> <li>✓ Company name</li> <li>✓ National IP Office</li> <li>✓ Author (duly signed)</li> <li>✓ Amount paid excluding VAT*</li> <li>✓ Quality check officer (duly signed)</li> </ul> |

\*VAT incurred costs are not eligible but must be detailed

**VOUCHER 2**

**National & Regional**

|   |  |
|---|--|
| <b>Documents to be provided</b>   | Proof of filing/registration provided by the MS IPO containing the below information   |
| <b>Mandatory information in order to be able to process the request</b> | <ul style="list-style-type: none"> <li>✓ Application number</li> <li>✓ Filing date</li> <li>✓ Holder of the IP activity</li> <li>✓ Amount paid</li> <li>✓ Breakdown of fees</li> </ul> |

**EU**

|   |                            |
|---|----------------------------|
| <b>Mandatory information in order to be able to process the request</b> | Filing number (01XXXXXXXX) |
|---|----------------------------|

**VOUCHER 2****International****Documents to be provided**

- Receipt of international registration
- Payment receipt

**Mandatory information in order to be able to process the request**

- ✓ Application number
- ✓ Filing date
- ✓ IP activity holder
- ✓ Amount paid
- ✓ Breakdown of fees
- ✓ WIPO 10-digit n° or Payment n°

**VOUCHER 3****National – Prior art search****Documents to be provided**

Proof of payment / Invoice provided by the MS IPO or the Visegrad Patent Institute with the below information

**Mandatory information in order to be able to process the request**

- ✓ Invoice number
- ✓ Date of the service's request
- ✓ SME that ordered the report
- ✓ Activity carried out
- ✓ Amount paid excluding VAT

**National****Documents to be provided**

Proof of payment / registration provided by the MS IPO containing the below information

**Mandatory information in order to be able to process the request**

- ✓ Application number
- ✓ Filing date
- ✓ Holder of the National Patent
- ✓ Amount paid
- ✓ Breakdown of fees



| <b>VOUCHER 3</b>  |  |
|---|--|
| <b>European</b>   |  |
| <b>Documents to be provided</b>   | <ul style="list-style-type: none"> <li>➤ Request for grant of a European patent</li> <li>➤ Acknowledgement of receipt (Provided by the EPO)</li> </ul>                                 |
| <b>Mandatory information in order to be able to process the request</b> | <ul style="list-style-type: none"> <li>✓ Application number</li> <li>✓ Filing date</li> <li>✓ Holder of the IP activity</li> <li>✓ Amount paid</li> <li>✓ Breakdown of fees</li> </ul> |
| <b>European – Lawyer fees</b>   |  |
| <b>Documents to be provided</b>   | <ul style="list-style-type: none"> <li>➤ Legal representative invoice (drafting and filing)</li> <li>➤ Proof of payment of legal representative fees</li> </ul>                        |
| <b>Mandatory information in order to be able to process the request</b> | <ul style="list-style-type: none"> <li>✓ Legal representative's name, address and country</li> <li>✓ Legal fees paid detailing the activities carried out</li> </ul>                   |
| <b>VOUCHER 4</b>  |  |
| <b>EU - online application fees</b>                                     |  |
| <b>Documents to be provided with the below mandatory information</b>    | Online application receipt provided by the CPVO  |
| <b>Mandatory information</b>  | <ul style="list-style-type: none"> <li>✓ Application number</li> <li>✓ Company</li> <li>✓ Amount paid</li> <li>✓ Date of application</li> </ul>  |
| <b>EU - examination fees</b>  |  |
| <b>Documents to be provided</b>   | Proof of filing  |
| <b>Mandatory information</b>  | <ul style="list-style-type: none"> <li>✓ Application number</li> <li>✓ Company</li> <li>✓ Amount paid</li> <li>✓ Breakdown of fees</li> <li>✓ Date of application</li> </ul>           |

Any conversion into euros of costs incurred in other currencies will take place automatically in the request for payment form and will be made at the monthly applicable accounting rate published by the Commission (see the link below) of the month when the costs were incurred.

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/inforeuro/inforeuro\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm)

If the request is incomplete or requires further clarification, the Office will contact the beneficiary by electronic means and specify the data/form that should be submitted with the additional information. The beneficiary must reply by the fixed deadline indicated, otherwise the Office reserves the right to reject the request for reimbursement. Note that if the request is rejected, the beneficiary still has the right to submit another request, provided the voucher has not expired.

**Please check your mailbox (including the spam folder) regularly, as all clarification will be sent electronically.**

### 5.3 Payment validation

Declared fees may be judged ineligible during assessment for any of the following reasons:

- services not corresponding to the eligible activities;
- services not in the name of the beneficiary;
- services delivered outside the period of the voucher's validity;
- a lack of supporting documents relating to the expenses claimed;
- no reply to a request for clarification.

The Office calculates the amount due as follows.

Step 1 – It applies the reimbursement rate to the eligible costs set in section 1.4.

Step 2 – It deducts the amount due from the amount still available under the voucher.

Payments are **LIMITED** to the maximum grant amount stated in the voucher. In the event of multiple requests for reimbursement, this amount will be checked against the amount already accepted for the previous activities (except for voucher 1).

Beneficiaries will be notified of the results of the assessment process electronically. The ground(s) for a reduced reimbursement amount or for a complete rejection of the request will be indicated.

### 5.4 Payment execution period

The amount due will be paid by the Office to the beneficiary's bank account (indicated in the application or amended in the request for payment) within 30 calendar days of receipt of a valid request for payment.

The payment period will begin upon receipt of the request for payment.

This payment period will be suspended if the declared fee(s) have not been fully paid to the pertinent IP office(s) validating the registration process or the service provided. Suspension takes effect on the date the request was submitted. The remaining payment period resumes from the date on which the payment has been issued and validated.

The payment period is also suspended when the Office requests additional information from the beneficiaries. Suspension takes effect on the date the Office sends this request. The payment period resumes from the date on which the requested information or documents are received and validated by the Office.

The payment period will end when the payment has been made by the Office into the beneficiary's bank account. Should the Office need to take any extra action to process the payment again, due to external factors such as the payment being rejected/returned by the destination bank, these additional steps will not fall under the payment period.

During the procedure for requesting payment, the user account will show the following statuses per submitted request:

- **In process:** your payment request has been received by the Office and is under examination.
- **Invalid:** your payment request is a duplicate of another request submitted.
- **Clarification:** missing information has been requested and needs to be provided.
- **Validated, bank transfer in process:** your payment request has been examined and validated, the payment order has been initiated.
- **Rejected:** your payment request has been examined and rejected. The letter explaining the grounds for rejection has been notified.
- **Paid:** the payment has been executed and the confirmation letter has been notified.

**Before contacting the Office to know the status of your payment request, please check the status in the user account and wait for the payment execution period (30 calendar days) to elapse.**

### 5.5 *Ex post* verifications – irregularities and/or false declarations

The EUIPO and/or other EU bodies (European Court of Auditors, the European Public Prosecutor's Office, the European Anti-Fraud Office (OLAF) or a body mandated by them) reserves the right to carry out — at any moment — checks, reviews, audits or investigations.

If participants have already received EU funding for the same activities for which a request for payment has been made under a voucher, undue amounts paid will be recovered.

As *ex post* verification, the Office reserves the right to request further documentation to prove the veracity of a declaration from an SME identifying itself as a 'small or medium-

sized enterprise (eligibility criteria defined under section 3.2). In the event of a false declaration undue amounts paid will be recovered.

In case of irregularities or false declarations, participants may moreover be fined and excluded from future funding (grants/tenders, prizes, contribution agreements, etc.; see Articles 135 to 145 of the EU Financial Regulation). In addition, the European Anti-Fraud Office (OLAF) may be informed.

## 6 DATA PROTECTION

Participation in the present call for proposals involves the recording and processing of personal data. This data will be processed pursuant to Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Personal data may be registered in the Early Detection and Exclusion System of the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046.

Beneficiaries authorise the Office to share their personal data with the European Commission, the national intellectual property offices (NIPOs), the Visegrad Patent Institute and, if needed, the World Intellectual Property Organization (WIPO), the European Patent Office (EPO) and the Community Plant Variety Office (CPVO). The transmitted data is limited to that strictly necessary for the management and execution of the SME Fund.

For more information, please refer to the SME Fund [Privacy Statement](#).

### Annexes

Annex 1 — List of maximum amounts per EU country for IP Scan (pre-diagnostic services) and for IP Scan enforcement services

Annex 2 — Exclusion situations

Annex 3 — Declaration for representatives

Annex 4 — Model of grant decision (voucher)