

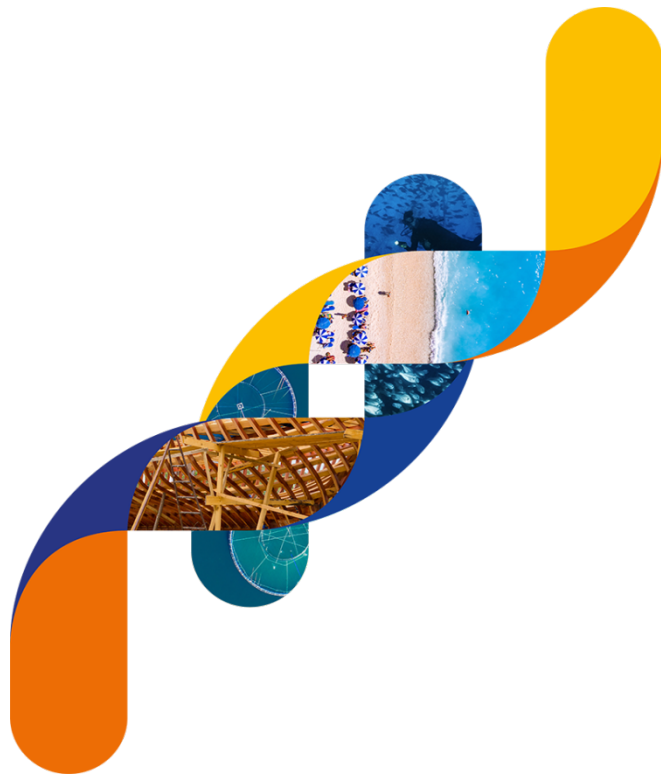


Project co-financed by the European  
Regional Development Fund

## 4helix+

**Empowering the 4helix of MED maritime clusters through  
an open source/knowledge sharing and community –  
based approach in favour of MED blue growth**

**Restricted Call for Expression of Interest for the blue  
MSMEs/Start-ups beneficiaries of Innovation  
Vouchers willing to be supported in applying for a  
European Patent**



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## 1. FOREWORD

In the framework of the 4helix+ project, beneficiaries of the 4helix+ transnational innovation vouchers, interested in receiving financial support to apply for a European Patent, are informed to analyse all the possible scope and typologies of activities to be realized including all stages of innovation cycle -at technical (product, service, process), organisational, marketing level- from conception and prototyping, to transfer, patenting, commercialization, etc.

Thus creating the premises for possible EPO applications by the most innovative awarded vouchers proposals, the restricted Call for Expression of Interest for the blue MSMEs/Start-ups beneficiaries of Innovation Vouchers willing to be supported in applying for a European Patent aims at stimulating the concept of innovation protection.

## 2. OBJECTIVE OF THE CALL

The objective of the Call is to support blue companies (MSMEs/start-ups), already awarded with the 4helix+ innovation vouchers, from the 8 Pilot regions in the process of applying for patent protection of results achieved during the 6 months implementation period of the projects financed with the 4helix+ transnational Innovation Voucher.

The opportunity is offered to up to eight (8) blue MSMEs/Start-ups out of the forty-eight (48) beneficiaries of the Innovation Vouchers. Each MSME/Start-up selected in the framework of this Call will receive a consulting service of a value up to 3.500,00€, financed by 4helix+ project, in order to apply for a European Patent to the European Patent Office. Only one blue MSME/Start-up from each pilot area will be selected for being supported in the framework of this Call.

## 3. THE EUROPEAN PATENT

### 3.1 European Patent Office (EPO)

The European Patent Office (EPO) examines European Patent applications and grants European Patents, enabling inventors, researchers and companies from around the world to obtain protection for their inventions in up to 44 countries through a centralised and uniform procedure that requires just one application. The EPO has its headquarters in Munich, a branch in The Hague and offices in Berlin, Vienna and Brussels.

### 3.2 Nature and purpose of the European Patent

European patents are granted for inventions that are new, involve an inventive step and are susceptible of industrial application. An invention can belong to any field of technology.

A patent is a legal title granting its holder the right – in a particular country and for a certain period of time – to prevent third parties from exploiting an invention for commercial purposes without authorization. The European Patent Convention (EPC) has established a single European procedure for the grant of patents on the basis of a single application and created a uniform body of substantive patent law designed to provide easier, cheaper and stronger protection for inventions in the contracting states.

**The contracting states are:** Albania, Austria, Belgium, Bulgaria, Cyprus, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein,

Lithuania, Luxembourg, Malta, Monaco, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and United Kingdom.

A European patent is granted after an examination designed to establish whether the patent application and the **invention** to which it relates **comply** with the **patentability requirements** of the EPC ([https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g\\_i.htm](https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g_i.htm) ). These requirements are the basis not only for the granting of a European patent, but also for the assessment of its validity by national courts.

In each contracting state for which it is granted, a European patent gives its proprietor the same rights as would be conferred by a national patent granted in that state. If its subject-matter is a process, protection is extended to products directly obtained by that process. Any infringement of a European patent is dealt with by national law.

A published European patent application provides provisional protection which is no less than that conferred by a contracting state for a published national application and which must at least include the right to reasonable compensation in the event of wrongful infringement.

The standard term of a European patent is **twenty years** as from the date of filing. Provided that the annual renewal fees are duly paid, patents remain in force for the maximum term.

**European patents may also be effective in some countries that have not acceded to the EPC** (extension and validation states). At present these are Bosnia and Herzegovina and Montenegro (extension states) as well as Morocco, the Republic of Moldova, Tunisia and Cambodia (validation states).

### **3.3 Items making up a European patent application**

A European patent application may be filed by any natural or legal person, or any body equivalent to a legal person, irrespective of nationality and place of residence or business. The application consists of a **request** for the grant of a European patent, a **description of the invention**, one or more **claims** (defining the matter for which protection is sought in terms of the technical features of the invention), any **drawings** referred to in the description or claims, and an **abstract**.

### **3.4 Fees**

The following basic fees are payable in respect of a European patent application:

- (a) filing fee and any additional fee for the 36th and each subsequent page of the application (it is an additional fee as part of the filing fee payable for European patent applications comprising more than 35 pages).
- (b) search fee
- (c) claims fee in respect of the 16th and each subsequent claim (where appropriate)
- (d) designation fee
- (e) extension fees (one for each extension state)
- (f) validation fees (one for each validation state)
- (g) examination fee
- (h) fee for grant and publishing

(i) renewal fees in respect of the third and each subsequent year

Further fees may fall due in the course of the proceedings.

\*(Detailed fees: <https://www.epo.org/applying/fees.html> )

### 3.5 Filing options

There are a number of options for filing European patent applications with the European Patent Office:

- **Online**

European patent applications can be filed online using either the EPO's Online Filing software, the new online filing (CMS) application or via the web-form filing service.

- **By post, fax or by hand**

Applications for European patents can be filed by post, fax (excluding authorizations and priority documents) or by hand at the EPO's headquarters in Munich, its branch in The Hague and its Berlin sub-office.

Site and building address	Postal address and fax number	Opening hours
Munich (Isar building)  Bob-van-Bentham-Platz 1 (formerly Erhardtstrasse 27) 80469 Munich Germany	80298 Munich Germany  Fax +49 (0)89 2399-4465	Mon-Thurs: 08.00 - 16.45 hrs Fri: 08.00 - 15.30 hrs
Munich (PschorrHöfe)  Bayerstrasse 34 (entrance via Zollstrasse 3) 80335 Munich Germany	80298 Munich Germany  Fax +49 (0)89 2399-4465	Mon-Thurs: 08.00 - 16.45 hrs Fri: 08.00 - 15.30 hrs
The Hague  Patentlaan 2 2288 EE Rijswijk Netherlands	Postbus 5818 2280 HV Rijswijk Netherlands  Fax +31 (0)70 340-3016	Mon-Fri: 08.00 - 18.00 hrs
Berlin  Gitschiner Strasse 97  10969 Berlin Germany	10958 Berlin Germany  +49 (0)30 25901-840	

- **Via automated mailbox**

Automated mailboxes, which can be used at any time, are located in Munich (next to the EPO building in Zollstrasse) and Berlin (next to the entrance at Gitschiner Strasse 103). There is no automated mailbox in The Hague, but documents may be handed in to the porter at any time outside office hours.

It is not possible to file European patent applications or any other document with the EPO by e-mail, telegram, telex or teletext.

- **Filing with the national patent offices**

European patent applications can also be filed with the central industrial property offices of participating contracting states.

### **3.6 Find a professional representative**

Natural or legal persons having either their residence or their principal place of business in a contracting state to the EPC can undertake all procedural steps before the EPO themselves and are not obliged to appoint a representative. Other applicants are, however, required to be represented by a professional representative or a legal practitioner (except when filing an application or paying fees). An association of professional representatives can also be authorized).

Even if it is not compulsory to appoint a professional representative, it may still be helpful to consult one. The EPO maintains an up-to-date database of professional representatives (updated twice a month) A drop down menu of professional representatives per country is available through the following link:

<https://www.epo.org/applying/online-services/representatives.html> )

More information about European Patent application procedure is available on the European Patent Guide:

[http://documents.epo.org/projects/babylon/eponet.nsf/0/8266ED0366190630C12575E10051F40E/\\$File/how\\_to\\_get\\_a\\_european\\_patent\\_2019\\_en.pdf](http://documents.epo.org/projects/babylon/eponet.nsf/0/8266ED0366190630C12575E10051F40E/$File/how_to_get_a_european_patent_2019_en.pdf)

(19th edition, Updated to 1 April 2019)

## **4. 4helix+ INNOVATION VOUCHER MECHANISM BRIEF DESCRIPTION**

In the framework of 4helix+ Call for Innovation Vouchers closed on May 10<sup>th</sup> 2019, 48 MSMEs/Start-ups located in 8 pilot Project's regions which applied for voucher of €10.000,00 each have been selected to develop innovative projects.

A total amount of 480.000,00€ will be allocated to 48 innovative projects (listed in official ranking lists published in the 4helix+ Cyberspace at [https://4helix.unicam.it/voucher\\_result.php](https://4helix.unicam.it/voucher_result.php)) for funding coaching services provided by involved Knowledge Providers (KPs), who support the 48 MSMEs/Start-ups - operating in blue growth sectors (fishing, aquaculture, coastal and maritime tourism, shipbuilding, blue biotechnologies etc)- in identifying breakthrough solutions and engage in innovation process. KPs had been previously enrolled in the on line data base "4helix+ KPs Gallery" created by Pilot Project Partners". After evaluation made by Local Innovation Committees' Members, on the bases of the specific criteria mentioned in the Call, six (6) Innovation projects were selected in each pilot region (48 in total) and

granted with Innovation Vouchers of 10.000,00€ each.

## **5. FINANCING OF THE CALL**

Available financial resources amount to twenty eight thousand Euros (28.000,00€). The Call for EoI is realized within the framework of the Pilot Action of the 4helix+ project (INTERREG MED 2014 - 2020 Programme) co-financed by European Regional Development Fund and Pilot Project Partners National Contribution Funds.

## **6. ELIGIBLE MSMES/START-UPS**

The call is reserved to the 48 blue MSMES/Start-ups, which have been awarded with an Innovation Voucher, in the framework of 4helix+ Voucher Scheme (see point 2), listed in the official ranking lists published in the 4helix+ Cyberspace at [https://4helix.unicam.it/voucher\\_result.php](https://4helix.unicam.it/voucher_result.php)) and have created any inventions during their successful innovative projects' implementation<sup>1</sup>.

**Blue MSMES/Start-ups should have selected a service provider (consultant) experienced in EPO applications, to assist them in preparing and submitting their application to the European Patent Office.** Service provider's details must be reported in the relevant part of the application form.

## **7. INSTITUTIONAL REGULATION FRAMEWORK**

This Call is included in 4helix+ Voucher scheme which is implemented under the conditions set by EU Regulation No 1301/2013 of the European Parliament and of the Council in force since 17 December 2013, on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EU) No 1080/2006.

Beneficiaries (MSMEs/start-ups) must fulfil the criteria defined by Commission Regulation (EU) 1407/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to "de minimis aid", in force since 1 January 2014. This Regulation sets the de minimis ceiling at 200.000,00 € per undertaking granted over any period of three fiscal years, and thus considerably simplified the granting of small amounts of support.

Additionally, beneficiaries operating in fisheries and aquaculture sector must fulfil the criteria set by Commission Regulation (EU) 717/2014, in force since 27 June 2014, on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to "de minimis aid" in the fishery and aquaculture sector. According to the later the total amount of de minimis aid granted per Member State to a single undertaking in the fishery and aquaculture sector shall not exceed EUR 30.000,00€ over any period of three fiscal years. "Undertakings in the fishery and aquaculture sector" means undertakings active in the production, processing and marketing of fishery and aquaculture products.

## **8. ELIGIBLE COSTS – GRANT PAYMENT POLICY**

### **8.1 Eligible costs covered by the grant**

Only costs incurred related to the purpose of the application for a European Patent are considered eligible.

Categories of eligible costs:

- Consulting costs including European Patent Office fees (see point 1.4 above) related to the preparation

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<sup>1</sup> including all stages of innovation cycle -at technical (product, service, process), organisational, marketing level- from conception and prototyping, to transfer, patenting, commercialization, etc.

and submission of the application for a European Patent.

## **8.2 Grant payment policy**

Each Pilot Project Partner responsible for the region in which the selected MSME/Start-up is located will pay the consultant an amount up to 3.500,00 (including EPO's fees and taxes) for the service provided to the MSME/Start-up for applying for a European Patent. Any additional costs exceeding the aforementioned amount will not be covered by this grant and should be paid by the applicant MSME/Start-up.

## **9. APPLICATION PROCEDURE AND ELIGIBILITY CRITERIA**

### **9.1 Application Procedure**

Blue MSMEs/Start-ups already awarded with 4helix+ Innovation Vouchers in the framework of the Call mentioned in point 2, which created any inventions through the implementation of their innovative projects and are interested to be supported in applying for a European Patent in order to protect their inventions, should access the link connecting to "CYBER SPACE" [https://4helix.unicam.it/epo\\_call.php](https://4helix.unicam.it/epo_call.php) and download the following documents:

- a) **"Application Form"** (Annex 1),
- b) **"Applicant's Statement"** (Annex 2),
- c) **"De Minimis Declaration"** (Annex 3)
- d) **"Service Provider's Statement"** (Annex 4)
- e) **"Three Party Contract"** (Annex 5)
- f) **"Evaluation Form"** (Annex 7)

The documents (a), (b) and (c) must be filled with the requested information, signed by the legal representative of the Applicant, and stamped. Document (d), reporting service provider's experience in EPO applications, must be filled, signed by the legal representative of the service provider (consultant) and stamped.

All the aforementioned documents must be scanned and **uploaded** on **"CYBER SPACE"** **together with** a scanned copy of a **"Collaboration Agreement"** signed by the legal representative of the MSME/Start-up and the legal representative of the service provider. The Collaboration Agreement should report the activities to carry out, respective obligations and the cost of the service and European Patent Office's fees (to be paid by the consultant).

### **9.2 Eligibility criteria**

**All applicants must fulfil ALL eligibility criteria mentioned below:**

- Applications must be drawn up in English (applications in other languages will not be accepted).
- Applicants must be representatives of the 48 blue MSMEs/Start-ups which have received a Voucher in the framework of 4helix+ Innovation Voucher Scheme;
- Applicants should have successfully concluded their innovation projects (positive approval of the project's final Report by the responsible Pilot Project Partner) having created any inventions during their implementation that could be granted a European Patent according to



the requirements of the European Patent Convention: [https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g\\_i.htm](https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g_i.htm). In particular, applicants are requested to check carefully if they fulfil the requirements of EPO paying special attention to the “List of exclusions”: [https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g\\_ii\\_3.htm](https://www.epo.org/law-practice/legal-texts/html/guidelines/e/g_ii_3.htm)

- Applicants should not have exceeded the limits mentioned in point 6 as regards state aid grants received during the last three years under the “De Minimis” regulation (**including the 10.000,00€ of the Innovation Voucher**).
- Applicants should have selected a service provider (consultant) experienced in EPO applications for European Patent (at least one application during the last 8 years)

## **10. DEADLINE FOR THE SUBMISSION OF THE APPLICATIONS**

Interested blue SMEs/Start-ups must submit their Expression of Interest (Application Form and accompanying documents mentioned in point 9.1) for the grant related to the European Patent application **starting from the 15 of January 2020 and by the 15 of February 2020 17:00 h (CET) Brussels time CET.**

## **11. EVALUATION - SELECTION OF THE APPLICATIONS**

Applications will be firstly checked in respect to their completeness and eligibility criteria (mentioned in points 9.1 and 9.2) fulfilment. Applications not fulfilling the eligibility criteria will be rejected. In these cases applicants will be informed by the Responsible Pilot Project Partners by e-mail. Applications fulfilling the eligibility criteria will be evaluated by the relevant Selection Boards already formed by Pilot Project Partners in the framework of 4helix+ Voucher Scheme, on the bases of the following assessment criteria (see Annex 7):

- Innovation potential (ground-breaking objectives, novel approaches) (40%)
- Enhancement of the innovation capacity of the company (30%)
- Market potential (30%)

It must be noticed that the aforementioned criteria already used, among others, in evaluating the projects submitted by the blue MSMEs in the framework of the Call for Innovation Vouchers, will be used under this Call in re-evaluating the successfully concluded projects that have created any innovations.

Each pilot area Selection Board will rank applications submitted by the blue MSMEs/Start-ups of its region on the bases of the overall score - in descending order from highest to lowest score - resulting by the sum of the particular scores obtained in each one of the assessment criteria mentioned above.

Award of the grant will be made on the basis of this ranking. Each Pilot area Selection Board will select the highest ranked application that will be awarded with a grant of up to 3.500,00€.

Applicants will be notified about classification results by e-mail. Results will be also published on the 4helix+ Cyberspace.

The selected MSMEs/Start-ups will receive a notice of acceptance of their applications by the responsible

Project Partners and they will be invited to sign a three party contract with the Pilot Project Partner and the Consultant.

## **12. APPLICATION FOR THE EUROPEAN PATENT - GRANT REDEMPTION**

Selected MSMEs/Start-ups and related service providers (consultants) will have one and a half months from the date of entering in force of the Three Party Contract to prepare and submit their applications for the European Patent to the European Patent Office.

Upon the successful submission of the application for the European Patent, a Report describing the activities carried out in its framework should be issued by the relevant Service Provider and delivered to the MSME/Start-up. The MSME/Start-up will present to the responsible Pilot Project Partner a Request for Payment (Annex 6). The Report, any EPO's documents proving the submission of the application and also copies of the evidences related to the payment of EPO's fees (provided by the consultant) will be attached to the Request for Payment. Responsible Pilot Project Partner will validate the Report within 15 days from the date of submission, by accepting or not the Request for Payment.

The Request for Payment must be submitted to the responsible Pilot Project Partner following the timetable established in point 14.

Following the acceptance of the Request for Payment, the Responsible Pilot Project Partner will request the service provider involved to issue an invoice corresponding to the amount reported in the Request for Payment. The service provider is obliged to issue the invoice directly to the Pilot Project Partner, quoting the services provided to the MSME/Start-up and the fees paid to the European Patent Office, with reference to the "4helix+ / 3MED17\_1.1\_M2\_003\_ Support for European Patent".

Each Pilot partner will be liable to pay the service provider once it has received:

- A valid tax invoice from the consultant **(in original)**;
- A Request for Payment signed by the Applicant MSME/Start-up, indicating that the agreed services have been provided and the cost of the service (including EPO's relevant fees). The Report on the activities carried out, evidences regarding the submission of the application for the European Patent and the payment of the EPO Fees (provided by the consultant) must be attached to the Request of Payment.

## **13. PRIVACY AND DISCLAIMER**

### **13.1 Privacy**

The person applying for the grant related to European Patent application and undersigning the Applicant's Declaration gives its permission to 4helix+ partners to process the data given only for management (including publishing of general information) and statistic purposes even through digital devices respecting the security and privacy within the law. In particular, data processing by 4helix+ Project Partners will be made in accordance with the provisions of Regulation (EU) 2016/679 and the subsequent transposing laws (jointly, the "GDPR"). The realization of the project implies processing of the following personal data: name of the organization, address, VAT number, telephone number, e-mail, web site, name of the legal representative of the organization surname, position, telephone number, e-mail, name of the consulting company or name and surname of the consultant, telephone number, e-mail. During project's implementation personal data will be processed exclusively by persons authorized by project

partners. As an interested party the applicant can require from the responsible Pilot Partner to exercise the rights described in the art. 15 of GDPR and in particular: access to relevant personal data rectification, integration, deletion, limitation of processing that concerns them or to oppose their processing. Pursuant to art. 17, paragraph 3, let. d), the right to cancellation does not exist for data which must be processed for the purposes of scientific research if the objective of the research itself cannot be obtained without them.

### **13.2 Disclaimer**

The EU Interreg MED Programme make no representation, warranty or undertaking of any kind in relation to the accuracy or completeness of any Information.

The EU Interreg MED Programme will not be liable or responsible to any person in relation to any inaccuracy, error, omission or misleading statements contained in the Information.

The EU Interreg MED Programme will not be liable or responsible to any person in relation to any failure to inform any person of inaccuracy, error, omission or misleading statement contained in such Information of which it becomes aware after the date of release of that Information.

The EU Interreg MED Programme shall not be liable to any person for any damages, losses, costs, liabilities or expenses of any kind which it may suffer as a consequence of relying upon such Information.

Under no circumstances will the EU Interreg MED Programme be liable for any costs or expenses borne by applicants in this process.

## **14. TIMETABLE OF THE RESTRICTED CALL FOR EPO APPLICATION GRANT**

Publication date	16.12.2019
Launch date	15.01.2020
Closing date	15.02.2020
Evaluation and notification of Applicants	By the 28.02.2020
Contracting Phase	By the 15.03.2020
Submission of the EPO application	By the 30.04.2020
Payment Claim Submission	By the 15.06.2020
Payment	By the 30.06.2020

## **15. INDEX OF ANNEXES**

ANNEX 1 Application Form

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- ANNEX 3 De Minimis Declaration
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- ANNEX 5 Three Party Contract
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- ANNEX 7 Evaluation form