



# Welcome to our joint IP training series:

## Patent protection for EU funding beneficiaries

An IP training series offered by the  
European Patent Office and the  
European IP Helpdesk



European  
IP Helpdesk





# Patent Protection for EU funding Beneficiaires

## Digital Communication



# European IP Helpdesk

- Service initiative of the European Commission
- Addressing **current and potential beneficiaries of EU-funded projects, researchers and EU SMEs**
- Free-of-charge first-line support on intellectual property (IP)
- Hands-on IP and innovation management support
- International pool of IP experts from various thematic fields
- Unique cooperation scheme with the Enterprise Europe Network: 43 ambassadors from 27 EU countries





# The EC IP Helpdesks





# Agenda

- **Introduction**

Michele Dubbini, Senior IP Expert, European IP Helpdesk

- **Main aspects of IP management in EU-funded projects**

Michele Dubbini, Senior IP Expert, European IP Helpdesk

- **Getting to know patents**

Christian Soltmann, Product Manager Patent Data & Services at European Patent Office

- **Patentability of new technological developments in Digital Communication**

Georgia Tseliou, Patent Examiner at European Patent Office

- **Learning resources**

- **Q&A**



[● REC]



# European IP Helpdesk

Stay ahead of the innovation game.

IP in EU funded projects (H2020/HEU)

20.10.2022





# Roadmap

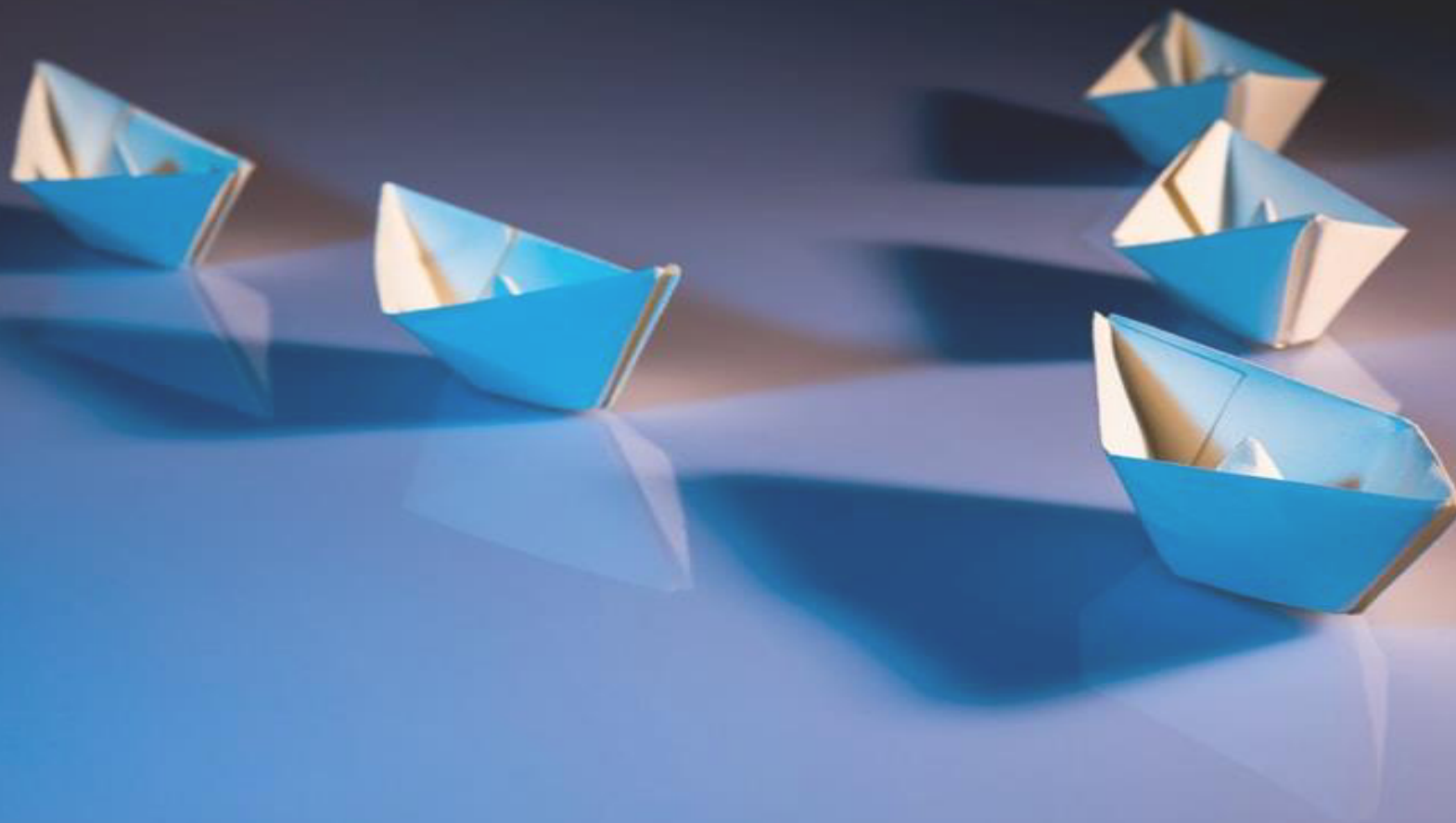
- Rules and Agreements
- Specific Vocabulary





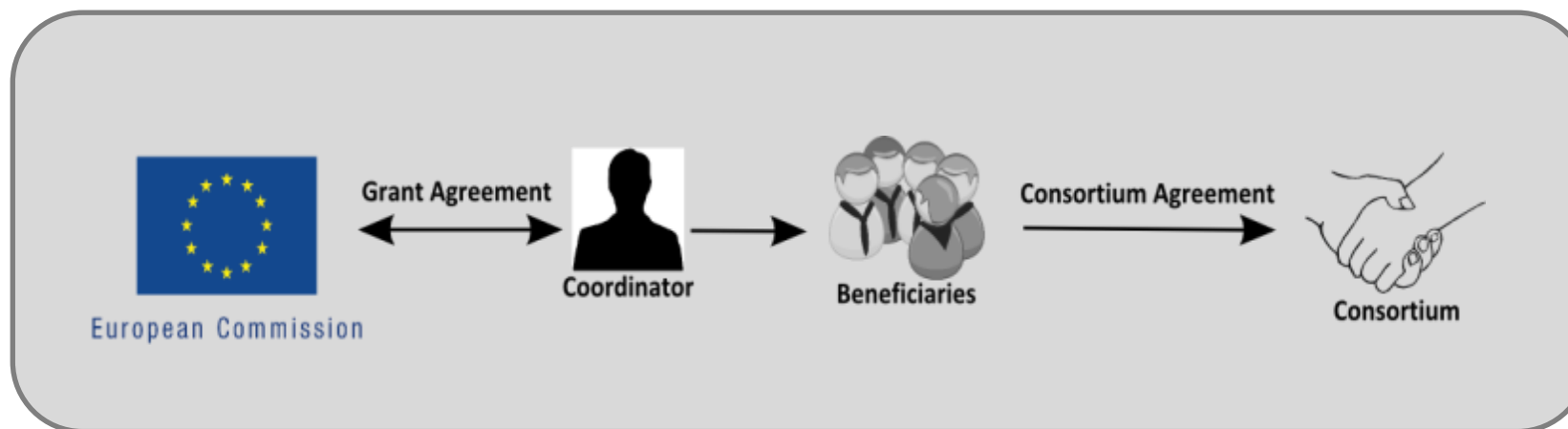


# Rules & Agreements



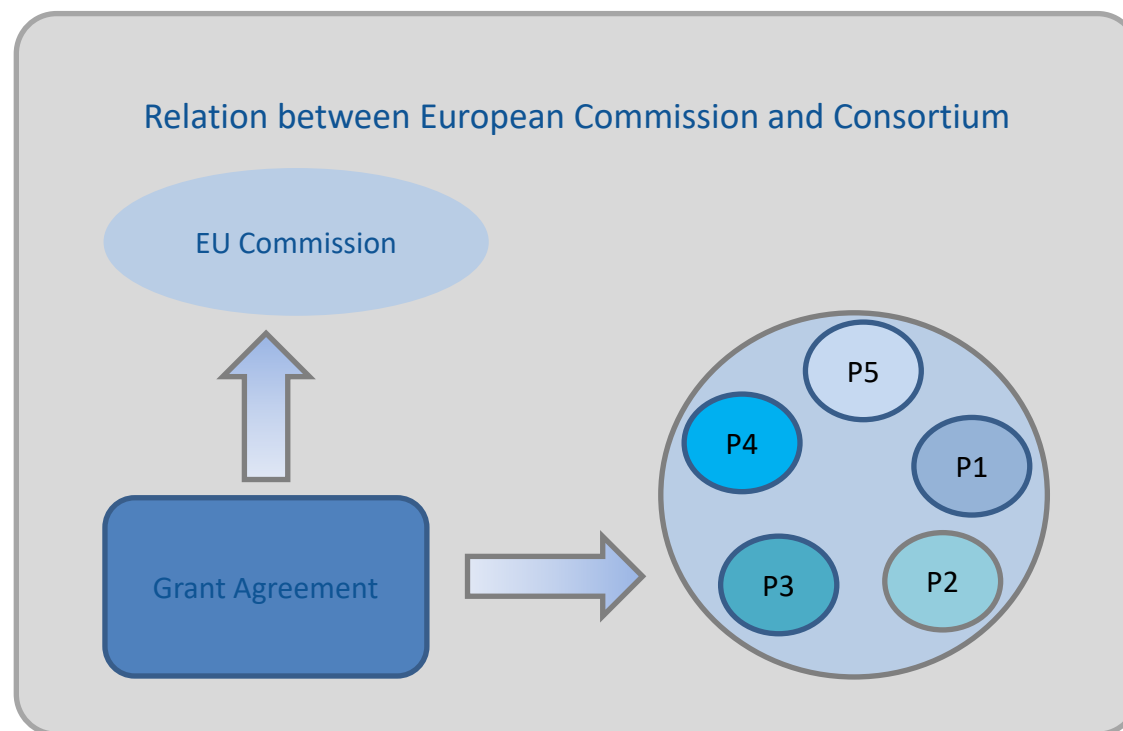


# Overview: Agreements



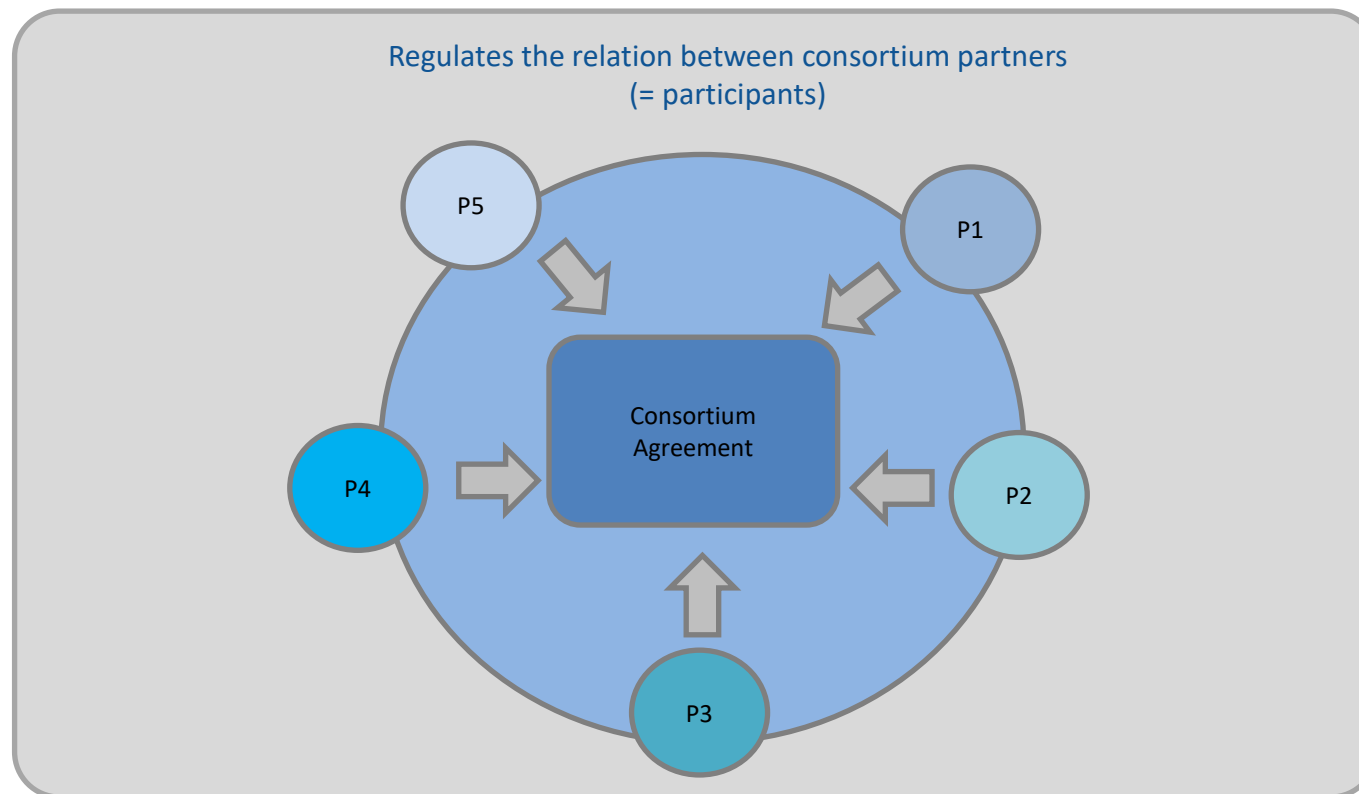


# Grant Agreement (GA)





# Consortium Agreement (CA)





# Specific Vocabulary





# Vocabulary

Key terms in the context of Horizon projects are:

- Background
- Results
- Exploitation
- Dissemination
- Access rights





# Ownership of Results

- In Horizon projects, generally the Grant Agreement establishes that the results of the project belong to the participant generating them.
- It is advisable to take appropriate measures to properly manage ownership issues, such as keeping laboratory books or other kinds of documentary evidence (e.g. a properly completed Invention Disclosure Form).



## Access Rights (I)

- Each project partner has the right to request access rights to the other project partners' background and results **as long as it needs them** in order to carry out its work under the project or to exploit its own results (these are minimum access rights: additional ones can always be negotiated!).
- To avoid conflicts, it is recommended that beneficiaries agree (e.g. in the consortium agreement) on a common interpretation of what is “**needed**”
- Shall be **requested in writing**. Can be granted in any form.
- Are to be requested/granted throughout the duration and up to 1 year (or as otherwise agreed in the CA) after the end of the project for exploitation needs. Once requested, access rights may be exercised as long as they are needed for exploiting the results (e.g. until the background patent expires).

*Access rights do not confer the right to grant sub-licences!*







## NEW: Results Ownership List (ROL)

A new form will be introduced – **Results Ownership List (ROL)** in the final reporting period – This form will detail the final owners of IP after the project is over, and can consist of singular or multiple owners to enable EC follow up of exploitation



## Tracking of Research Results (TRR)

- The Tracking of Research Results project (TRR) aims to enable the policy makers in research and innovation to access, analyze and disseminate the outcomes and impacts of the funded research results in a more comprehensive manner.
- The R&I policy context puts ever higher importance on better demonstrating and increasing the impact of EU funded projects
- The long term nature of R&I and the time-lag between the intervention and the occurrence of any (intended, unintended, positive or negative) impact means that any research that ultimately has a significant impact will be undervalued in its immediate aftermath.

- The EC collection of project data is fit for monitoring only

EC tracks results  
up to 4 years after  
project completion



## Other innovation support initiatives



Horizon IP Scan

Helping SMEs manage and valorise  
Intellectual Property in R&I collaborations



<https://www.ipa4sme.eu/>



## Contact:

- Website: [ec.europa.eu/ip-helpdesk](https://ec.europa.eu/ip-helpdesk)
- [helpline@iprhelpdesk.eu](mailto:helpline@iprhelpdesk.eu)
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<https://attendee.gotowebinar.com/recording/3004469817145880321>





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# Thank you!

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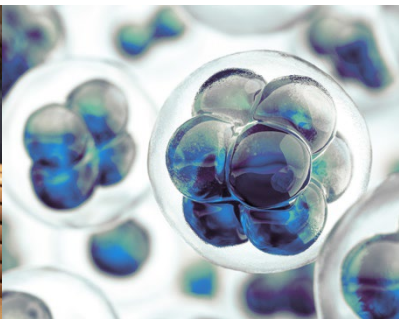




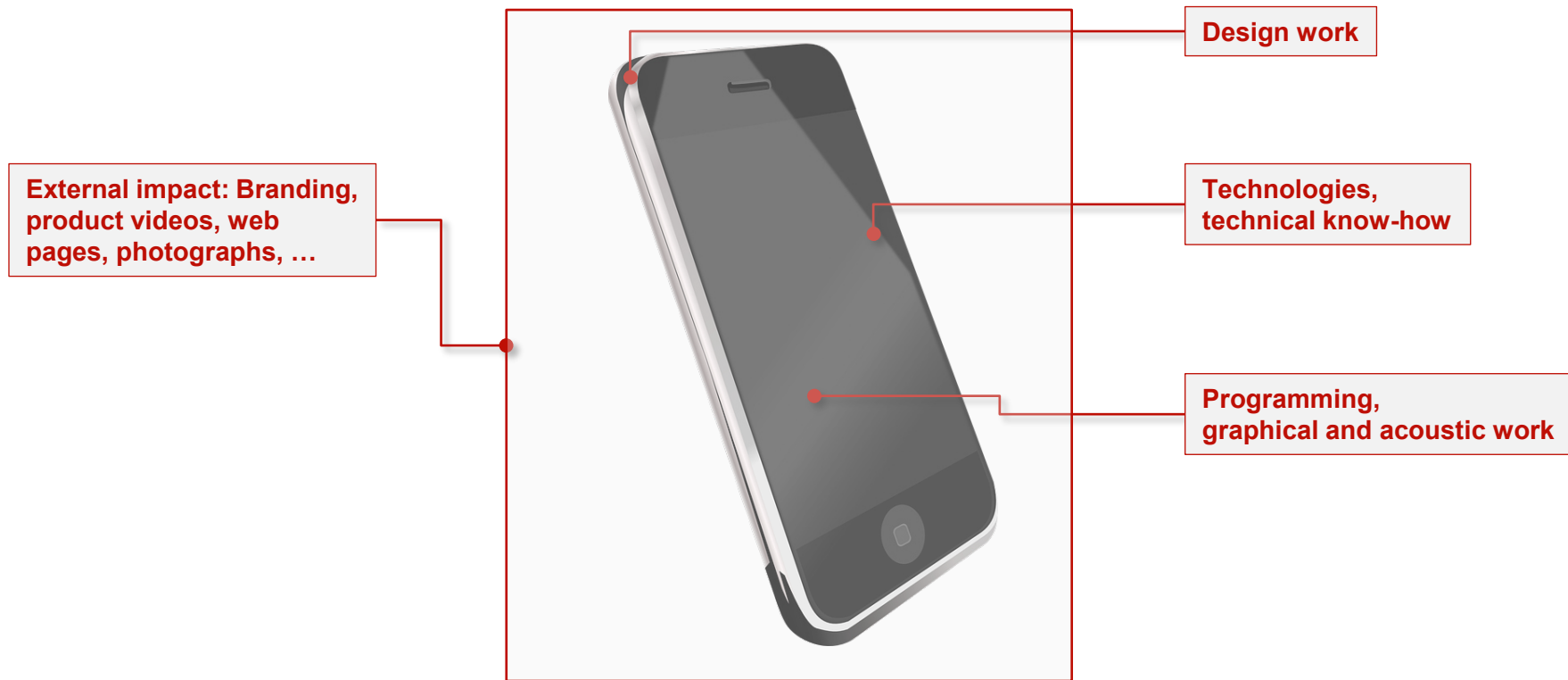
Europäisches  
Patentamt  
European  
Patent Office  
Office européen  
des brevets

AU63-2022 Patent protection for EU funding beneficiaries

# Getting to know patents



# Creating products and services: To start with an example ...



# Intellectual property rights help to protect your products and services

Legal right	What for?	How?	
Patents	New inventions	Application and examination	
Copyright	Original creative or artistic forms (literary texts, music)	Exists automatically	
Trade marks	Distinctive identification of products and services	Use and/or registration	
Registered designs	External appearance	Registration	
Trade secrets	Valuable information not known to the public	Reasonable efforts to keep secret	



# Patents: Overview

- Patents protect (technical) inventions
- Patent: A legal title which grants the holder the *exclusive* right to prevent others from making, using or offering for sale, selling or importing a product that infringes his/her patent without authorisation
- Principle of territoriality: Valid in countries for which the patent was granted
- Exist for a limited time (up to 20 years)
- Exceptions and limitations apply



# The basic principle of the patent system: Balance of interests



## Benefit the public

by making the  
detailed description  
of the invention  
available to everyone

Technical information available 18  
months after filing

## Patents



## Benefit the owner

by preventing third  
parties from exploiting  
the invention for  
commercial purposes  
without authorisation

Patent valid for max. 20 years

# Patent system: An incentive for economic growth



- Enables patent holders to recoup their development costs
- Makes the latest technological knowledge available to the public
- Inspires further innovation
- Prevents duplication of R&D
- Provides the legal basis for licensing and R&D co-operation
- Attracts venture capital funds and investors

# Three possible routes to get patent protection in Europe



Route	National	European	International
Via	National offices	European Patent Office or national offices	International Bureau or European Patent Office or national offices
Valid in	One country	Up to 39 countries + one extension state + four validation states	Up to 156 countries
In brief	Applications are filed with the relevant national office and are valid for that state only	One single application in DE/EN/FR for all EPC contracting states. Same legal effects as national patents	Centralised international patent application procedure. After the international phase, applicants can choose to enter the national/regional phase in various states. No international patent

# Today ... an area with some 700m inhabitants

## 39 European member states

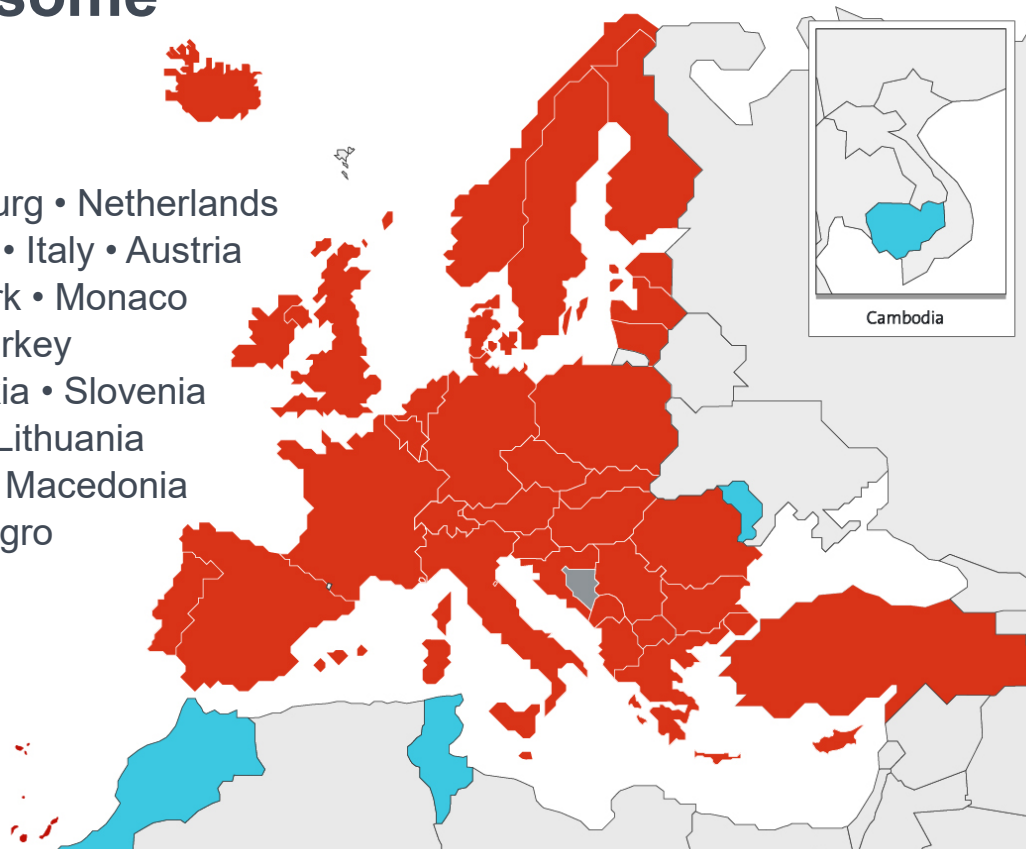
Belgium • Germany • France • Luxembourg • Netherlands  
Switzerland • United Kingdom • Sweden • Italy • Austria  
Liechtenstein • Greece • Spain • Denmark • Monaco  
Portugal • Ireland • Finland • Cyprus • Turkey  
Bulgaria • Czech Rep. • Estonia • Slovakia • Slovenia  
Hungary • Romania • Poland • Iceland • Lithuania  
Latvia • Malta • Croatia • Norway • North Macedonia  
San Marino • Albania • Serbia • Montenegro

## One European extension state

Bosnia and Herzegovina

## Four validation states

Republic of Moldova • Morocco • Tunisia  
Cambodia



# European route: Patentability requirements

**Patents** are granted **for inventions** in all fields of technology

To be patentable, **inventions must**

- be **new**
- involve an **inventive step**
- be **industrially applicable**

They must relate to a product, process, apparatus or use.



# European route: Excluded from patentability<sup>1</sup>

- Discoveries
- Scientific theories
- Mathematical methods
- Computer programs
- Aesthetic creations
- Business methods
- Methods for playing games
- Methods for performing mental acts
- Presentations of information



if claimed  
"as such"

<sup>1</sup> See Article 52 EPC and the case law of the Boards of Appeal.

# European route: Exceptions to patentability<sup>1</sup>

- Plant or animal varieties or essentially biological processes for the production of plants or animals (e.g. marker-assisted breeding)
- Inventions whose commercial exploitation would be contrary to "ordre public" or morality (e.g. processes for the cloning of human beings)
- Methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practised on the human or animal body

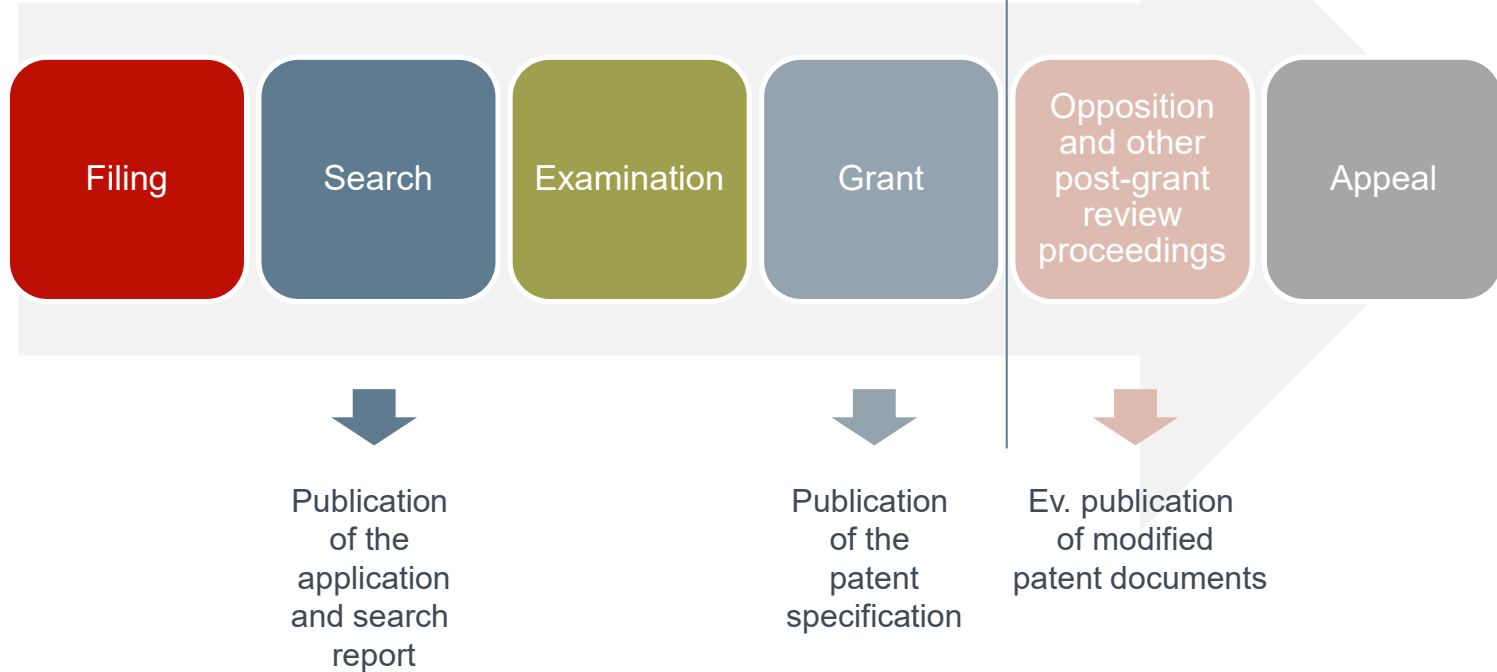


<sup>1</sup> See Article 53 and Rule 28 EPC





# Basic steps in the European grant procedure

## Centralised application and examination phase



# What information do patent documents contain?

- **Title** of the invention, name of the inventor
- **Detailed description of the invention:**  
how it is constructed, how it is used, benefits compared with what already exists
- **Claims** providing a precise definition of the scope for which legal protection is sought
- **Drawings**
- **Abstracts:** summary of the invention – particularly useful for search engines

(19)  (11)  EP 1 741 472 A2

(12) EUROPEAN PATENT APPLICATION

(43) Date of publication: 10.01.2007 Bulletin 2007/02 (51) Int. Cl.: A62B 17/00 (2006.01) A61D 13/00 (2006.01)

(21) Application number: 05122328.5 (22) Date of filing: 15.02.2001

(84) Designated Contracting States: DE FR GB IT

(30) Priority: 03.03.2000 US 517919

(62) Document number(s) of the earlier application(s) in accordance with Art. 76 EPC: 01912744.8 / 1 259 294

(71) Applicant: LION APPAREL, INC.  
Dayton, OH 45413-0576 (US)

(72) Inventors:  
• Aldridge, Donald  
New Carlisle, OH 45344 (US)

(74) Representative: Asquith, Julian Peter  
Marks & Clerk,  
4220 Nash Court,  
Oxford Business Park South  
Oxford OX4 2HU (GB)

**Remarks:**  
This application was filed on 16 - 10 - 2006 as a divisional application to the application mentioned under INID code 62.

(54) Firefighting garment

(57) A protective garment comprises an outer shell of an abrasion, flame and heat resistant material; a thermal barrier/moisture barrier composite positioned between the outer shell and a weaver of the garment, the thermal barrier/moisture barrier composite including a substantially liquid-impermeable membrane bonded to one surface of a heat and flame resistant fabric substrate, and a first layer of heat and flame resistant insulating material attached to an opposite surface of the fabric substrate; a face cloth positioned between the thermal barrier/moisture barrier composite and a weaver of the garment; and a second layer of heat and flame resistant insulating material attached to the face cloth and positioned between the thermal barrier/moisture barrier composite and face cloth.

EP 1 741 472 A2

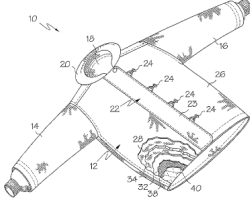
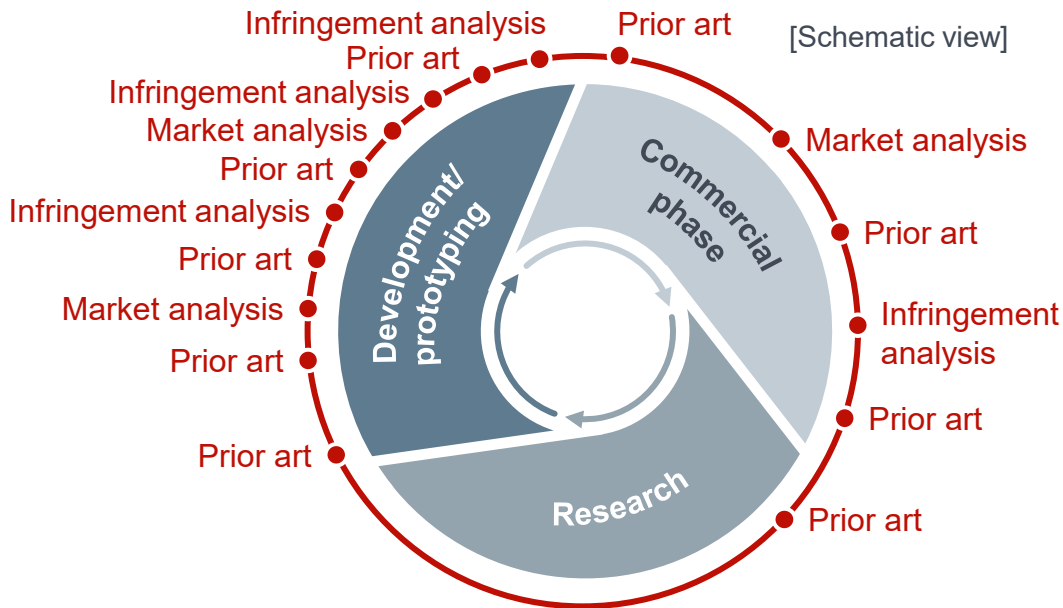


FIG. 1

Printed by Jouve, 75001 PARIS (FR)

# Why patent information is so important



Patent information helps to

- find out **what technology already exists** and build on it
- **avoid duplication** of R&D expenditure
- check where an invention is protected
- **avoid infringing** other people's patent rights
- **keep track** of what others are doing
- **identify new partners**, e.g. for licensing
- **spot trends** in technology or the market
- ... and much more.

- ✓ Patent information supports informed decision-making at all stages of the innovation process!
- ✓ With that, patent information makes businesses more successful and supports innovation

# Conclusions



Patents help to protect (technical) inventions.

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The patent system provides for a balance of interests between patent holders and the public.

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There are different routes to patent protection in Europe.

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It is important to be aware of the patentability requirements, exclusions and exceptions to patentability.

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# Need more information?

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[linkedin.com/company/european-patent-office](https://linkedin.com/company/european-patent-office)



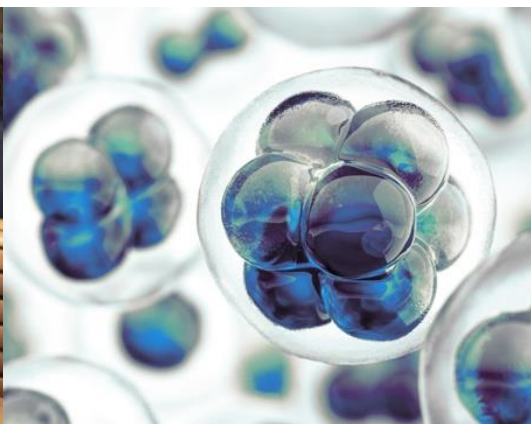
[instagram.com/europeanpatentoffice](https://instagram.com/europeanpatentoffice)

# Patentability of new technological developments in digital technology

Navigating the patent landscape of telecommunications



Georgia Tseliou



Examiner, Wireless Telecommunications



20 October 2022

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Motivation

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Technological Evolution

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Patents in Telecommunications

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Patents and Standards

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Conclusions

## Click to edit Master title style

Information & Communications Technology (ICT): highly innovative and rapidly changing area

Computing & telecommunications

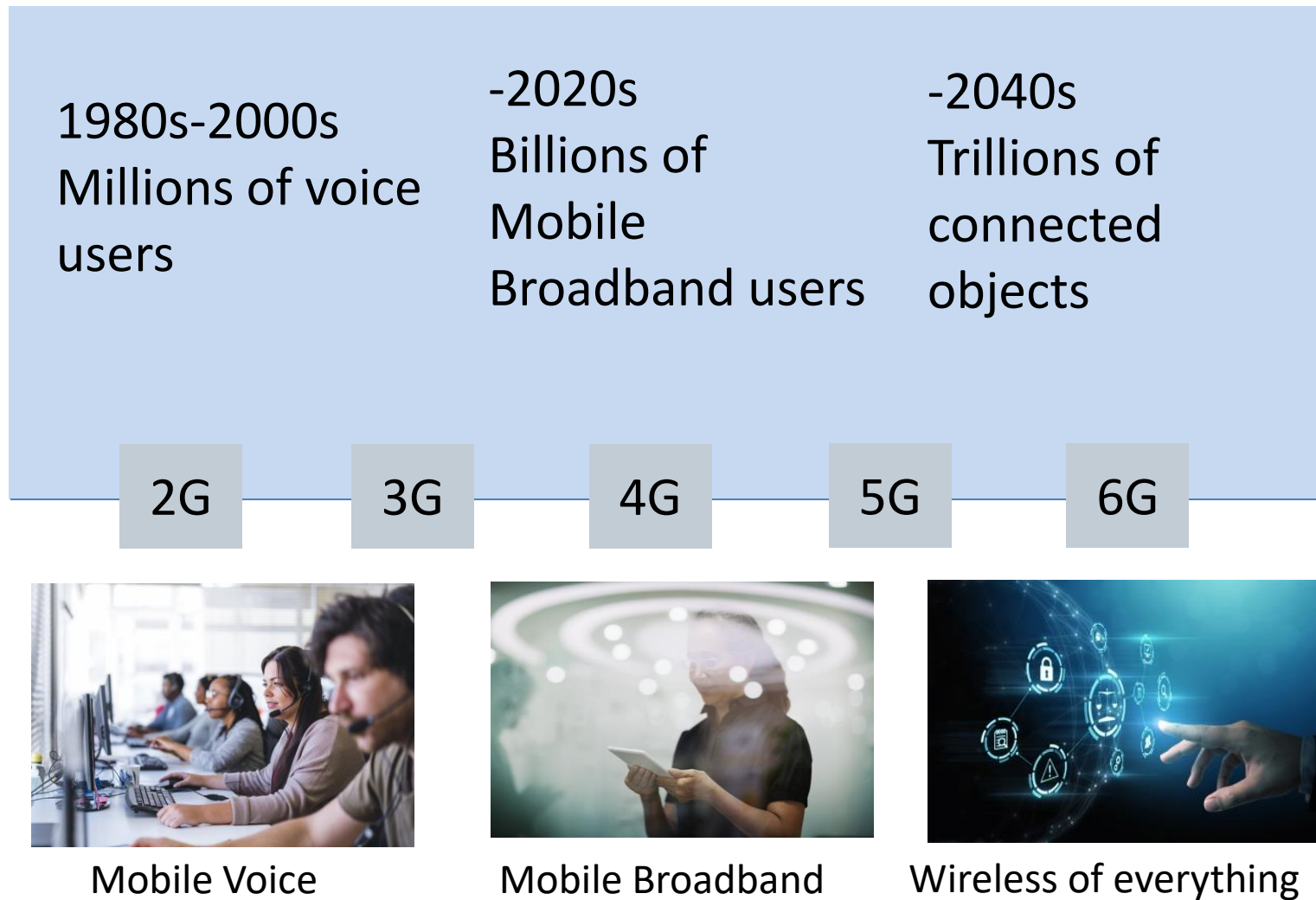
Developments in emerging technologies, AI

Emergence & convergence of new verticals

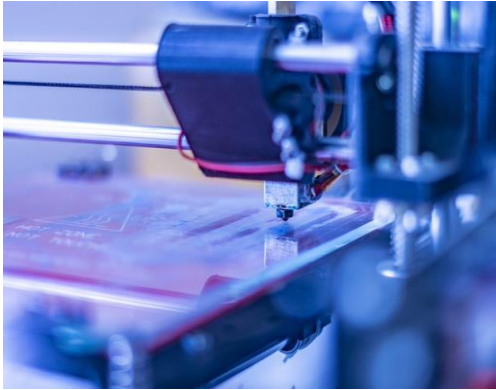
5G: largest technology shift in ICT since 2G to 3G







## Click to edit Master title style



- Real time data
- Edge Processing
- Process AI

Automated Factories

- Sensing system
- Machine Vision
- Preference Analytics



Personal Experiences



- Edge Analytics
- Wireless Sensing
- Machine Learning

Smart Health

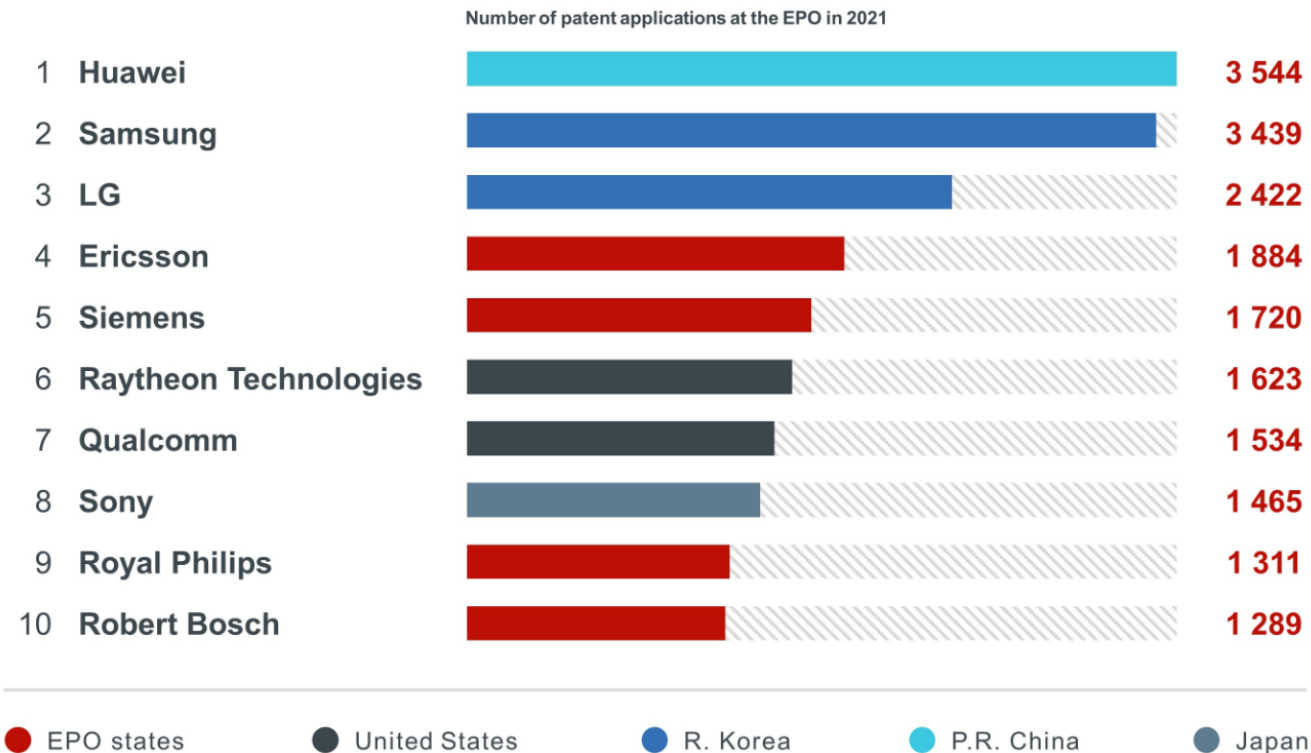
- Multi-radio
- Sensor mesh
- Swarm AI



Automated Vehicles

## Top applicants for European patents 2021

TOP 10

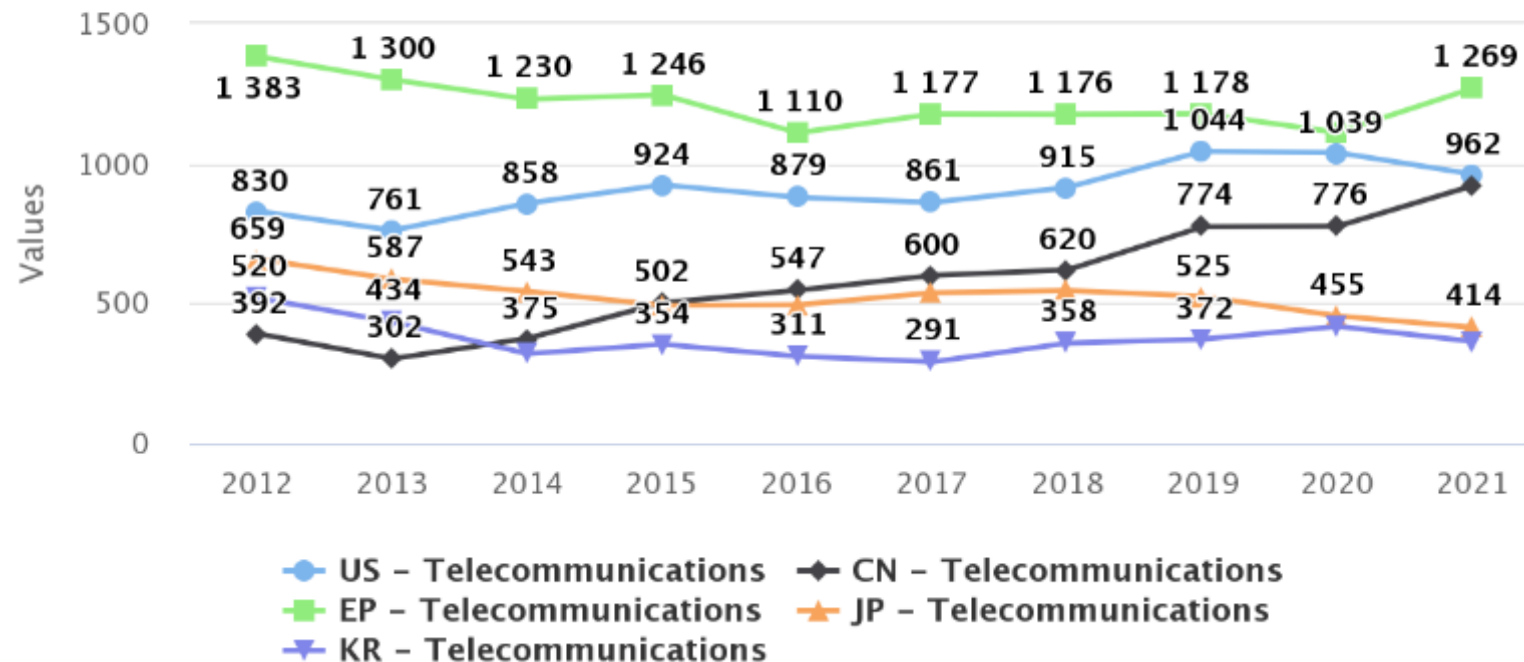


European Patent Office 2022



## European patent applications

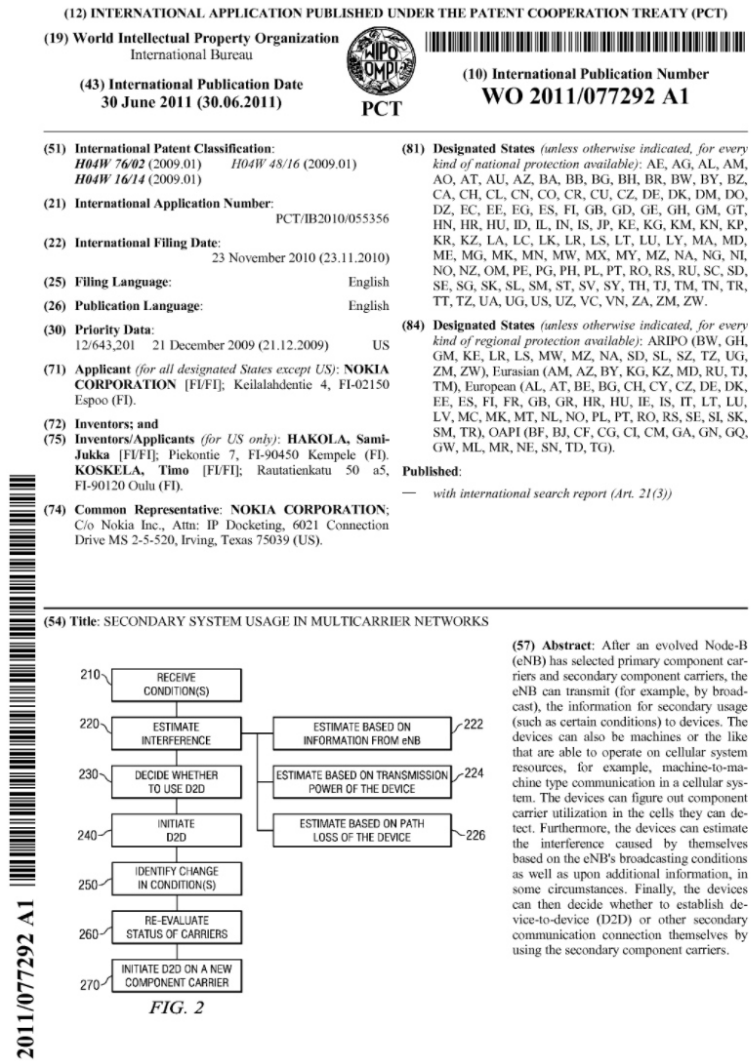
2012 to 2021



Source: <https://new.epo.org/en/statuses-centre?chartType=line&patentType=applications&fromDate=%5B%222012%22%5D&toDate=%5B%222021%22%5D&selectedCountries=%5B%22EP%22%2C%22CN%22%2C%22JP%22%2C%22KR%22%2C%22US%22%5D&selectedFields=%5B%5D>

# Click to edit Master title style

- **Title** of the invention, name of the inventor
- **Detailed description of the invention:**  
how it is constructed, how it is used, benefits compared with what already exists
- **Claims** providing a precise definition of what the patent application aims to protect
- **Drawings**
- **Abstracts:** summary of the invention – particularly useful for search engines



Published Patent Application

## Click to edit Master title style

Let's have a look at a claim

Claim is a solution to a technical problem

Features should be new and inventive to be allowable under EPC

Industrial application

At search stage

1. A method, comprising:  
selecting at least one primary component carrier for a cell of a radio network;  
selecting at least one secondary component carrier for the cell of the radio network;  
and  
initiating transmission of at least one condition to at least one device, wherein the  
at least one condition is configured to permit the at least one device to determine whether  
to use at least one of the at least one secondary component carriers for device-to-device  
communication with at least one other device.

Claim as originally filed

## After substantive examination

1. A method, comprising:

Selecting, at an access node of a radio network, at least one primary component carrier for a cell of ~~at~~the radio network;

Selecting, at the access node, at least one secondary component carrier for the cell of the radio network; and

initiating transmission of at least one condition from the access node to at least one device (420), wherein the at least one condition comprises an indication of a maximum allowed interference, wherein the at least one condition is configured to permit the at least one device to determine, at a respective device, whether to use at least one of the at least one secondary component carriers for device-to-device communication with at least one other device (430) based on comparing an estimated interference caused by prospective transmission from the respective device in a prospective device-to-device communication to the at least one condition, wherein the at least one condition comprises an indication of a maximum allowed interference.

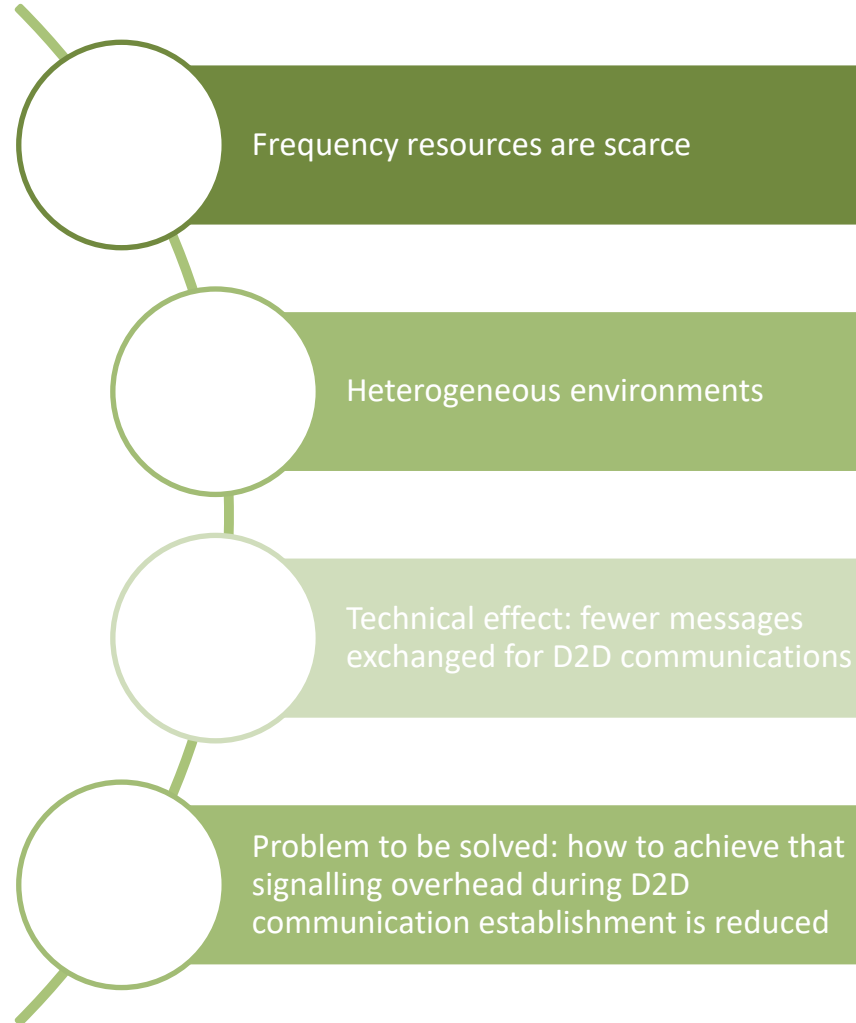
Amended features

Different from the prior art

Not obvious

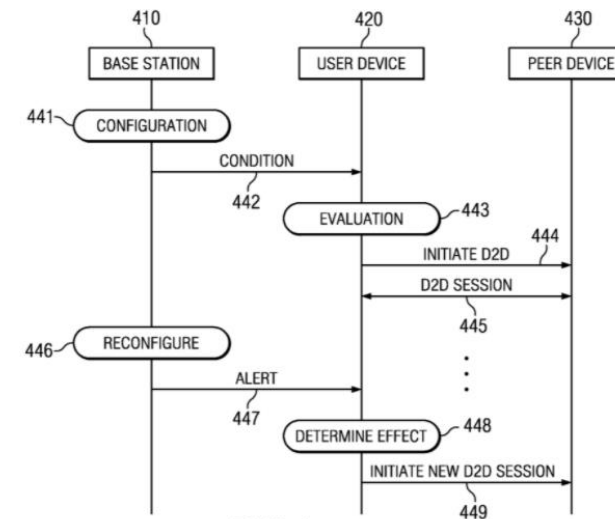
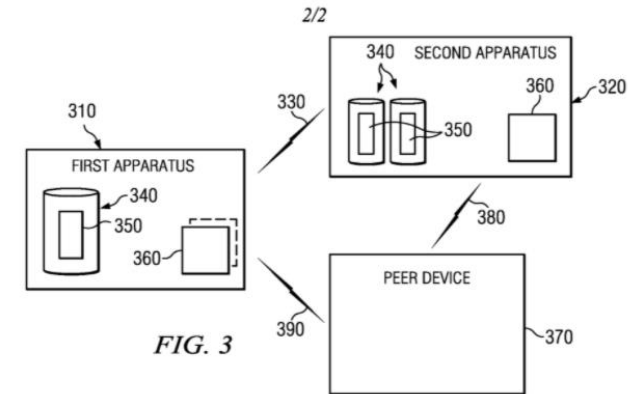


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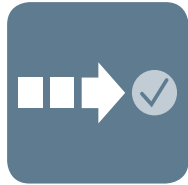


WO 2011/077292

PCT/IB2010/055356

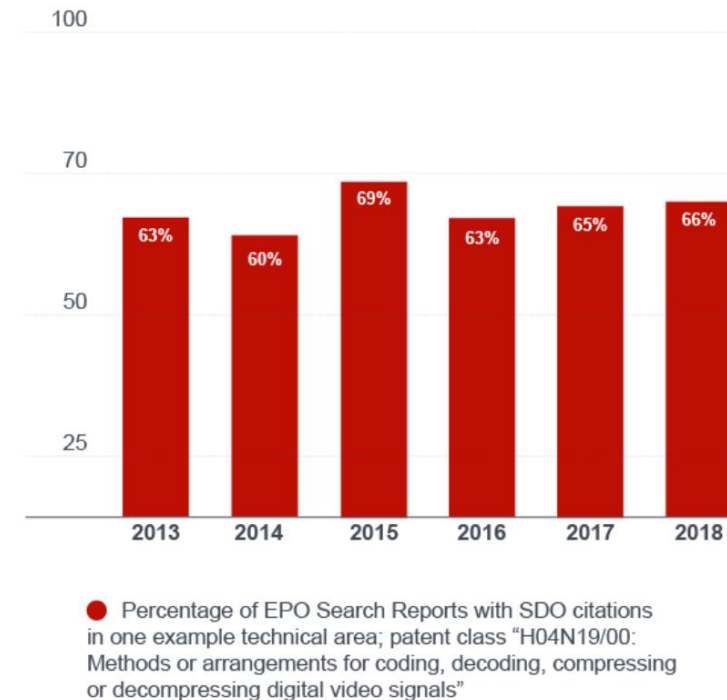






## EPO and Patent information contributes actively to **further development of standards**

Standards provide guidelines to manufacturers, vendors, government agencies, and other service providers to ensure the kind of inter connectivity necessary in today's marketplace and in international communications

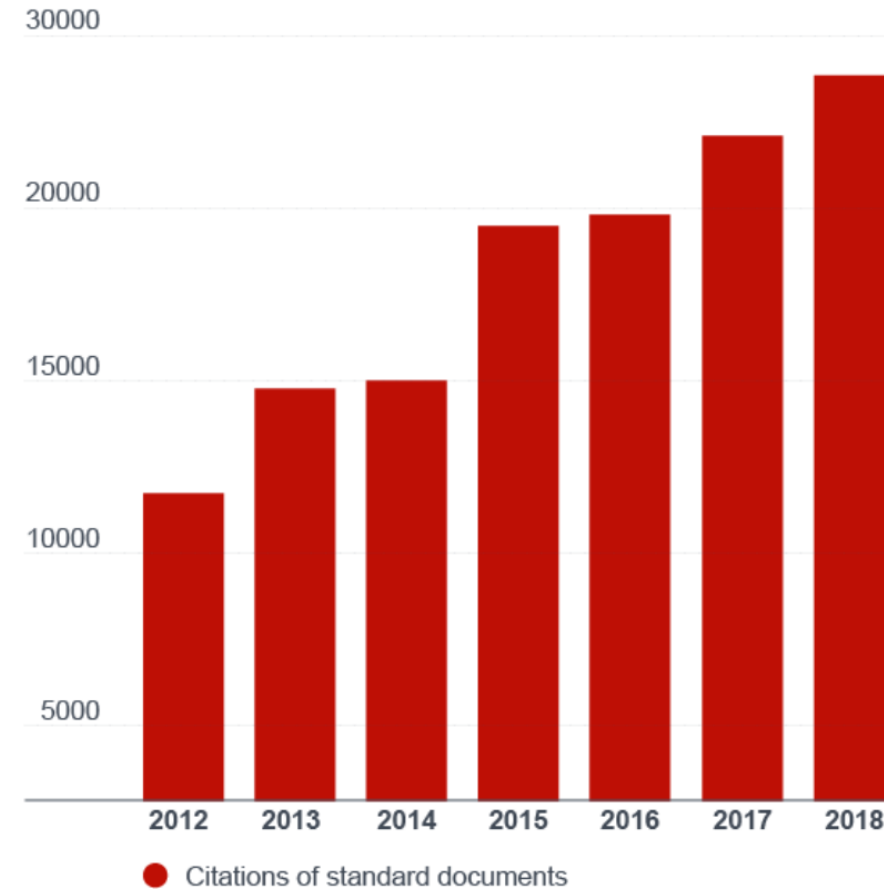


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Standards documents qualify as state of the art unless they are subject to a clearly established and well respected confidentiality obligation

To be considered new, the patent applications claiming these technologies must be filed before disclosure in the standards development process

Previously disclosed standards documentation may also be used to determine what is considered "obvious" to the person skilled in the art



Standard Essential Patents (SEPs) are patents that cover essential technologies that are considered an established standard in a particular industry

- Essential technologies :
  - solution described in the patent is mandated by the standard (where it applies)
  - Any standard compliant (certified) product must implement it
- Established standard:
  - De facto: a particular industry has simply chosen to adopt that standard without pre-existing agreement (Microsoft Windows)
  - De jure: a government agency (regulator) has imposed that standard
  - Compatibility: adopted by a SDO to which many participants in a particular industry belong to (3GPP specs adopted by ETSI)

Companies  
try to make  
profit via:

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Research: creating product ideas and patents

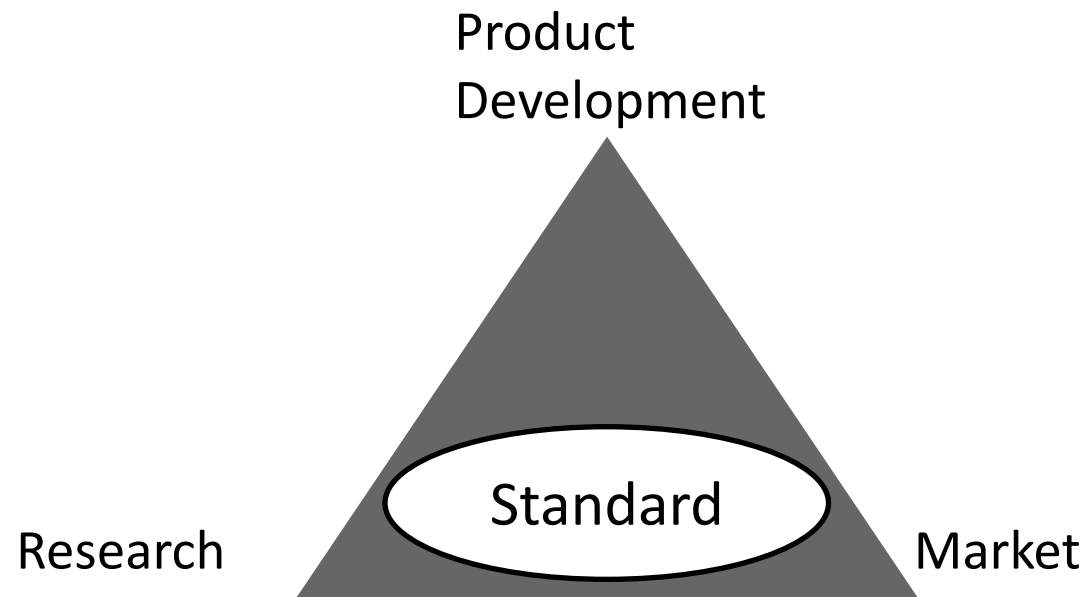
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Market: creating opportunities to sell products

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Products: creating revenue and market share

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- Click to edit Master text styles

- Second level

- Third level

- Fourth level

- Offer licenses of these IPRs on a FRAND basis

- Fifth level

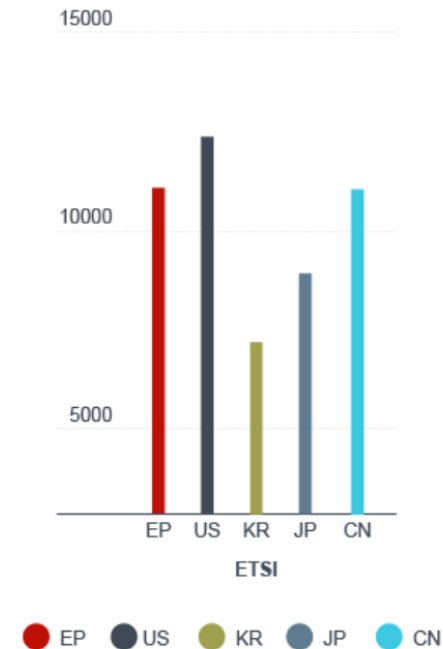
FRAND: Fair, Reasonable & Non-Discriminatory

Ensuring compatibility between patent and standardisation systems

Standards development participants to declare SEPs

The number of patent families declared to standardization bodies as SEP has already reached the tens of thousands

Numbers of Standard Essential Patents declared at major Standards Development Organisations



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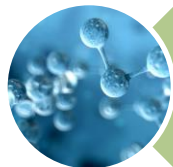
Patents can be part of a business strategy



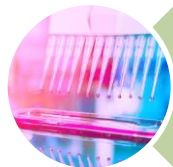
There is no worldwide patent; a patent is limited both in territory and time (valid for maximum 20 years)



If you want a patent, you **must keep your invention secret** until the application is filed



You will only get a patent if the application and the described invention fulfils the EPC requirements



Every procedure in each PO is different and the final decision is up to the respective PO

## Click to edit Master title style



Telecom: Highly innovative and rapidly changing field

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Innovation is reflected in the patent system

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A glimpse on search and exam in this field

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Innovation: IP vs. Invention & commercialisation

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SEPs and their role for industry and the patent system

Thank you!

Georgia Tseliou, Ph.D.  
[gtseliou@epo.org](mailto:gtseliou@epo.org)  
Patent Examiner, EPO

**Patent protection for EU  
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An IP training series offered by the  
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Many thanks to the European Patent Academy for supporting this presentation.



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# LEARNING RESOURCES

European IP Helpdesk

Michele Dubbini





# Communication Formats & Outreach Tools





# European IP Helpdesk Training Calendar

20  
OCT

2022

TRAINING AND WORKSHOPS

**EU - Webinar EPO Coop: Patent protection for EU funding beneficiaries - Digital communication**

📺 Live streaming available

27  
OCT

2022

TRAINING AND WORKSHOPS

**EU - Webinar: Consortium Agreements**

📺 Live streaming available

03  
NOV

2022

TRAINING AND WORKSHOPS

**EU - From Lab to Market - Successful Technology Transfer Journeys - Case: fos4x**

📺 Live streaming available

14  
NOV

2022

INFO DAYS

**Horizon IP Scan - Info Session**

📺 Live streaming available

26  
OCT

2022

TRAINING AND WORKSHOPS

**EU - Webinar: Technology Transfer**

📺 Live streaming available

02  
NOV

2022

TRAINING AND WORKSHOPS

**EU - Webinar CIOPORA coop: Enforcement practices for Plant Variety Rights in the EU**

📺 Live streaming available

10  
NOV

2022

TRAINING AND WORKSHOPS

**EU - Webinar: Effective IP and Outreach Strategies Help Increase the Impact of Research and Innovation**

📺 Live streaming available

15  
NOV

2022

TRAINING AND WORKSHOPS

**EU - Webinar: IP in Business collaborations for SMEs and Start-ups**

📺 Live streaming available








2022

Registration: [www.ec.europa.eu/ip-helpdesk](https://www.ec.europa.eu/ip-helpdesk)





# From Lab to Market – IP & successful TT Training series

<b>07</b> JUN 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: OXEON</b>  Live streaming available	<b>29</b> JUN 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: Atlantic Therapeutics</b>  Live streaming available
<b>12</b> JUL 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: Dermis Pharma</b>  Live streaming available	<b>13</b> SEP 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: Blubrake</b>  Live streaming available
<b>18</b> OCT 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: Perceive3D</b>  Live streaming available	<b>03</b> NOV 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: fos4x</b>  Live streaming available
<b>08</b> DEC 2022	TRAINING AND WORKSHOPS <b>EU - From Lab to Market - Successful Technology Transfer Journeys - Case: Cubicure</b>  Live streaming available		



Registration: [www.ec.europa.eu/ip-helpdesk/lab\\_market](http://www.ec.europa.eu/ip-helpdesk/lab_market)




# Ambassador Scheme

- **Cooperation scheme** with the Enterprise Europe Network (EEN): 43 ambassadors – 27 countries
- **Building IP capacities** among European SMEs
- **Overcoming language barriers**
- Making the topic **more accessible**
- Exchange and feedback from ambassadors on **needs of SMEs**
- Local **awareness** and **training events**






# Listen in!



**Talk innovation - the EPO podcast**  
Von European Patent Office

"Talk innovation" is brought to you by the European Patent Office (EPO). Expert presenters and guests – including our patent examiners – provide their perspective on technology trends and highlight ground-breaking inventions. Join us to learn more on the role of patents and the intellectual property (IP) system in supporting society and the economy.

 [Auf Spotify hören](#)



<https://anchor.fm/european-patent-office/episodes/Textiles-for-the-extreme-a-technology-transfer-case-study-e14nv77/a-a663s9j>



## Access to the 2022 [catalogue of the European Patent Academy](#)

### Contents

■	■	■	■	■	■	■	■
Foreword	Training areas and audiences	Activity types and formats	Patent granting	Technology transfer and dissemination	Patent litigation and enforcement	Projects and products	Publications
			Training overview National patent offices Patent attorneys Selected self-paced courses	Training overview Academia Business support Selected self-paced courses	Training overview Activities Selected self-paced courses		

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- Advanced level IP lectures designed for **researchers/students** with pre-existing IP knowledge
- Current series on Medical Technology: next Friday, 14-15 hrs CEST

Lectures scheduled for **2023**:

- **Plastic recycling and alternative plastics**  
(4 lectures)
- **Vaccines and therapeutics**  
(4 lectures)



**“Meet an inventor from the  
Medical Technology field”**  
Prof Dr Tim Lüth



- **Students and researchers**
- **Next visit:** 7 December 2022
- **Duration:** approx. 3 hours
- **Level:** entry – intermediate
- **Format:** online
- **Programme focus:**
  - Specific technical fields

### 3 study visits in 2023

- Introduction to the EPO and the European patent system: **15 June** and **7 December**
- Focus on plastic recycling and alternative plastics:  
**5 October**



- New series from the European Patent Academy in co-operation with the EPO communication department for a wide audience
- Features distinguished inventors and their inventions that were finalists or winners of the **European Inventor Award**



- Opportunity to interact with the inventors and learn how to successfully bring an invention to market
- Online sessions of 30 minutes' inventor's talk followed by 30 minutes Q&A session
- Next talk on **2 December 10:00 CET:**

**Jan van der Tempel**

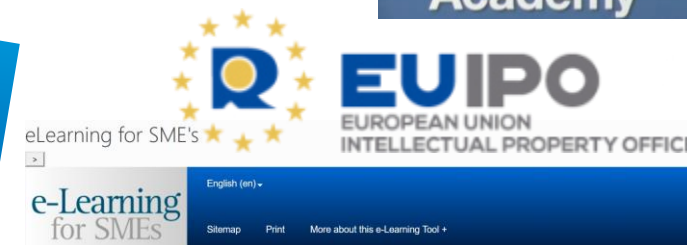
“Safe transfer to and from offshore platforms”

Available on YouTube, LinkedIn, Facebook,  
Twitter and Instagram



# Further learning opportunities:

1. [European IP Helpdesk Ambassadors and EEN](#)
2. [EUIPO learning portal](#)
3. [EUIPO – Ideas Powered for business website](#)
4. [WIPO Academy](#) / [Diagnostics](#)
5. [The Ideas Powered for business SME Fund](#)
6. [IPA4SME](#)
7. [Horizon IP Scan](#)
8. [\(IP Booster\)](#)
9. [Horizon Results Booster](#)
10. [Leadership4SMEs](#)
11. [EPO Academy](#)
12. [4IPCouncil](#)





# Q&A

All 😊





# Thank you!

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