

CALL FOR PROPOSALS N° GR/001/21

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

European small and medium-sized enterprises (EU SMEs) are crucial to the European economy as they represent over 99 % of all European enterprises and provide 67 % of total employment in Europe. Innovation plays a key role in EU SMEs' businesses, and intellectual property rights are a vital tool in promoting this innovation. The COVID-19 pandemic is impacting the competitive position of SMEs across Europe. The vision of the EUIPO Strategic Plan, SP2025, focuses on making the IP system work for businesses, in particular SMEs, in alignment with the European Commission's Industrial Strategy Policy.

To strengthen EU SMEs' competitiveness in the EU market, the European Commission is carrying out a series of actions within the framework of the EU programme for the Competitiveness of Enterprises and SMEs (COSME). In this framework, as approved by the EUIPO governing Bodies in November 2020, the EUIPO is implementing an action to help EU SMEs to manage their IP assets under the 'Ideas powered for business SME FUND', within the post-COVID-19 recovery action plan for EU SMEs. The SME Fund - IP vouchers has a budget of EUR 20 million jointly funded by the EUIPO and the European Commission and will be implemented in 2021 through the awarding of grants to SMEs.

1.2 Objectives and priorities

The objective of this action is to financially support EU SMEs that either wish to receive an IP pre-diagnostic service ('IP scan') through the European IP offices offering such a service or to directly protect their trade marks and designs, through the national, regional and/or EU IP systems.

Therefore, the SME Fund will co-finance two types of services:

- service 1: IP pre-diagnostic service ('IP scan');
- service 2: trade marks and designs basic application fees.

The action is expected to have the following benefits:

- economic support to SMEs during the COVID-19 pandemic;
- increased awareness of Intellectual Property rights (IPR) benefits by EU SMEs;
- competitive advantage due to better management of intangible assets, through increased registration of intellectual property assets of EU SMEs;
- promotion of national and EU IP registration systems;
- promotion of the European Union's objective of supporting the EU economic recovery.

1.3 Targeted action

The targeted action covers the following services:

- Service 1 – IP pre-diagnostic services ('IP scan')

IP pre-diagnostic services are key in building SMEs' IP strategy as a business. Intellectual property experts look at SMEs business model, products and/or services and growth plans to formulate a strategy with them.

This service can help SMEs to decide what IP rights to apply for, how to develop their IP portfolio if they already have registered rights, and how to plan their strategy for the future.

IP pre-diagnostic services under this scheme are only available through participating national and regional IP offices of the EU. Before applying, SMEs should check whether the service is offered in the Member State where they are established.

The IP pre-diagnostic service may consist of the following steps.

- Initial analysis: the EU SME will complete a self-assessment survey. The expert will analyse the competitive environment of the EU SME and their survey responses to gain an initial understanding of the beneficiary's IP situation.
- Visit and interview: the expert will visit the EU SME and conduct an in-depth interview, using a questionnaire as a guide, which should last 2 to 4 hours. Due to the COVID-19 pandemic, online means of communication might be used.
- Final results: the expert will submit a report to the EU SME either in person or via video/teleconference.

- Service 2 – trade mark and design application fees

Trade marks and designs can be applied for at one of the national intellectual property offices of the EU (national level), in the Benelux Office of Intellectual Property (covering Belgium, The Netherlands and Luxembourg; regional level), or with the EUIPO (covering all the Member States of the EU). This should be done preferably online.

The territorial level of protection chosen will obviously depend on the business strategy and the growth plans. Several trade marks and designs can be indicated in the request.

In the event that a trade mark and/or design is owned by two or more SMEs, only one of them may apply for a grant as an applicant and be reimbursed.

1.4 Available budget

The total budget available for the co-financing of actions under this call for proposals is estimated at **EUR 20 000 000**.

Each candidate can request the co-financing of costs of services within the limits provided in the following table:

TYPE OF ACTION	SERVICE LIMITS PER SME	CO-FINANCING LIMIT PER ACTION	MAXIMUM GRANT PER SME
Service 1 – IPPD	1 IP pre-diagnostic service	75 %	EUR 1 500
Service 2 – IPR	1 request for one or several trade marks and/or designs	50 %	

The total amount which can be granted to any single SME is limited to EUR 1 500, regardless of the type of actions requested.

The remaining 25 % and/or 50 % has to be co-funded by the applicants – for instance the SME's own resources.

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

1.5 Timetable

The call for proposals will be opened in different windows for submissions – the provisional timeframe is as follows:

	WINDOW 1	WINDOW 2	WINDOW 3	WINDOW 4	WINDOW 5
Budget available per window	4 000 000	4 000 000	4 000 000	4 000 000	4 000 000
Start of application period	11/01/2021	01/03/2021	01/05/2021	01/07/2021	01/09/2021
Deadline for submission of applications	31/01/2021	31/03/2021	31/05/2021	31/07/2021	31/09/2021
Applicants receive written notification of the results and notification of grant decisions in the event of an award	February - March 2021	April - May 2021	June - July 2021	August - September 2021	October – November 2021

An indicative budget to be awarded per window is indicated – if all the funds are not used for a specific window, these may be carried over to later windows.

On the other hand, if all the funds are used before the end of the deadline of a specific submissions window, the online application system will be closed for that window.

Applicants who find the system closed within a specific window, can make an application when the subsequent submissions window opens.

In the event that budget is still available at the end date of the last submissions window, the Office reserves the right to open an additional submissions window.

In any of the above scenarios, detailed information will be published on the [SME FUND webpage](#) to ensure that all applicants are treated fairly and have access to the same information.

1.6 Submission rules

An applicant may only submit one application in any given submissions window for service 1 or service 2 or combination of both. Applicants may only request each service once (for instance an applicant may not request a trade mark application as service 2, and then in a subsequent submissions window request a design application as service 2).

In case that more than one application is submitted by an applicant during a submissions window, only the first application that was submitted will be taken into consideration. All subsequent applications submitted in the same submissions window will automatically be considered non-admissible.

In a future submissions window, an applicant may only apply for the service not awarded in the previous submissions window (i.e. an applicant having been awarded service 1 in a window may only apply for service 2 in a subsequent window) otherwise the application will automatically be considered non-admissible.

Applicants rejected for a specific call for proposals submissions window may apply to a subsequent submissions window.

Applications which are submitted on time and fulfil the requirements presented in this call for proposals document do not necessarily entitle the applicant to be granted any of the support actions sought. All applications are subject to further review and to the overall availability of funds.

2. Procedure for the Selection of Proposals

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

The evaluation process is based on the following key principles:

- ✓ equal treatment – all proposals 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 proposals.

Proposals must meet the admissibility requirements, as well as the eligibility, exclusion and selection criteria and will be evaluated on the basis of the award criteria defined below.

2.1 Admissibility requirements

Once a proposal is submitted, the applicant is informed by email that the proposal was successfully received. However, this acknowledgement of receipt does not mean that the proposal is admissible but only that the proposal was successfully submitted in the system.

All proposals submitted are first checked for compliance with these admissibility requirements:

- only applications using the electronic application form (eForm) will be considered admissible;
- only applications submitted within the submissions window deadline for submitting applications (as referred to in Section 5 – Timetable) will be considered admissible;
- in case that more than one application is submitted by an applicant in a given submissions window, only the first application that was submitted will be taken into consideration and all subsequent applications submitted in the same submissions window will automatically be considered non-admissible;
- in a future window, an applicant may only apply for the service not already awarded (i.e. an applicant having been awarded service 1 in a submissions window may only apply to service 2 in a subsequent submissions window) otherwise the application will automatically be considered non-admissible.

Proposals which do not meet any of the abovementioned requirements will be rejected and the concerned applicants will be duly informed about the ground(s) for rejection.

2.2 Eligibility, exclusion and selection criteria of the applicant

Each admissible proposal is assessed against the following criteria.

2.2.1 Eligibility criteria

To be eligible, applicants must be small and medium-sized enterprises (SMEs) as defined in the [EU recommendation 2003/361](#) established in the EU Member States.

The EU Taxation and Customs Union website will be consulted for each applicant in order to check that the VAT number provided is valid for transactions within the EU.

2.2.2 Exclusion criteria

Applicants in certain situations will be excluded from the procedure (e.g. applicants that are bankrupt or are being wound up, or applicants guilty of grave professional misconduct etc.).

These criteria are in Article 136(1) a to h of the Financial Regulation and are described in the declaration in annex of the present guidelines. Applicants need to certify in the eForm that they are not in one of the situations of exclusion referred therein.

The EU's Early Detection and Exclusion System may be consulted for each applicant.

2.2.3 Selection criteria

Applicants must have the capacity to complete the proposed action(s) and to maintain their activity throughout the duration of the grant.

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

Applicants will be requested to declare that they have read the declaration of honour annexed to the call for proposals and certify that:

- the applicant is fully eligible and has the capacity in accordance with the criteria set out in the call for proposals;
- the applicant is not in one of the situations of exclusion set out therein.

In addition, applicants will be requested to provide a recent VAT 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 proves to be false.

In case any further clarifications are needed, applicants may be contacted during the evaluation process.

Proposals which do not meet the eligibility, exclusion and selection criteria laid down in the call for proposals will be rejected, and applicants will be duly informed about the ground(s) for rejection.

2.3 Eligibility of the action(s)

Only the action(s) below as described in section 3 (targeted actions) are eligible:

- service1: IP pre-diagnostic ('IP scan');
- service 2: trade marks and designs basic application fees to be applied for before the EUIPO, the Benelux IP Office and/or in the IP office of any Member State of the EU.

Further eligibility criteria in relation to the implementation period are set as follows.

- Action(s) will run starting on the first day following the date of its notification (grant decision signed by the Office) to the selected applicants ('the starting date'). Action(s) already requested or completed before the starting date will be considered ineligible.
- Action(s) will be considered eligible only if the service(s) are requested within 30 calendar days following the starting date of the action (notification of the grant decision signed by the Office). Action(s) requested outside this period will be considered ineligible.
- Action(s) will end on 31/12/2021 ('the ending date'). Service(s) must be requested and implemented at the latest by that date. Service(s) not implemented before this date will be considered ineligible.

2.4 Award criteria and final checks on applications

During the final selection process, the following aspects will be first checked.

- Any identified/identifiable risks of double-funding from other National or Union sources.

This requirement is fulfilled only if applicants tick the appropriate boxes in the online application form (eForm) indicating they have not applied for or received any national or EU funding for the same services or part of the services requested in this form. If double funding is detected, the proposal will be rejected.

- Budgetary constraints.

Acceptance of an application by the Office does not constitute an undertaking to award a grant equal to the amount requested by the applicant. Under no circumstances may the amount requested exceed the maximum amount of EUR 1 500.

In the event of separate applications, the amount requested will be checked against the amount already awarded for the previous service to ensure the maximum amount of EUR 1 500 is not exceeded.

Then applications will be assessed on the basis of the following criteria.

- 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. Please note that the budget for each window is limited. Proposals will be funded in chronological order based on the time of application (registration number) until the budget is exhausted.

2.5 Final Selection Process

A committee composed of representatives from the EUIPO will assess the outcome of the evaluation and draw up lists of proposals recommended for funding and not recommended for funding.

The selection decision is then adopted, listing all proposals selected for funding, the respective maximum amounts of funding per action(s) and the beneficiaries of the grant.

Applicants whose proposals are selected for funding will receive a grant decision signed by the Office. The model grant decision is published on the [Ideas powered for business SME FUND webpage](#).

The model grant decision is not negotiable. Applicants are requested to carefully read the model, especially the general conditions, before submitting a proposal.

Applicants rejected for a specific call for proposals window for submissions can apply to a subsequent submissions window, until there are no more submission windows left.

3. Financial and Contractual Conditions

3.1 Legal commitment and implementation

In the event of a grant awarded by the Office, a grant decision, drawn up in euro and detailing the general conditions and the level of funding, will be sent electronically to the applicant. The decision must not be returned to the Office.

The applicants understand that submission of a grant application implies acceptance of the general conditions attached to this call for proposals. These general conditions bind the beneficiary to whom the grant is awarded and constitute an annex to the grant decision.

- The grant decision will take effect on the date of its notification to the beneficiary;
- Action(s) will run starting on the first day following the date of its notification to the beneficiary;

Beneficiaries may apply and pay for the selected services in the grant decision:

- IP pre-diagnostic services ('IP scan') which are available in the national offices that offer this service;
and/or
- trade marks and designs can be applied for at one of the national intellectual property offices of the EU (national level), and/or in the Benelux Office of Intellectual Property (covering Belgium, The Netherlands and Luxembourg; regional level), and/or at the EUIPO (covering all the Member States of the EU). This can be done online.

Beneficiaries must ensure that the services were requested within 30 days of the start of the action and completed by the time of the reimbursement request.

- Action(s) must end at the latest on 31/12/2021 as specified in section 9.

Changes to the grant decision will not be accepted by the Office during its duration. However, beneficiaries will be able to inform the Office of any change in the organisation and/or banking information when submitting the request for payment of the balance.

3.2 Form(s) of the grant

The grant takes the form of a reimbursement of costs actually incurred.

The grant will be of a maximum amount of EUR 1 500 and it will be defined by applying a maximum co-financing rate to the eligible costs actually incurred and declared by the beneficiary as follows:

- For service 1: reimbursement of 75 % of the eligible costs;
- For service 2: reimbursement of 50 % of the eligible costs.

3.3 Eligible costs

Eligible costs must meet the following criteria:

- they are incurred by the beneficiary;
- they are incurred in the set timeframe of the action;
- they are indicated in the estimated budget of the action;
- they are necessary for the implementation of the project that is the subject of the grant;
- they are identifiable and verifiable – recorded in the accounting records of the beneficiary;
- they comply with the tax and social legislation requirements applicable;
- they are reasonable, justified, and comply with the principle of sound financial management, in particular regarding economy and efficiency.

With due regard to the conditions of eligibility set out above, the categories of eligible direct costs linked to the performance of the action are the following:

For service 1:

- the fixed amount of eligible IP pre-diagnostic services.

For service 2:

- for trade marks, it is the basic fee paid at the moment of application, excluding additional classes of goods and services;
- for designs, it is the basic fee paid at the moment of application, excluding any additional publication or deferment fees.

For both services, fixed amounts and fees by EU country are listed in annex 2 of the present call.

The fixed amount and/or fees for service(s) already registered or requested before the starting date of the action as specified in the grant decision are considered not eligible.

3.4 Request for payment of the balance and supporting documents

The beneficiary must submit a request for payment of the balance as soon as the service(s) has been implemented and at the latest within 30 calendar days following the end of the action (31/12/2021).

One request for payment can be submitted for both services or the beneficiary may submit two separate requests for payment – one of each service. In any case no more than two requests will be accepted.

The beneficiary may request the payment of the balance provided that the services were requested within 30 days of the start of the action and completed by the time the report is submitted.

Beneficiaries must request the reimbursement using the link to the electronic request for payment form in accordance with the instructions set out in annex IV of the grant decision.

The information submitted in this request form must provide details of the service(s) implemented and a related financial statement of costs actually incurred and claimed by the beneficiary.

The beneficiary must certify that the information provided in the request is complete, reliable and true. The beneficiary must also certify that the costs incurred can be considered eligible in accordance with the present decision and that the request for payment is substantiated by adequate supporting documents that will be further specified in the instructions set out in annex IV of the grant decision.

The assessment of the request includes the following elements:

- an evaluation of the services carried out (to check that they correspond to the services defined in the grant decision);
- an evaluation of the eligibility of declared expenditure: this includes checking the supporting documentation.

If the request is incomplete or needs clarification, the Office will contact the beneficiary and specify the data/form that should be submitted with the additional information.

Payment of the balance is subject to the approval of the request and of the accompanying documents.

Submission

Beneficiaries must complete all mandatory fields, upload requested attachments, accept the conditions of submission and submit.

Beneficiaries should receive confirmation of submission by email. In case you have not, please contact directly the mailbox at: smefund.grants@euipo.europa.eu.

No other form will be accepted. Requests for payment submitted in any other way will be rejected.

3.5 Calculation of the final grant amount

The final grant is calculated on the basis of the **actual** eligible expenditure by applying the '**double ceiling**' rule limiting the grant both to the percentage of the eligible costs and to the maximum amount mentioned in the grant decision.

The final grant is calculated by applying the percentage for co-financing of the eligible costs laid down in the grant agreement to the total of the actual eligible costs. This amount must not exceed the maximum amount for the grant laid down in the grant decision.

If the actual expenditure turns out to be lower than the estimated budget, the actual grant will be calculated on the basis of the % of total eligible costs anticipated in the grant decision. If the actual expenditure turns out to be higher than the expenditure budgeted,

the grant will not be increased above the maximum amount of the grant anticipated in the grant decision. It is therefore in the applicant's interest to submit a realistic estimate of expenses.

The calculation to determine the final amount of the grant is as follows:

DECLARED COSTS IN THE REPORT

MINUS costs that are judged ineligible during assessment for one of the following reasons:

- services not corresponding to the services when applying for the grant and awarded in annex I of the grant decision;
- services implemented outside the eligibility period (Article 2.2 and 2.3 of the grant decision);
- services not requested within 30 days of the start of the action (Article 2.2 of the grant decision);
- a lack of supporting documents relating to expenses claimed.

= TOTAL ELIGIBLE COSTS

X **75 %** as percentage of co-financing for service 1 (Article 3)

And/or

X **50 %** as percentage of co-financing for service 2 (Article 3)

LIMITED to the maximum grant amount stated in the grant decision (Article 3). In the event, of a separate request, this amount will be checked with the amount already accepted for the previous services in order to ensure to not exceed this limit.

= FINAL GRANT AMOUNT TO BE PAID (up to a limit of EUR 1 500)

3.6 Final payment

The final amount of the grant will be paid to the beneficiary's bank account (indicated in the grant decision or amended in the request for payment) and the time limit for the Office to make the payment will be 30 days.

The Office will notify the execution of the payment to the beneficiary accordingly.

3.7 Checks and audits

The Office and/or the European Court of Auditors, the European Public Prosecutor's Office or a body mandated by them, may check the use made of the grant at any time during the term of the grant decision and during a period of three years following the last payment executed by the Office.

The Office may reduce the grant in the case of irregularity, fraud or a breach of other obligations. The amount of the reduction will be proportionate to the degree to which the action has been implemented improperly or to the seriousness of the breach.

3.8 Publicity and dissemination of results

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

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

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

The beneficiary also authorises the Office to share this information with National IP offices and the European Commission.

Upon a reasoned and duly substantiated request by the beneficiary, the publication will be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

3.9 Data protection

The reply to any 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 by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046.

For more information please refer to the data protection [statement/privacy statement](#) on the online application form.

4. Procedure for the Submission of Proposals

4.1 Publication

The call for proposals is accessible from the SME FUND web page at:

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

Applicants are requested to read carefully all the information about the call for proposals and the submission procedure.

4.2 Further information or clarifications

Any specific questions related to this call must be addressed to the EUIPO Information Centre at:

information@euipo.europa.eu

Answers to submitted questions will be published in the FAQ list available from the Ideas powered for business SME FUND web page, to ensure equal treatment of all potential applicants.

Applicants are encouraged to regularly consult these FAQs available at the call web page. The helpdesk will respond individually to questions of a technical nature related to online application form (eForm).

4.3 Creation of the application

Applicants must use the online application form (eForm) available from the Ideas powered for business SME FUND web page at:

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

The different parts of the Application Form to fill in are.

- Part I includes all the applicant information such as the company name, address, type of SME, contact person, banking information and language(s) of communication.

The applicant must submit the correct email address of the contact person(s) as all communication related to this procedure will sent electronically to these contacts.

- Part II includes the statement of declaration by ticking the form and the mandatory evidence to upload which is the VAT certificate and a bank statement. In the form, there will be links to examples of certificates from all Member States.

Only pdf versions of both forms of evidence are accepted. Please try to upload legible and recent versions as both forms of evidence will be used during the selection process, in the grant decision and for execution of the payment.

- Part III relates to service(s) that you will request. For service 1, the list of national IP offices providing the services may change from one submission window to another.

When selecting services, the total budget (fees) that you will need to pay when implementing them and the total grant amount requested will be calculated automatically as follows.

The total budget:

- for service 1 is the fixed amount listed in annex 2 for the EU Member State selected,
- for service 2 is the basic trade mark application fee listed in annex 2 for the EUIPO or multiplied by the EU country(ies) selected and/or the basic registration fee for a design listed in annex 2 for the EUIPO or multiplied by the EU country(ies) selected.

The total grant is calculated applying co-financing of 75 % on the total budget for service 1 and/or of 50 % on the total budget for service 2. If the result exceeds the maximum grant of EUR 1 500, it will be limited to EUR 1 500.

- Part IV relates to the budget calculated automatically according the services selected in part III, all amounts will be in euro (€) and to statements certifying the grant principles of co-financing, prohibition of double financing and non-profit and of administrative sanctions in case of false declarations before submission.
 - Co-financing principle:
grants may not finance the entire cost of the action. Co-financing may be provided either by means of the applicants' own financial contribution or in the form of public or private contributions obtained from other donors.
 - No double financing rule:
each action may give rise to the award of only one grant, there can be no duplicate National and European Union funding of the same expenditure. The applicant must indicate the sources and amounts of any other funding received or applied for in the same financial year for the same action.

4.4 Submission of the grant application

Once all the information has been completed and supporting documents have been uploaded, the applicant can submit the application.

Applications must be submitted in accordance with the admissibility requirements set out under section 2.1 and by the deadlines set out under section 1.5.

Proposals or parts of proposals sent to the Office by email or as paper copies will not be accepted.

No modification to the application is allowed once submitted. However, if there is a need to clarify certain aspects or to correct clerical mistakes, the Office may contact the applicant during the evaluation process.

After the proposal has been submitted, the applicant that created and submitted the application will receive an automatic email acknowledgement of receipt of the application. A copy of the submitted application will be attached. This email should not be taken as an indication that the proposal is admissible, only that it was submitted.

4.5 Notification and publication of the evaluation results

Applicants will be notified individually about the results of the evaluation process after adoption of the award decision per submission window.

This formal notification will be sent by email to the contact persons provided in the eForm. It is responsibility of the applicant to submit in the eForm the correct email address of the contact persons.

This notification will contain for:

- unsuccessful applicants the reasons for the negative decision;
- successful applicants the copy of the grant decision duly signed by the Office as an attachment.

The list of selected applications will be published on the Office's website:

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

4.6 Contact

Should you have technical problems with the online submission of your eForm, you must contact the EUIPO Information Centre (information@euipo.europa.eu) by email before the submission deadline, explaining your problem. If you are close to the deadline, you have to include a screen shot of any error message together with a proof of time of occurrence.

Annexes

Annex 1 — Declaration of honour

Annex 2 — List of fixed amount/fees by EU country for both services

Annex 3 — Model of grant decision