**Terms and conditions**

**Patents (2021)**

**Introductory note**

This document contains the rules and the form relating to the Innoviris PATENTS funding programme (support for Brussels SMEs in applying for a national and/or a PCT international patent).

Before starting the costly patenting process (from a few thousand euros to more than 100k euros depending on the markets in question), it is important for the company:

* To define a global strategy for the management of intellectual property
* For the invention in question to study the potential for valorisation, to consider the different forms of protection offered by intellectual property law and to carry out a Freedom to Operate (FTO) study
* If a patent strategy is chosen, to carry out a preliminary study and define an appropriate patenting strategy (possibly with the help of a professional patent attorney) concerning procedural and geographical aspects in particular.

It should also be noted that Innoviris can cover 75% of the costs (with a maximum of 10k euros) associated with the Freedom to Operate and with preliminary studies, through the funding programme "Innovation Vouchers". Please go to <https://innoviris.brussels/innovation-vouchers> for further information.

**Objective**

Innoviris offers support with a national and/or PCT international patent application in order to stimulate the valorisation of R&D efforts by Brussels SMEs. This support partly covers the costs of a patent application.

**Eligibility**

When are you eligible?

* You are an SME with activities in the Brussels-Capital Region
* Your company does not have any financial difficulties, in accordance with the European Directive
* All obligations are fulfilled in the context of any previous regional support
* You can demonstrate that the company can finance its own share of the project
* If a patent attorney is involved, he/she must be officially recognised by the Belgian Office for Intellectual Property (OPRI) or by the European Patent Office (EPO)
* The patent application (whether a priority or a PCT international patent application) may not be filed before the aid application.

**Evaluation**

The evaluation criteria for the award of a subsidy and the amount of the grant are:

* The innovative nature of the technical solution provided by the patent
* The applicability and feasibility of the patent application
* The usefulness of the patent/extension in the company's innovation and commercial strategy
* The valorisation prospects of the patent and the impact on the economy, employment, or sustainable development in the Brussels-Capital Region.

**Terms**

The terms are:

* The intervention by Innoviris amounts to **50%** of the eligible costs
* The duration of the financing **is maximum 3 years in case of a PCT international patent application** and **maximum 4 years in case of a national patent application followed by a PCT international patent application**
* The aid is paid annually based on actual expense incurred during the past year.
* The aid application can be submitted at any time of the year
* Applicants must complete the attached application form. In order to be able to evaluate the application quickly, it is important that the information requested is accurate and complete.