



EUROPEAN  
COMMISSION

Community Research

## **Innovation in FP6**

### **GUIDELINES FOR FP6 APPLICANTS, PARTICIPANTS AND EVALUATORS OF FP6 RESEARCH PROJECTS / PROPOSALS**

Research DG

Directorate M – Investment in research and links with other policies

10/03/2005



### **Instructions**

*Organisations participating* in a FP6 project should mainly pay attention to sections 5, 6 and 7.

*(Potential) Applicants* should read in particular sections 3, 4, 5 and 7.

*Evaluators* should concentrate on sections 3, 4 and 5.

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## 1. WHY INNOVATION ?

A key objective of publicly-funded research is that it should lead to the exploitation of results, which goes one step further than the mere production and dissemination of new scientific knowledge. Such an approach is essential to tackle the "European paradox"<sup>1</sup>, not to mention the Treaty objective of strengthening the scientific and technological bases of Community industry while *encouraging it to become more competitive at international level*<sup>2</sup>.

**Exploitation** is often the most direct way of gaining **socio-economic benefits** such as new products/services, jobs or companies. However, **dissemination** of research and development (R&D) results is equally important in that it "fuels" further research and thus, indirectly, the exploitation of additional results.

Therefore, increased emphasis is placed on **innovation** in R&D projects of the 6<sup>th</sup> Framework Programme (FP6). Innovation is understood as any activity aiming to promote not only the dissemination, but especially the subsequent exploitation of the results of the R&D projects (even though commercial exploitation activities *per se* are not financed by the EC financial contribution to FP6 projects).

Accordingly, consortia are encouraged to include **innovation-related activities** in their project, and such activities may be supported by EC funding under the same conditions as R&D activities.

## 2. INNOVATION IN FP6 – SPECIFIC ASPECTS

The participation rules for FP6 (many of which are reflected in the EC model contract), as well as the documents describing the FP6 instruments, make it clear that the participants in FP6 projects have to protect, use and disseminate their project results. In particular, the model contract states that :

- Where knowledge is capable of industrial or commercial application, its owner shall provide for its adequate and effective protection ... having due regard to the legitimate interests of the contractors concerned (Article II.33.1) ;
- The contractors shall use or cause to be used the knowledge arising from the project, which they own, in accordance with their interests. The contractors shall set out the terms of use in a detailed and verifiable manner, notably in the plan for using and disseminating the knowledge, ... (Article II.34.1) ;
- If dissemination of knowledge would not adversely affect its protection or its use, the contractors shall ensure that it is disseminated within a period of two years after the end of the project (Article II.34.2) ;
- In addition to RTD activities, a project may include “*innovation activities*” (Article II.2.1) ;
- Consortium management activities may cover “coordination of knowledge management and other innovation-related activities” (Article II.2.4).

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<sup>1</sup> The European paradox is that there is a strong science base but weak innovation performance (exploitation).

<sup>2</sup> EC Treaty, Art. 163.1

Examples of **innovation-related activities** include :

- **intellectual property protection<sup>3</sup> and management** : protection of the knowledge resulting from the project (including patent searches, filing and prosecution of patent (or other IPR) applications, etc.) ; management of access rights between the participants and to third parties ; ...
- **dissemination activities** (disseminating information and knowledge beyond the members of the consortium) : publications, conferences, workshops and Web-based activities aiming at disseminating the knowledge and technology resulting from the project ; ...
- **studies on socio-economic aspects** : assessment of the expected socio-economic impact of the knowledge and technology generated ; analysis of the factors that would influence their exploitation (e.g. standardisation, ethical and regulatory aspects, etc.) ; ...
- **activities promoting the exploitation of the results** : development of the *plan for using and disseminating the knowledge* ; feasibility studies for the creation of spin-offs ; "take-up" activities to promote the validation and early application of state-of-the-art technologies, especially by SMEs ; ...

Innovation-related activities will not be present to the same extent in all FP6 projects.

The proper protection, management and use of knowledge will be essential in *Integrated Projects* and to a certain extent *Networks of Excellence* (NoEs), due to the nature of their objectives and in particular, for NoEs, their ambitious integration objectives. Innovation-related activities will be just as important in *Specific Targeted Research Projects* as well as in *collective* and *co-operative research actions* (for SMEs).

However, the majority of *Specific support actions* and *Co-ordination actions* (which do not involve R&D activities) are unlikely to result in the generation of new R&D results (inventions). In this case, commercial or industrial exploitation is much less relevant than dissemination activities, which are to be addressed in the work to be carried out by the project (identified in the technical annex of the Contract – its Annex I).

Besides further research and/or commercial or industrial exploitation, a project's results can also be "used" in different ways, for instance by contributing to standardisation activities (cf. Article II.10.2 of Annex II to the EC Model Contract) or policymaking – when considering socio-economic research projects, for example.

### 3. BUILDING EFFECTIVE CONSORTIA

Another new feature of FP6 is that *organisations possessing specific competence in management, dissemination and transfer of knowledge* are allowed to participate in FP6 projects, even if they don't carry out any R&D tasks themselves<sup>4</sup>. This makes it possible for knowledge management and innovation professionals (technology transfer organisations, Innovation Relay Centres, etc.) to be part of a consortium, with a view to improving the potential for exploitation of the project's results. The participation of such professionals may have significant advantages in some projects, including more effective management and exploitation of knowledge in a given project, as well as an indirect

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<sup>3</sup> For more information on the IPR provisions within the Model Contract, please refer to the "Guide to Intellectual Property Rights for FP6 projects" at [http://europa.eu.int/comm/research/fp6/working-groups/model-contract/index\\_en.html](http://europa.eu.int/comm/research/fp6/working-groups/model-contract/index_en.html)

<sup>4</sup> Although no specific provision mentions this explicitly, it is a consequence of the rewording of some of the participation criteria. The rules for FP6 no longer contain the FP5 requirement that a participant had to be "carrying out or ... about to carry out a research, technological development or demonstration activity" or "a potential user of RTD results".

teaching effect benefiting most of the other members of the consortium (beyond the project). As mentioned in section 7, to the extent that some of the tasks carried out by these professionals are considered to be within the management activity of the project, then 100 % of their eligible costs may be funded. However, innovation organisations could also be involved in innovation activities, which are included in RTD activities, and as such, 50% of their eligible costs may be funded.

#### 4. INNOVATION AT PROPOSAL / EVALUATION STAGE

In order to ensure that innovation-related issues will be handled in a proper way by the participants in a specific project, they should be addressed in the proposal and taken into account during its evaluation.

The participation rules for FP6 (Article 10.1) state that :

*The proposals for indirect actions ... shall be evaluated according to the following criteria, where applicable :*

(a) *scientific and technological excellence and the degree of innovation;*

...

(e) *quality of the plan for using and disseminating the knowledge, potential for promoting innovation, and clear plans for the management of intellectual property.*

More specifically, some **evaluation criteria**<sup>5</sup> relate to the extent to which :

- the innovation-related activities and exploitation and/or dissemination plans are adequate to ensure optimal use of the project results ;
- the objectives represent clear progress beyond the current state-of-the-art ;
- the proposed S&T approach is likely to enable the project to achieve its objectives in research and innovation ;
- there is a satisfactory plan for the management of knowledge, of intellectual property and of other innovation-related activities.

These will be clearly indicated in the work programme for the particular call for proposals.

At the proposal stage, it is clear that applicants cannot be expected to plan in detail how they intend to exploit future results of their project. Therefore, while they will be expected to include in their proposal a **preliminary outline of their "plan for using and disseminating the knowledge"**<sup>6</sup> (as stated in Article 10.1.e of the rules of participation), it should mainly address issues such as :

- how the participants intend to protect the knowledge resulting from their project (criteria to be applied for deciding whether to protect, freely publish or keep confidential specific pieces of knowledge ; skills of the participants in connection with intellectual property ; possible role of external assistance ; ... ) ;
- how the participants intend to disseminate the knowledge resulting from their project (publications in scientific journals, web sites, conferences, ...), and to which audiences ;

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<sup>5</sup> Please refer to the latest official version of the work programmes for the exact description of the criteria to be used for each instrument.

<sup>6</sup> Defined in Art. II.1.17 of the model contract : “means the report on the contractors’ intentions for the protection, use and dissemination of the knowledge generated under the project”

- how the participants intend to use and/or exploit the knowledge expected to result from their project (direct industrial or commercial exploitation by one or more of the participants, licensing to third parties, expected further research potential and plans, etc.) ; and
- if relevant, any contributions to policy issues (at a European, national, regional or local level) or standards which are foreseen to result from the project.

The information provided should indicate<sup>7</sup> that due attention will be paid to these issues during the project. Applicants should be aware of the fact that the innovation-related aspects of their proposal will be examined during its evaluation and will have an impact on the final selection decision.

In addition, searching patent databases, such as esp@cenet<sup>8</sup>, early enough makes it possible to avoid “re-inventing the wheel”, and to take advantage of abundant existing documentation to better develop a proposal vis-à-vis the state of the art. Accordingly, including the results of such searches in a proposal will help substantiate its “**degree of innovation**”, which will also be taken into account during evaluation (cf. Article 10.1.a of the rules of participation). In addition, these searches make it possible to identify third parties’ patents that may hinder the exploitation of specific techniques in the area to be investigated, as well as potential customers and partners for further development or exploitation<sup>9</sup>.

## 5. INNOVATION DURING THE IMPLEMENTATION OF A PROJECT

The “implementation” phase of a project is the most important, also from an “innovation-related” perspective. Since this is the phase where research is actually carried out, this is also the optimal time for **protecting and disseminating** project’s results. Therefore, it is advisable for the participants – especially in large consortia – to set up clear and efficient procedures for rapidly protecting new results and circulating corresponding information between them, for granting access rights to each other when needed, etc. As far as dissemination and publication are concerned, it is also important to set up a procedure ensuring that no information is published which could be detrimental to the protection of some results, while at the same time avoiding any undue delay to publication.

In this context, Article II.9 of the model contract highlights the importance of preserving confidentiality of documents, knowledge etc communicated in relation to the execution of a project. Article II.33 requires contractors to notify their partners and the Commission when they intend to waive the right to protect knowledge (for example when a result is to be published in a journal or web-page without any formal IPR protection).

Besides protection and dissemination activities, additional “innovation-related activities” may include validation or take-up activities, the definition of strategies relating to the granting of licences to third parties or to the identification of potential hurdles for the implementation of the project's results (e.g. standards or third parties’ patents), etc. (cf. examples above).

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<sup>7</sup> Obviously, evaluators having appropriate skills regarding the management of knowledge and innovation are included in the evaluation panels. The “Guidelines on Proposal Evaluation Procedures” (<http://www.cordis.lu/fp6/eval-guidelines>) state that “*All independent experts must also have a high level of professional experience in the public or private sector in one or more of the following areas or activities : ... ; administration, management or evaluation of projects ; use of the results of research and technological development projects; technology transfer and innovation ; ....*”

<sup>8</sup> See <http://ep.espacenet.com>

<sup>9</sup> It should also be noted that Cordis offers a free partner finding service: see <http://partners-service.cordis.lu>

With a view to preparing and facilitating the subsequent exploitation of results, the participants will be expected to refine progressively their “**plan for using and disseminating knowledge**” during the project, as results are generated and as their exploitation potential becomes more accurate (see attached sketch). The updated versions of the *plan for using and disseminating the knowledge* will be taken into account in the periodic evaluations of the projects. Indeed, Article 18.1 of the rules of participation states that “*The indirect actions to which the Community contributes shall be periodically evaluated by the Commission on the basis of progress reports which shall also cover the implementation of the plan for the use or dissemination of knowledge ...*”.

More specifically, participants must provide the Commission with updated versions of this plan in the **periodic and final reports**, as required by the model contract. Indeed, the model contract states that :

*The consortium shall submit the following reports to the Commission for each reporting period:*  
a) *a periodic activity report containing an overview of the activities carried out by the consortium during that period, ... .. An updated plan for using and disseminating the knowledge shall be included as a separate part of this report ;* (Article II.7.2.a)

and that the final reports shall include :

*the final plan for using and disseminating the knowledge.* (Article II.7.4.a)

Updated and maintained in this manner, it is hoped that the plan for using and disseminating the knowledge will help participants think strategically of the exploitation options open to them. These participants should also be aware that these updated and final versions of the plan will be assessed together with the scientific and financial reporting in order for the project officers to make decisions for reimbursement purposes at the end of each accounting period.

The timelines and detailed requirements of the plan for using and disseminating the knowledge are described in more detail in the “Reporting Guidelines”, Appendix I<sup>10</sup>.

## **6. REPORTING AT VARIOUS STAGES OF A PROJECT**

### **6.1. Objectives**

As far as innovation-related issues are concerned, reporting requirements should not be seen as yet another administrative burden imposed on FP6 participants. Indeed, their objectives are the following :

- in the first place, to help the participants prepare and optimise the dissemination and use of their results ; this is probably the most important purpose of the progressive development, throughout a project, of the “*plan for using and disseminating the knowledge*” (see below) ;
- in addition, an overview of the exploitable results etc<sup>11</sup> will be disseminated by the Commission, to promote the rapid uptake of the project’s results by European companies, including SMEs. These will also be included in the Cordis results database ;
- finally, reporting data and information will also be used by the Commission for internal purposes such as Framework programme impact assessments.

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<sup>10</sup> For further information, see <http://www.cordis.lu/fp6/find-doc.htm#reporting>

<sup>11</sup> See Appendix 1 of the reporting guidelines for more information

## 6.2. Periodic reporting

In the first stages of the project, it is unlikely that the participants will be able to provide detailed information regarding the possible exploitation / use of the generated knowledge. However, they should report on any structure put in place to manage, protect and disseminate knowledge produced by the consortia, e.g. :

- the information and decision-making procedures put in place within the consortium regarding the management of knowledge, intellectual property and innovation ;
- the granting of access rights between the participants
- the mechanisms for filing of patent (or other IPR) applications to protect knowledge
- where appropriate, responsibilities for organising conferences, setting up websites, preparation of brochures, etc...

It is important to stress that the plan for using and disseminating the knowledge should provide the Commission's project officers with an overview of any activities planned relating to the exploitation and use of the results per contractor. In addition, each contractor also needs to describe its engagement with the public. In latter stages of the project, the participants should have increasingly clear intentions regarding the actual exploitation of the generated knowledge. Accordingly, in addition to the above-mentioned information, updated versions of the *plan for using and disseminating the knowledge* should mention, where relevant:

- what the exploitable result is (functionality, purpose, innovation etc.);
- partner(s) involved in the exploitation, role and activities;
- how the result might be exploited (products, processes) – directly (spin-offs, etc.) or indirectly (licensing) – on an individual basis or as a consortium/group of partners;
- any technical and economic market considerations – commercial and technical thresholds, etc.;
- any obstacles identified which might prove to be barriers to commercialisation;
- the existence or development of similar or competing technologies / solutions elsewhere;
- third party rights (e.g. patents belonging to competitors, licenses), standards, ... ;
- analysis of any (potential) non-technical obstacles;
- any form of non-commercial use or impact, relating, for example, to the development of new standards or policies;
- further additional research and development work, including the need for further collaboration and with whom;
- Intellectual Property Rights protection measures (patents, design rights, database rights, plant varieties, etc. – include references and details);
- any commercial contacts already taken, demonstrations given to potential licensees and/or investors and any comments received (market requirements, potential, etc.);
- where possible, also include any other potential impact from the exploitation of the result (socio-economic impact).

If, exceptionally, a contractor does not wish to disclose the text to the other contractors due to its commercial sensitivity, then they are asked to send the information directly to the Project Officer who shall keep it confidential. It is important to note that contractors will still be required to provide a publishable report to the Project Officer (see the FP6 Reporting Guidelines for further information).

### 6.3. Final reporting

As requested by the model contract, the final report needs to include *the final plan for using and disseminating the knowledge*.

This final plan for using and disseminating the knowledge should provide a complete picture of all activities undertaken by the contractors and most importantly will provide information on the future route to full use (exploitation or use in further research) and dissemination of the knowledge. A publishable section highlighting exploitable results etc must also be provided (see FP6 Reporting Guidelines for further information).

As mentioned above, commercially sensitive information can be sent directly to the Project Officer.

## 7. FINANCIAL ISSUES

According to the model contract (see table in Article II.25 of Annex II to the EC Model Contract), costs associated with innovation-related activities can be funded at the same rate as research activities in *Networks of Excellence*, *Integrated projects*, *Specific targeted research projects*, *collective* and *co-operative research actions* (for SMEs) and *Integrated research infrastructures*. It is important to note that this reimbursement rate relates to "**operational**" innovation-related activities, such as, for instance, filing a patent application, organising a conference, producing CD-ROMs or conducting a feasibility study for the creation of a spin-off and that the other criteria relating to eligibility of costs apply.

On the other hand, tasks relating to the **management** of innovation-related activities can be considered as being included in the global management activities of the consortium and will accordingly be funded at 100%, subject to the relevant ceiling for management costs (see Article II.2.4 of Annex II to the EC Model Contract, and the above-mentioned table). Such activities could for instance include coordination meetings in which "knowledge managers" from all (or some) consortium members would take part.

As far as *Specific support actions* and *Co-ordination actions* are concerned, RTD and innovation-related activities are not included in these actions. This is a consequence of the fact that such actions (SSAs and CAs) are not expected to include any actual R&D activities. However, reimbursement is possible (at up to 100 %) for eligible costs associated to "other activities", including for instance the organisation of conferences, or the legal protection of databases resulting from such actions.

It is essential, however, to note that such costs (whether operational or management-related) will be eligible for reimbursement only if they were "*necessary for the implementation of the project*" (as stated in Article II.19.1.a of Annex II to the EC Model Contract), which will need to be demonstrated and that they meet the other eligibility criteria of the contract. For instance, costs resulting from marketing activities, or from the filing of a patent application relating to an invention developed outside of the project, will, as a rule, not be considered as eligible.

## 8. ASSISTANCE / INFORMATION

Various organisations offer support services which may be of use regarding innovation and intellectual property, including :

Name of service	Who for?	Support provided <sup>12</sup>	Web-site
<b>IPR Helpdesk</b>	All	The IPR-Helpdesk assists <b>potential</b> and current contractors on intellectual property rights (IPR) issues including Community diffusion and protection rules.	<a href="http://www.ipr-helpdesk.org">http://www.ipr-helpdesk.org</a>
<b>IRC Network</b>	All	Provides assistance on marketing innovations; Helps venture capitalists find new technologies to exploit; Helps companies find innovative solutions to a tech need.	<a href="http://irc.cordis.lu">http://irc.cordis.lu</a>
<b>Cordis Marketplace</b>	All	Technology Marketplace is an online service where you can find RTD results and search for innovative business opportunities on emerging technologies.	<a href="http://www.cordis.lu/marketplace">http://www.cordis.lu/marketplace</a>
<b>National and regional innovation resources</b>	All	Links to regional and National initiatives to promote the exploitation of results.	<a href="http://www.cordis.lu/national_service/en">http://www.cordis.lu/national_service/en</a> ; <a href="http://www.cordis.lu/regions/gateway.htm">http://www.cordis.lu/regions/gateway.htm</a>
<b>IST results</b>	IST programme	The IST Results service gives online news and analysis on the emerging results from IST research.	<a href="http://istresults.cordis.lu">http://istresults.cordis.lu</a>
<b>ESP@CENET</b>	All	Patent information divided up by type - bibliographic data, abstract, or facsimile image - and country.	<a href="http://ep.espacenet.com">http://ep.espacenet.com</a>
<b>Business Incubators</b>	All	Assists entrepreneurs with new business ideas to find their closest incubator	<a href="http://www.cordis.lu/incubators">http://www.cordis.lu/incubators</a>
<b>Gate2Growth</b>	All	This database contains experts and service providers - ranging from incubators, to patent lawyers, to accountants and training providers in every European country.	<a href="http://www.gate2growth.com/g2g/q2g_welcome.asp">http://www.gate2growth.com/g2g/q2g_welcome.asp</a>
<b>WIPO Arbitration unit</b>	All	WIPO offer <a href="#">Alternative Dispute Resolution (ADR) options</a> including <a href="#">arbitration</a> and <a href="#">mediation</a> services for the resolution of international commercial disputes between private parties <b>(NOT FREE OF CHARGE !)</b>	<a href="http://arbitrator.wipo.int/center/index.html">http://arbitrator.wipo.int/center/index.html</a>
<b>WIPO's UDRP</b>	All	Resolves Internet domain name disputes <b>(NOT FREE OF CHARGE !)</b>	<a href="http://arbitrator.wipo.int/domains/resources/index.html">http://arbitrator.wipo.int/domains/resources/index.html</a>
<b>NCP network</b>	All	The NCP network is the main provider of FP advice and individual assistance in all MS.	<a href="http://www.cordis.lu/fp6/ncp.htm">http://www.cordis.lu/fp6/ncp.htm</a>
<b>FP6 Infodesks</b>	All (broken down by priorities for certain queries)	There is one Infodesk for each research activity covered by FP6. Any questions concerning the Call not covered in the programme web services may be directed to the relevant Infodesk eg: legal, new instruments, general queries, ...	<a href="http://www.cordis.lu/fp6/infodesks.htm">http://www.cordis.lu/fp6/infodesks.htm</a>

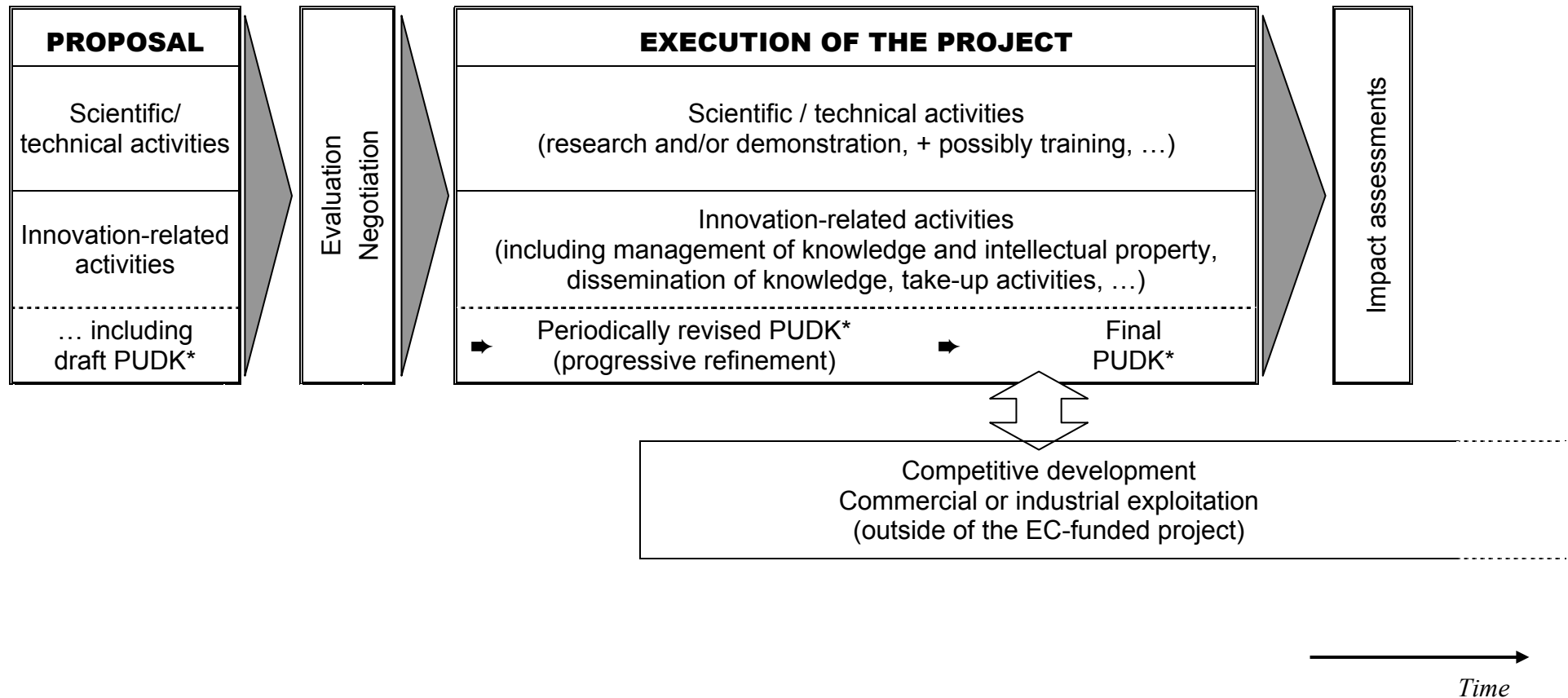
General information on FP6 may be found on Commission websites such as :

- [http://europa.eu.int/comm/research/fp6/index\\_en.html](http://europa.eu.int/comm/research/fp6/index_en.html)
- [http://europa.eu.int/comm/research/fp6/instruments\\_en.html](http://europa.eu.int/comm/research/fp6/instruments_en.html)

<sup>12</sup> unless specifically mentioned the service is currently free of charge

- [http://europa.eu.int/comm/research/fp6/working-groups/model-contract/index\\_en.html](http://europa.eu.int/comm/research/fp6/working-groups/model-contract/index_en.html)

## Innovation-related activities in FP6 projects



\* PUDK = *plan for using and disseminating the knowledge*

## 9. ANNEX

### **Revised<sup>13</sup> general introduction of the Work Programme for the specific programme for research, technological development and demonstration "Integrating and strengthening the European Research Area"**

([ftp://ftp.cordis.lu/pub/fp6/docs/wp/sp1/sp1\\_intro\\_wp\\_200204\\_en.pdf](ftp://ftp.cordis.lu/pub/fp6/docs/wp/sp1/sp1_intro_wp_200204_en.pdf))

(Excerpt – § 0.3.i)

The promotion of innovation is a cross-cutting issue, relevant to the whole European Community RTD Framework Programme. This issue aims to meet the Treaty objective of strengthening the scientific and technological bases of Community industry *and encouraging it to become more competitive at international level*<sup>14</sup>.

In this context, an important goal is to promote exploitation of the results of those projects which include R&D components<sup>15</sup>. To this end, consortia should pay sufficient attention to the management of knowledge and pursuit of innovation in their projects. These issues should be well integrated in the proposals through the work content and consortium composition, and will be taken into account during their evaluation<sup>16</sup>. Projects should involve, where appropriate, end-users and other stakeholders to ensure relevance of the research and effective take-up of results.

In particular, the participants should include in their projects "innovation-related activities", that may be supported by EC funding. Examples of such activities include the protection and management of knowledge and intellectual property, the analysis of socio-economic factors affecting the exploitation of the project's results, feasibility studies for the creation of spin-offs, and other activities to promote knowledge transfer between public research and industry.

During a project, the participants will be requested to report periodically on these issues, in particular by developing and updating throughout the project a *plan for using and disseminating the knowledge*. This plan should describe the innovation-related activities already implemented and those being planned, as well as their actual or expected impact.

Besides these central project-level activities, specific mechanisms will ensure that there is exchange of information and experience between the activities of the different work programmes as regards their innovation dimension, and that the innovation-related achievements be properly analysed, monitored, and evaluated<sup>17</sup>.



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<sup>13</sup> as per Decision C(2003)955 of 31 March 2003

<sup>14</sup> EC Treaty, Art. 163.1

<sup>15</sup> As confirmed in the Council decision of 30.9.2002 relating to the specific RTD programme for "Integrating and strengthening the European Research Area" (Annex, section 1.1 – OJ L 294/7)

<sup>16</sup> As stated in Art. 10.1.e of the rules of participation (OJ L 355/28)

<sup>17</sup> cf. OJ L 294/50, section 2.f of the Annex