



Innovative Medicines Initiative

# IMI Financial and IP matters

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# Participation and Funding Rules



# Who can participate?

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- Any entity carrying out work relevant to the IMI in a Member State or Associated Country
- Anyone else with the agreement of the IMI JU

**BUT**

**Not all participating entities are eligible for funding**

- Stage 1 : at least two independent legal entities eligible for funding
- Stage 2: + at least 2 EFPIA companies



# Who is eligible for IMI funding?

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- **Academic institutions**
- **Non-profit research organizations**
- **Small & medium-size enterprises**
- **Non-profit patient organizations**
- **Non-profit public bodies and intergovernmental organizations including specialized agencies**

**carrying out activities in a Member State or a country associated to FP7**



# Which activities at which rate?

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- **Research activities**
  - up to 75% of total eligible costs
- **Other activities -> management, training, communication, ...**
  - up to 100% of total eligible costs

**NEW!** No impact for beneficiaries changing their status



# Main categories of eligible costs

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- **Personnel**
- **Other direct costs**  
**(Equipment, Consumables, Travel...)**
- **Subcontracting**
- **Overheads**



# Eligible vs. Ineligible costs

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- **Actual**
- Incurred by the participant during the project
- **Determined according to usual accounting and management principles and practices**
- Recorded in the accounts of the participant
- **Incurred for work carried out in a Member State or associated country**
- Incurred for the sole purpose of achieving the project objectives related to an activity accordingly described
- **Identifiable indirect taxes including value added tax**
- Duties
- Interest owed
- Provisions for possible future losses or charges
- Exchange losses, cost related to return on capital
- Costs declared or incurred, or reimbursed in respect of another Union project
- Debt and debt service charges, excessive or reckless expenditure



# EFPIA in-kind contribution

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- Actual direct and indirect costs or average FTE
- Based on the usual management principles and accounting practices
- Contribution from EFPIA affiliated entities as part of EFPIA in-kind

For research costs incurred in Europe

unless expressly foreseen (*see AMR programme*)





- **Yearly periodic financial reports: not need to be certified by independent auditors, if either:**
  - cost calculations is based on a certified accounting methodologies within FP7
  - the total amount of the participant's report is <€375.000
- **Yearly periodic reports: due either on July or December, depending on the project's starting date**



- **Pre-financing at grant agreement signature**
- **Yearly interim payments following reports' approval**
  - Both cannot exceed 90% of the maximum IMI JU contribution
- **Final payment, including any needed adjustments following final reports' approval**



# Intellectual Property Policy



# Guiding principles

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**Aligned with IMI objectives -> PPP, specific research needs and challenges:**

- **To achieve a broad participation**
- **To promote knowledge creation, disclosure and exploitation**
- **To achieve fair allocation of rights and reward innovation**
- **To provide flexibility for participants to establish the most appropriate agreements serving the project objectives ->**

**Project Agreement**



# Project Agreement

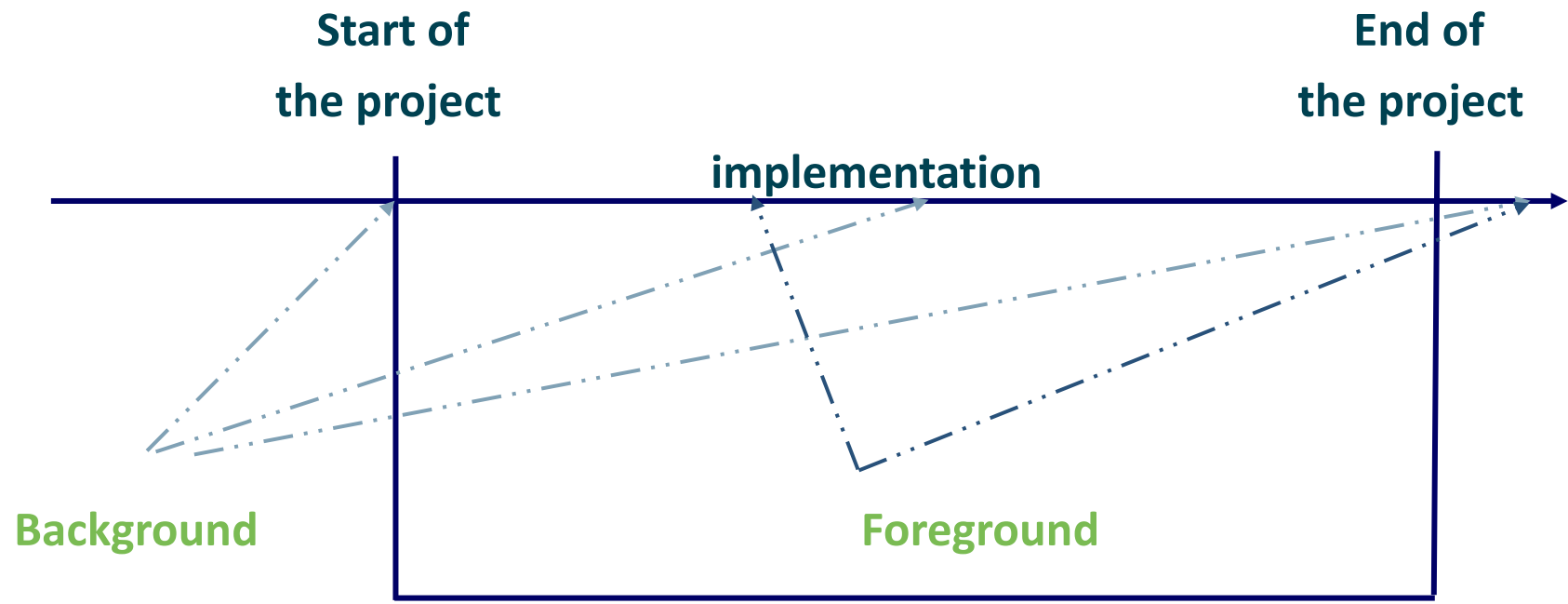
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- Contractual arrangement **between all participants** to set out their rights and obligations, especially governance, liability and IPR
- Shall comply with the IMI model Grant Agreement
- Mandatory before the signature of the grant agreement with the Executive Office
- **To be adapted to the specific needs of each IMI project!**



# Background vs. Foreground



**// Sideground //**

(generated during the Project but outside the Project Objectives and not needed for implementation or Research Use)



..... possible access rights

# Basics (1)

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- Background remains the exclusive property of each participant
- Foreground are owned by the generator(s), unless otherwise agreed
- Protection lies with the owner(s)
- Mandatory mention of IMI support / EFPIA in-kind contribution in any dissemination support / patent application



- **Non-exclusive access rights, granted on written request unless otherwise agreed**
- **No sub-licences, unless otherwise agreed**
- **Not affected by the termination of participation**
- **Conditions to be agreed depending on the purpose:**
  - Project completion
  - Research Use -> further developments
  - Exploitation -> commercialisation





# Access Rights: conditions

Access rights granted by a Participant to/on	Background (necessary and identified)	Foreground	Sideground
Participants for completion of the Project	Royalty-free	Royalty-free	N.A.
Participants and affiliates for Research Use	Royalty-free OR Fair & reasonable terms for Background needed for using Foreground as determined in Project Agreement	Royalty-free OR Fair & reasonable terms as determined in Project Agreement	N.A.
Third Parties for Research Use after the Project	Fair & reasonable terms for Background needed for using Foreground as determined in Project Agreement	Fair & reasonable terms as determined in Project Agreement	N.A.
Participants and affiliates or Third Parties for Direct Exploitation	To be negotiated	To be negotiated	N.A.



# More information



- **Rules for Participation** (part of the Call Documents)
- **IMI model Grant Agreement** (lastly revised in March 2013)
- **IMI Financial Guidelines** (lastly revised in June 2013)
- **IMI Reporting Templates and Guidelines** (February 2012)
- **IP Guidance Note** (November 2010)

[www.imi.europa.eu/content/documents](http://www.imi.europa.eu/content/documents)



# Questions?

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Visit the IMI **website**: [www.imi.europa.eu](http://www.imi.europa.eu)

**E-mail** us

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**efpia**