Spillovers in an IPCEI

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Overview:

- General understanding of spillovers (slides 3 to 6)
- Practical overview of examples of spillovers (slides 7 to 10)
- Conclusion (slide 11)
- Questions time (slide 12)

Legal basis: p. 18 IPCEI Communication

- “The benefits of the project must not be limited to the undertakings or to the sector concerned but must be of wider relevance and application to the European economy or society in the Union… through positive spillover effects which are clearly defined in a concrete and identifiable manner”

- => Eligibility condition for the IPCEI

- => Compatibility condition for the direct participants:
  - Aid is approved taking into consideration also the commitments for delivery of spillovers
  - Spillovers (as committed to) have to be delivered as part of the execution of the project and reported annually [through MS to COM]

- => Who is to deliver spillovers:
  - Direct participants
  - IPCEI at overall level ?

What are the spillovers?

- Notion filled with specific content, evolving and improving throughout case practice
- **Proactive actions** of a direct participant
  - Clear, concrete, identifiable, measurable
- **Related to** the individual project of the direct participant
- **“GIVE BACK”**
  - Spreading the benefits that the direct participant has acquired [by being supported with State aid] to undertakings that are not part to the IPCEI – beyond the direct participant, the IPCEI, the MS taking part in the IPCEI, the sector concerned
- **“Walk the EXTRA MILE”**
  - Extra effort, beyond the “business as usual” and beyond what the direct participant would do in any case as a standard business practice or activity, or to perform his project

What the spillovers are not?

- Coinciding with eligibility or compatibility condition to be fulfilled
- Coinciding with outcome, objective, scope of the project
- A market failure [i.e. delivery of spillovers is NOT a positive externality as a market failure]
- Activities that are:
  - standard business practice or activity,
  - self-beneficial,
  - marketing,
  - general publicity, social media, general awareness raising,
  - relations with suppliers and customers,
  - participation in standardization bodies

What spillovers are valued in the assessment?

- Meaningful and practical
- Industry-oriented
- Effectively spreading **practical knowledge, know-how and skills** acquired through the project to other companies, including other sectors – all outside the IPCEI
- **Enabling other companies** (outside the IPCEI) that are not aided to **develop themselves and offer**, without State aid, their own product [at least the basic one]

Case-driven strive to structure the spillovers – for RDI&FID IPCEI

- Evolving; IPCEI – specific; inspired by and best adapted to RDI&FID IPCEIs

- "Classification" for the purpose of ordering and assessment of the types of commitments:

    1. Spillovers from non-IP knowledge

        -> **scientific accomplishments**

        Baseline in RDI, not sufficient themselves to satisfy the IPCEI condition

    2. Spillovers from IP-protected knowledge

        -> Licencing on **FRAND terms (Fair, Reasonable and Non-Discriminatory); +?**

    3. Spillovers from FID (in practice also from RDI)

        -> Any action that **creates practical skills, gives know-how, enables other undertakings outside the IPCEI to create and develop themselves, even to produce + creates conditions and entities for such enabling - incl. through providing access to lines, labs, units (even after FID), etc.**

    4. Spillovers from collaborations with associated partners

        -> **Creating knowledge, skills, "value chain"/"ecosystem", down-/up- stream markets**

    5. IPCEI-**specific** spillovers

- Direct participants have to commit to spillovers from all types

Examples that became “Gold standard” (RDI&FID)

- IPCEI Microelectronics 2018
  - Multy-Project Wafer runs (MPW) (microelectronics - specific)
  - Free distribution of Product Design Kits (PDK) (microelectronics - specific)
  - Licencing on FRAND terms
  - Access for 3rd parties to labs, FID-lines
  - Hackathons, open trainings for industrial 3rd parties

- Cloud IPCEI 2023
  - **Uniform, all** direct participants’ **IPCEI-specific** commitments:
    - Extra efforts to maintain and animate open-source communities, users, competitors, governance models, licences
    - Access for free for 3rd parties to 25% of capacity of the infrastructure el. and/or
    - Life demo, web infrastructure for 3rd parties access
    - Self-standing technical documentation, reference case studies and trainings enabling 3rd parties to develop and implement own solutions alone in other (different, additional) sectors
  - **Post-approval** of the Cloud IPCEI and at **IPCEI overall level**: considerable efforts on building and sustaining an ecosystem

Other examples of valuable spillovers (RDI&FID)

- In summary: Enabling other companies outside IPCEI to develop, test, validate, produce own solutions; below some examples of sharing facilities AND active support, documentation AND services
- Create:
  - Open data sandbox;
  - Open Fab;
  - Innovation Center, where to provide access to the company's R&D toolset on its R&D line
  - Start-up incubator within the new R&D and FID facilities as open infrastructure
- Set up:
  - Supply chain support programme to support SMEs and large suppliers intellectually and financially in investment and RDI generation, which will be open also to new suppliers
- Share:
  - test infrastructure by integrating suppliers in the subsystem and system validation programme
  - test and validation equipment, procedures and protocols with 3rd parties for them to develop new studies and technologies.
- Grant access to:
  - production lines to SMEs
  - collaborative innovation centre to 3rd parties plus support in the development of their own technologies

Spillovers in H2Infra - Infrastructure IPCEI

- No sufficient experience yet to give examples, draw conclusions or generalise

- Particular spillovers have been accepted in H2Infra that were specific to and valuable for the sector and the stage of development and deployment of such infrastructure

  E.g.

  - Commitments to cooperate with CEN/CENELEC, the ENTSO-G and the ENNOH on standards and operational rules
    [context: standards not existing; dedicate personnel and do it for a first time]
  - Delivering specific guidelines (on grid services; permitting and licensing) based on the experience
  - Sharing of knowledge gained

- It would seem that traditional RDI&FID IPCEI spillovers would not be applicable in the same way in infrastructure IPCEIs

Conclusion

- Process of establishing appropriate spillovers:
  - The principle: it is for the direct participants to propose spillovers, and for the Commission to assess and request improvement
  - The reversed process also turned out a success story, but should remain the exception
  - Nevertheless close interaction COM – coordinator – MSs – direct participants is beneficial
- The direct participants must:
  - remain open and willing to deliver ambitious and valuable spillovers
  - offer their best from the beginning (toxic advise should be discarded)
  - in general improve their outreach campaigns for the spillover actions offered
- **The direct participants must not perceive delivery of spillovers as a burden, but as an opportunity**

Your comments and questions are welcome!

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