

**JOINT MINISTERIAL DECISION No 14113/EFA/3850/23.12.2002**

**Amendment to the joint ministerial decision No 12149/EFA/2248  
(GG B' 1240/11.10.2000)**

**"Awards and financial support to inventors"**

**THE MINISTERS  
FOR ECONOMY AND FINANCE -  
DEVELOPMENT**

Having regard to the following:

1. Provisions in Article 20, par. 4 of Law 1733/1987 on "Transfer of technology, inventions, technological innovation and setting up of Greek Atomic Energy Commission" (GG 171, A).

2. Provisions of Law 1558/1985 on "Government and government bodies" (GG 13, A).

3. Provisions of PD 27/1996 on "Merging of the ministry for tourism, the ministry for industry, energy and technology, and the ministry for commerce into the ministry for development" (GG 19, A/1.2.1996);

4. The need to amend the Joint Ministerial Decision 12149/EFA/ 2248 (GG B, 1240) currently in force with regard to the awards and the financial support of inventors aiming to simplify procedures for further promoting the country's technological and industrial development.

5. The fact that provisions in this decision entail no expenditure under the national budget, we hereby decide:

**Article 1**

**Inventions Evaluation Committee**

1. An Inventions Evaluation Committee shall be set up within the Industrial Property Organisation (OBI) to give its opinion regarding awards and commen-

dations to inventors residing in Greece permanently, under the provisions of the present joint ministerial decision.

2. OBI's Director General shall make recommendations to the Committee. Under such capacity, OBI's Director General can request OBI's assistance in the drawing up of such recommendations.

3. Any decisions by the committee entailing expenditure for OBI shall solely be enforced if the corresponding credit is provided for in OBI's budget.

4. The Committee's proposals shall be submitted for approval to the minister for development and must be justified in line with the criteria set out in this decision.

**Article 2**

**Composition -  
Operation of the committee**

1. The Inventions Evaluation Committee shall be appointed by decision of the minister for development for a four-year term.

The mandate of all of the Committee's members may be renewed.

2. The Inventions Evaluation Committee shall consist of seven members, namely:

a. the President of the Committee, who shall be a leading figure in the scientific and/ or business sector(s) of recognised repute in the field of technological development.

- b. the Vice-President of the Committee, an experienced technology scientist who shall substitute for the President in case the latter is unable to perform his duties.
- c. five members qualified in innovation, among which a science expert, an attorney-at-law and a scientist experienced in innovation funding. An alternate shall be appointed for each member of the Committee.

1. OBI shall provide secretarial services to the Committee.

2. Inventions Evaluation Committee shall be deemed to establish a quorum where the President or the Vice-President and three Committee members with a voting right are present. The Committee's decisions shall be taken by majority of the members present. In case of a tie the President or, in case of absence the Vice-President, shall have the casting vote.

3. Alternate members of the Committee shall participate in the Committee's procedures without a voting right, where the members for which they substitute are present.

4. The President, Vice-President, members and alternate members of the Committee shall be entitled to a fee for participating in the Committee's procedures, which shall be equivalent to the fee each time applicable to OBI Board Members.

5. The Committee shall convene upon invitation by its President.

6. Natural persons reporting to or participating in the management or shareholders in legal persons, as referred to in the patent applications or the patents and being part of the evaluation procedure.

### **Article 3**

#### **Publication procedure**

1. The Committee shall widely publicise any invitation to inventors residing in Greece to express their interest in participating in the selection procedure.

2. Publication costs shall be borne by OBI.

### **Article 4**

#### **Eligibility**

Eligible to participate in the present procedure shall be persons referred to as inventors in the following cases:

a. in a patent application filed with the OBI;

b. in a European patent application incorporating Greece in the identified countries;

c. In an international application incorporating Greece in the identified countries;

d. in a patent granted by the OBI;

e. in a European patent entered in the national stage of the procedure in Greece and provided that all of the below conditions are fulfilled:

i) at the time of filing an application for a Greek or European patent or at the time of filing an international application applicants were permanently residing in Greece;

ii) a term of five years has not elapsed from the date priority was invoked in the relevant application or from the date such application was filed, if no priority was invoked therein; and

iii) the relevant application has been published or the patent has been granted.

**Article 5**  
Filing the application

1. The application to participate in the inventions evaluation procedure shall be filed with the OBI. The committee's secretary shall give a receipt for the filing of the application to participate in the evaluation procedure.

2. The Committee shall specify the deadlines, timeframe and the manner in which applications shall be filed as well as the contents of the application, inter alia:

a. inventor's application to participate in the procedure, in which his full details shall be stated;

b. reference to the elements defining the invention;

The applicant may submit within the deadline, as specified by the Committee any other information which shall also be taken into consideration by the latter during the evaluation procedure.

**Article 6**  
Evaluation procedure

1. To evaluate the inventions the committee shall examine the inventive step of the specific invention and assess the extent to which it could contribute to the country's technological and industrial development.

2. To assess the inventive step the Committee shall examine the research reports drawn up either under Article 8 in L. 1733/1987 as part of patent granting procedure by the OBI or under L. 1607/1986 (GG 85, A) as part of the European patent granting procedure by the European Patent Office (EPO) or under L. 1883/1990 (GG 45, A) as part of the processing of international application

filed with the World Intellectual Property Organization (WIPO).

3. Among the inventions referred to in the applications under Article 5, par. 2 of the present Joint Ministerial Decision the Committee shall select those which it shall deem as a) containing a special inventive step, and b) presenting significant prospects to contribute to the country's technological and industrial development, and shall subsequently draw up a ranking list.

4. Evaluation of inventions carried out by the Committee shall not be related to the developments of any administrative procedures before national or other Industrial Property authorities.

**Article 7**  
Awards – Commendations

1. Upon recommendation by OBI's Director General and where funds are provided for in the budget of the Organisation's corresponding financial year, the Committee may suggest awards for the inventions appearing on the short list under Article 6, par. 3 hereof. The number of inventions for which an award is provided cannot be more than eight.

2. The pecuniary amount corresponding to each of the above mentioned awards shall be set to a maximum of €10,000.

3. The Committee may propose commendations for inventions appearing on the list under Article 6, par. 3 hereof and which shall not be granted an award.

4. The Committee shall draw up a proposal in which it shall state the inventions eligible for an award or a commendation, the pecuniary amount corresponding to such awards and the names of inventors to be granted the above awards and commendations. The pro-

posal shall be submitted for approval to the minister for development. The minister for development shall accept or reject the Committee's proposals as he shall see fit.

5. Where an invention has been implemented jointly by more inventors, the award or commendation shall be granted to inventors who have signed the application to participate in the evaluation procedure under Article 5.

6. In principle, the award procedure shall be held every two years, upon the Committee's decision and following invitation by OBI's Director General.

7. The minister for development shall present winners with the awards at a ceremony to be prepared by the OBI. The ceremony costs shall be borne by the OBI.

**Article 9**  
Transitional provisions  
Entry into force

1. The Committee's term, as set out in Decision Ref. No. 11135/EFA/2300 dated July 26 2001 by the minister for development under Article 3 of the joint ministerial decision 12149/EFA/ 2248 (GG B, 1240), continues to apply.

2. This decision shall replace joint ministerial decision 12149/EFA/2248 (GG B, 1240).

3. This decision shall enter into force upon its publication in the Government Gazette.

4. Following publication of this decision presentation of the awards shall take place upon invitation to convene a session of the Committee by OBI's Director General.

This decision shall be published in the Government Gazette.