Initial list of topics for the biennial workplan 2026-27

The new workplan will be structured into three major themes:

- **Breaking barriers to the innovation ecosystem**,
- **Shaping a better future with technology,**
- **Empowering innovation actors.**

Topic 1: climate change and energy crisis:

- Technologies for sustainability
- The future of mobility

Topic 2: startups and SMEs:

- Patents and Market Success of Tech Startups: examining the role of Unitary Patents (UPs)

Topic 3: academic and research institutions:

- Knowledge Transfer Offices (KTOs) and spinouts in Europe

Topic 4: financing innovation:

- IP Management and Valuation Capabilities
- Mapping IP lending institutions

Topic 5: D&I in innovative activities:

- Fostering innovation skills among European youth
- Women in STEM

Topic 6: the health sector:

- Improving transparency & helping mechanisms to access medicines
- Neurodegenerative or cardiovascular diseases

Topic 7: standards and patents

- Standards and patents (follow-up study)

Topic 8: critical technology areas for Europe:

- Penetration of AI in technologies

Topic 9: science and innovation careers:

- Looking at the innovation skills gap in Europe

Topic 10: the Unitary Patent as an engine to innovation:

- UP uptake
- Patents and Market Success of Tech Startups: examining the role of Unitary Patents (cross project with Topic 2 Startups and SMEs)

Questions

1. Do you agree with the list of proposed topics and projects?

Yes

No

2. How would you prioritise them?

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From the perspective of the app economy and our SME members, we would recommend the following prioritisation:

1. **Topic 7: Standards and Patents**

- A follow-up study is welcomed, especially in light of ongoing EU policy efforts on standard-essential patents (SEPs). It is essential to evaluate how SEP licensing practices impact SMEs and app developers, who often face opaque and costly barriers to innovation.
- The European Patent Office should engage with the European Council in order for the latter to consider the Standard Essential Patent Regulation.
- Transparency and proportionality in SEP licensing remain key concerns for our members. At ACT | The App Association, we believe the SEP Regulation would be a step forward in improving the current unfair SEP licensing landscape.

2. **Topic 2: Startups and SMEs**
   - Understanding the impact of Unitary Patents (UPs) on startup growth and innovation is critical. The uptake of UPs among SMEs should be monitored closely, with attention to both opportunities and unintended consequences.
   - The study should include small and medium-sized enterprises (SME) voices across tech verticals, particularly software and app developers, whose innovation may not always be adequately protected or incentivised under current patent frameworks.
   - A recent study by the European Patent Office (EPO) and the European Union Intellectual Property Office (EUIPO) highlights that SMEs owning intellectual property rights (IPRs) experience remarkable advantages. SMEs with patents, trademarks, or designs generate 44 per cent higher revenue than those without IPRs. Additionally, they pay 22.1 per cent more in wages, showcasing the vital role of IP in securing growth and attracting talent.[1] This underscores the importance of IP access and literacy for European startups, particularly in high-growth digital sectors.

3. **Topic 4: Financing Innovation**
   - Mapping IP lending institutions and exploring IP valuation capabilities is highly relevant, especially for SMEs seeking to leverage intangible assets for funding.

4. **Topic 8: Critical Technology Areas for Europe – Penetration of AI in Technologies**
   - We support this topic and recommend that the study include an SME dimension. Many smaller tech companies are deploying AI tools and services but face disproportionate regulatory burdens and IP complexities.
   - The current legislative landscape has led to many questions in relation to copyright and AI. More clarity is needed in this area, and therefore we welcome further research and guidance.

5. **Topic 10: The Unitary Patent as an Engine to Innovation**

[1] Insert link to the study here.

- Closely linked to Topic 2, this initiative could explore how the new patent regime affects market dynamics, licensing models, and competitive entry for digital startups.

6. **Topic 5: Diversity & Inclusion in Innovative Activities**
   - The App Association supports efforts to foster innovation skills among European youth and promote gender equity in science, technology, engineering, and math (STEM). This is vital to building a diverse innovation ecosystem and should be integrated into broader support for early-stage tech founders.

7. **Topic 3: Academic and Research Institutions**
   - Fostering stronger bridges between academic outputs and SME needs (e.g. licensing, collaboration) would be a valuable angle.

8. **Topic 9: Science and Innovation Careers**
   - Addressing skills gaps is important, especially in digital and data-intensive fields. Prioritising digital literacy, AI-related skills, and entrepreneurship support for future innovators aligns with our members' challenges in talent recruitment and retention.

9. **Topic 6: The Health Sector**
   - We acknowledge the importance of IP frameworks and innovation incentives in this sector. Cross-sector learning on transparency mechanisms and access to innovation may benefit SMEs more broadly.

10. **Topic 1: Climate Change and Energy Crisis**
    - While relevant, we suggest this be addressed through the lens of digital innovation. For instance, how app-based services or internet of things (IoT) tools can support sustainability and energy efficiency goals.

3. Would you suggest any other projects for consideration?
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Yes. We would strongly recommend the inclusion of a dedicated project to:

- **Assess the impact of major regulatory developments (e.g. the Digital Markets Act, AI Act, Data Act, SEP Regulation) on SME innovators.** As the EU introduces a growing body of digital regulation, it is essential to evaluate how these rules interact with innovation incentives, IP management, and competitiveness, particularly for startups and smaller tech players. A targeted assessment, including real-world feedback from SMEs, would help policymakers

better align regulatory intent with market realities and avoid unintended barriers to innovation.

- **Explore the intersection of IP protection and digital platforms.** Developers have long relied on the infrastructure and services provided by trusted app stores to manage and respond to IP violations effectively. These centralised platforms offer a secure environment where IP can be protected with clarity and intention, critical for startups that lack large legal teams or enforcement capabilities. However, with the Digital Markets Act (DMA) encouraging alternative app stores and sideloading, there is a growing risk of ecosystem fragmentation. This could dilute the effectiveness of IP protection mechanisms, forcing developers to navigate a patchwork of different platforms, many of which may lack sufficient tools or enforcement procedures. This project should examine how platform integrity and consistency contribute to IP enforcement.

4. Are there any other kinds of activities you think the Observatory could develop or be part of?
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Yes. We suggest:

- **Establishing a dedicated SME Innovation Forum** within the Observatory to ensure regular consultation with small tech innovators and their representatives.
- **Creating simplified guidance tools** to help SMEs navigate IP strategy, especially in complex areas such as AI, SEPs, and software innovation.

5. Would you like to share any comments related to the Observatory?
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We value the Observatory's role in gathering data, promoting evidence-based policymaking, and supporting European innovators. Continued efforts to include SME perspectives, particularly from digitally native sectors, will be crucial for maintaining Europe's competitiveness and innovation capacity.

We encourage the Observatory to maintain close coordination with other EU bodies, including the AI Office, DG CONNECT, and DG GROW, to ensure coherent approaches across policy areas that affect SMEs in the digital sector.

ACT | The App Association remains available to support this process and share insights from our member base of small, innovative software and app developers across Europe.