

**INTELLECTUAL PROPERTY RIGHTS & PATENTING CELL
PONDICHERRY ENGINEERING COLLEGE
PUDUCHERRY- 605 014**

EXPRESSION OF INTEREST FOR "IP CONSULTANT FOR PEC"

PEC, Puducherry invites expression of interest from the firms dealing in filing and prosecution of Intellectual Property. The selection of the IP firm will be based on an financial and technical evaluation process. PEC, reserves the right to shortlist firms at any point of assessment of their credentials. The advertisement does not constitute and will not be deemed to constitute any commitment on the part of PEC, Puducherry.

PEC reserves the right to reject any EOI if it is not in the given format, at any time, a material misrepresentation is made or uncovered, or the firm does not respond promptly and thoroughly to requests for supplementary information required for the evaluation of the EOI.

Interested firms may submit the EOI in the given format in a sealed envelope by **January 04, 2019 upto 1 p.m.**

Note: Bidders are required to submit the Technical bid (Envelope No. 1) along with the Financial bid (Envelope No.2). Please do not put "Financial Bid" (Prices quote) in the technical bid envelope. If the price quoted is submitted with technical bid, the tender will be rejected. Both the sealed envelopes should be placed in third larger sealed envelope. Please clearly mention on the larger envelope **"Technical Bid and Financial Bid for Intellectual Property (IP) Consultant for PEC"**.

The EOI may kindly be sent to:

**The Principal
Pondicherry Engineering College
PUDUCHERRY- 605 014**

Note:

1. Last date for receipt of tender at PEC on **04.01.2019 upto 1.00 P.M**
2. The opening of Technical Bid will be at **3.00 P.M on 04.01.2019**
3. Opening of Financial bid will be at **3.00 P.M on 10.01.2019**

I. Scope of Work:

1. IP Management including Drafting, filing, prosecution, opposition and maintenance of Intellectual Property in India and Abroad.
2. Patent Searches such as Patentability search, FTO, patent landscape, Invalidity / validity & State of the Art Search.
3. Aspects such as opposition, revocation & restoration of IP & any other proceeding under the relevant IP Act & other IP management matters in India and Abroad.
4. Handling foreign patent application for filing/IP securing.
5. Representing before the Appellate Board in India, miscellaneous actions under the relevant Act, etc.
6. Securing registration and maintenance of copyright, design, trademark and layout design, Plant Varieties and Others.
7. Handling IP infringement cases
8. Interaction with inventors

9. Technical Specifications:

- (i). The rate should be quoted for a period of 3 years.
- (ii). The quote should be inclusive of Ideation support, Preliminary search and Concept validation, Patent drafting support for Provisional and Complete Specifications, Pre-grant and Post grant support and Communication support with patent office, prosecution, opposition and maintenance support of Intellectual Property of PEC.
- (iii). The quote should specify the annual consultation charges and the number of patents that would be filed per year under the terms of the service offered.
- (iv) The rate should be inclusive of the Physical patent filing charges payable to Indian Patent Office.
- (v). The rate should be inclusive of concept validation and prior art search for approved ideas from PEC-IPR & P cell even if the ideas do not qualify for patenting upto 10 ideas.
- (vi). The quote should specify the payment terms and conditions under cases of no patent filed and the minimum number of patents to be filed.
- (vii). The rate should be inclusive of service tax as per the Govt norms.

II. Eligibility Criteria:

The IP firms applying for the EOI shall fulfill the following criteria & shall provide satisfactory proof regarding the same:

1. The IP Firm should be of good standing have an experience of at least 5 years servicing clients based in India and abroad.
2. The IP firm should have minimum five years of existence as an Indian entity.
3. The IP firm should possess professional expertise in handling all forms of intellectual property protection measures viz., patents, industrial designs, trademarks, copyrights, plant varieties and geographical indications.
4. The IP firm must have the requisite infrastructure and in-house capability.

5. The IP firm must be having profits in the last three years.
6. The IP firm should have an office in India.
7. The IP firm should not have been blacklisted by any Central /State Government / Public Sector Undertaking, Govt. of India.
8. The IP firm should not be involved in any major litigation that may have an impact of affecting or compromising the delivery of services.
9. The IP firm which is going to be selected by PEC will sign an undertaking for providing the services to PEC as per the final rate arrived at for the respective schedule of services.
10. The IP firm that will be appointed will enter in to a 'Confidentiality and Non-Disclosure Agreement' with PEC for maintaining strict secrecy and confidentiality about the information shared by PEC and its inventors.
11. The selected IP firm will provide quality services within reasonable time frames. However, if at any point of time it is found that the services are not satisfactory and there is any delay in the services, PEC has right to terminate their services.
12. The IP firm selected by PEC after providing the services should submit their bills (separately for the professional services rendered and for reimbursement of Government Fees paid if any) to PEC for release of payment indicating the details as per the Schedule of Services.

III. Profile and Business Competencies of the IP Firm

1. Full Name of IP firm, web address, telephone number, etc.
2. Complete address of the main office and all branch offices across the country along with telephone numbers and email addresses of the firm
3. Place of work: Owned / Leased
4. Date of establishment and Registration of the IP firm
5. Legal status of the IP firm (attach attested copies of original document)
6. Particulars of registrations/certifications if any with various government/nongovernmental bodies (attach attested photocopy)
7. Particulars of the membership/partnership, if any
8. Articles and memorandum of association (if any) of the IP firm
9. Partnership agreement between the firm and its partner(s) clearly highlighting the scope of work for each.
10. Details of PAN (Permanent Account Number) of IP Firm, GST # (Tax deduction and Collection Account Number) and other Important Registration numbers may also be provided
11. Balance sheet for last three financial years duly signed/certified by Chartered Accountant.
12. Complete list of all the assignments along with names of clients (Individual Inventors / Government / Private) handled by the IP firm during the last three years.
13. Area(s) of Specialization: (Patents / Trademarks / Copyright / Designs / Geographical Indications / Litigation / Opposition / Contracts / Other IP related activities)
14. Number of professionals (Partners/Associates) presently employed with the firm for patent related IP work in various fields and their profiles.

IV. Earnest Money Deposit (EMD):

All the bidders have to submit a Demand Draft of for EMD (@ 2.5 % of the quoted value) in favour of "The Principal, PEC" made payable at Puducherry towards EMD along with their EOI/bid document. No interest will be paid on the EMD. Any bid / tender, which is not accompanied by the EMD, shall be summarily rejected. The EMD of unsuccessful tenderers will be returned after the tender is decided or expiry of validity of the tender whichever is earlier.

Bid / Tender evaluation Methodology

- Two bids shall be submitted in two different sealed covers i.e., Technical and Financial (Rate of Schedule for each IPR activity). Documentary evidence for each of the parameter has to be enclosed.
- The financial bid of the IP firm / bidder will be considered for opening only after evaluation of the technical proposal.

Opening of Financial bids

- Financial bids of the only short listed bidders will be opened based on the above mentioned criteria.

The bidder's name, bid prices, discounts and such other details considered as appropriate by PEC, will be announced after the opening of the bids and processing them as per the selection procedure / criteria outlined below.

Selection Criteria

The financial bids of short listed/technically qualified bidders only will be opened for further evaluation.

PEC reserves the right to reject any/all the bids in part/or in full without assigning any reason. The decision of PEC in this regard will be final and binding. The same cannot be challenged in any forum thereafter.

VI. Rate of Schedule for IPR Applications filing and prosecuting

SI.No	Type of work	Amount (INR)

VII. Format for submitting proposal

To,

The PRINCIPAL

Pondicherry Engineering College

Puducherry - 605 014

Sub: Submission of Expression of Interest for “*Intellectual Property (IP) Consultant for PEC*”

Sir,

Having examined the details given in the Terms and Conditions of the Expression of Interest for the above work, I/we hereby submit the EOI.

1. I/We hereby certify that all the statements made and information are true and correct.
2. I/We have furnished all information as required in “Profile and Business Competencies of The Firm’ which is necessary for EOI and have no further pertinent information to supply.
3. I/We also authorize PEC to approach individuals, employees, firms and corporation to verify our competence and general reputation.
4. I/We will make comprehensive presentations before officials of the PEC at various stages to explain the functioning and other matter necessary for the empanelment of the IP firm.
5. I/We submit the following tech documents in support of our suitability, technical know-how and capability for having successfully completed the following assignments.

Signature(s) of Applicant(s)

Seal of Firm

Address:

No. of Enclosures: