EXPRESSION OF INTEREST

FOR

EMPANELMENT OF IP FIRMS FOR HANDLING CSIR's IP APPLICATIONS AND OTHER IP RELATED WORK

(Techno-Legal Part)

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1. EXPRESSION OF INTEREST

Empanelment of IP Firms for handling CSIR's IP applications and other IP related work.

Council of Scientific and Industrial Research (CSIR) is the largest publicly funded industrial research & development organization in the country and a major player in securing patents in India and Abroad. The Intellectual Property Management Division (IPMD) at CSIR Head Quarters is responsible for the protection of IP generated from various CSIR labs/Institutes both in India and Abroad. Division is an in-house setup looking after the IP management work including search, examination, drafting, filing, prosecution and maintenance of patents and other forms of IP in India. In case of foreign patent applications and for securing and safeguarding protection for other forms of IP, the work is assigned to local IP Firms who in turn take it up with their counterpart attorney firms in respective countries. IP work also includes related matters like licensing, litigation, opposition, revocation and restoration of IP any other proceedings under the relevant IP Acts and other IP management Matters.

Expression of Interest (EOI) is requested for empanelment of IP firms for handling CSIR's foreign patent applications and for securing and safeguarding protection for other forms of IP in India and Abroad. The applying firms and its counterpart foreign associates should be able to provide services for:

- Filing, prosecution, maintenance, opposition, litigation, revocation, restoration and any other proceedings in respect of foreign patent applications/patents and for registration/securing of other forms of IP abroad.
- All other forms of IP and related work comprising services for copyright matters, design, trademark, layout design, plant varieties, opposition, litigation, revocation, restoration, representation before Appellate Board in India, miscellaneous actions under the relevant Act and any other proceedings in India.
- Other IP related work comprising drafting of agreements,MOU, Freedom to operate searches, assistance in licensing and other IP Management matters like IP audit, IP valuation, commercialization strategy and opinion/advice relating to IP matters.

The IP firm should have good standing for at least a period of 5 years or more and must have filed patent applications for more than 100 inventions abroad (including PCT applications) for clients based in India. The IP firm should possess professional expertise especially in handling patent applications in the field of Drug/Pharmaceutical, Chemical, Biological and Engineering. The firm must have the requisite infrastructure and be financially sound. It should have a local office in NCR and an established network of top leading foreign attorney firms worldwide who can handle the assigned work with respect to CSIR's patent applications and other forms of IP.

Invited proposals should include the details mentioned in the format which may be downloaded from the CSIR website http://csir.res.in.

The **'Techno-legal IP bid'** is invited initially. The shortlisted firms will be asked for a presentation before the expert committee. The format for the submission of 'Financial Bids' will be sent to only shortlisted firms. The selected firms need to sign the Memorandum of Understanding with CSIR.

The selection of the IP firm will be based on the evaluation process. The evaluation will have the 80 and 20 percent weightage on Technical and financial assessment respectively.

The applicant shall mention on the sealed envelop Firm's Name, Phone number & name of the contact person and a line highlighting **'Techno-legal IP bid' and 'Do Not Open Before 1530 hours on 03/03/2010'**. Last date of receiving EOI is **03/03/2010**. The Sealed envelop may be addressed to Deputy Secretary, Council of Scientific and Industrial Research , Anusandhan Bhawan, Rafi Marg, New Delhi 110 001.

CSIR, reserves the right to shortlist firms at any point of assessment of their credentials for the empanelment. This advertisement does not constitute and will not be deemed to constitute any commitment on the part of CSIR.

2. Information and Instructions for Applicant

1. All information called for should be furnished against the relevant items in the prescribed forms. If for any reason, information is provided in a separate sheet, this fact should be mentioned against the relevant column. Even if no information is to be provided in a column, a 'nil" or "no such case" entry should be made in that column. If any particulars/query is not applicable in case of the applicant, it should be stated as "not applicable". The applicants are cautioned that not giving complete information called for in the application forms or not giving it in clear terms or making any change in the prescribed forms or deliberately suppressing the information may result in the applicant being summarily disqualified. Applications made by telegram or telex and those received late will not be entertained.
2. The applicant should sign each page of the application.
3. Overwriting should be avoided. Correction, if any, should be made by neatly crossing out, initialing, dating and rewriting. Pages need to be numbered. Additional sheets, if any added by the service provider, should also be numbered by him.
4. References, information and certificates from the respective clients certifying suitability and capability of the applicant should be duly signed.
5. The applicant may furnish any additional information which he thinks is necessary to establish the capabilities of the firm to successfully complete the envisaged work. It is, however, advised not to furnish superfluous information. No information shall be entertained after submission of EOI document unless it is called for by CSIR.
6. Any information furnished by the applicant found to be incorrect either immediately or at a later date, would render him liable to the termination of the contract.
7. Any effort on the part of the applicant or his agent to exercise influence or to pressurize CSIR would result in rejection of his application.
8. Any application received after deadline for submission of bid prescribed by CSIR will not be rejected and shall be marked as "late" and not considered for further evaluation. The envelop shall not be opened and shall be returned to the bidder.
9. All bids will be opened in the presence of their authorized representative as per the schedule given in the invitation of bids.

3. Format for submitting proposal

From

(Firms Name and Address)

To
Deputy Secretary
Council of Scientific and Industrial Research
Rafi Marg, NewDelhi -110001

Subject: Submission of Expression of Interest for "***Empanelment of IP Firms for handling CSIR's IP applications and other IP related work.***"

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 CSIR 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 CSIR at various stages to explain the functioning and other matter necessary for the empanelment of the attorney.
5. I/We submit the following documents in support of our suitability, technical know how and capability for having successfully completed the following assignments.

Seal of applicant

Date of submission

Signature(s) of Applicant(s)

(Authorized signatory with Name and his capacity)

Enclosures:

4. PROFILE AND BUSINESS COMPETENCIES OF THE FIRM

1. Full Name of the firm
2. Complete Address of main office and branch offices along with telephone numbers, email address of the Firm
3. Internet address(es)
4. Place of work : firm owned/leased
5. Date of establishment of the firm
6. Legal Status of the firm (attach attested copies of original document)
7. Particulars of the registrations/certifications if any with various government/non-governmental bodies (attach attested photocopy)
8. Particulars of the memberships/partnership if any
9. Articles and Memorandum of Association
10. Partnership agreement between the firm and its partner clearly highlighting the scope of work for each:
11. Details of PAN (Permanent Account Number), TAN (Tax Deduction and Collection Account Number) and other Important Registration No. may also be provided
12. Balance sheet for last two financial years duly signed by Chartered accountant along with the annual Turn-over.
13. Area of specialization:
    (Patents/Trademarks/Copyright/Designs/Litigation/opposition/Contracts/other IP related activities)
14. Number of professionals (Partners/Associates) presently employed with the firm for patent and related IP work in various fields and their profiles:

Sr. No	Name of the Professional	Qualification	Area of expertise	Experience (no. of years)	Number of cases handled(Specify whether it is for copyright, Trademark or Patent or any other IP form, litigation/opposition)

15. Provide details of number of patent applications or other forms of IP handled by the firm during the last 5 years with respect to:

    a. Number of patent applications drafted and filed in India from Indian clients and from foreign clients;
    b. Number of patent applications drafted and filed abroad including PCT applications from Indian clients;
    c. List of patent applications published /granted related to those handled by Firm;
    d. Number of cases handled with respect to other forms of IP.

16. Number of litigations/opposition proceedings handled by the firm pertaining to patents, design, trademarks and copyrights during the last 5 years and success rate of the decided cases in favor of the client(s) during this period.

17. Number of Indian/foreign patent applications filed on behalf of other government organizations and industry from India and the name of these organizations.
18. Names of foreign associates handling the cases in various countries.(Provide a list of Foreign associate and basis of their selection along with their international ranking and source of such ranking)
19. Names of authorized signatory(ies)/Representative(s) to deal with day to day transactions and to visit CSIR to discuss the functional and technical matters with respect to IP related matter.
20. Procedures adopted by the firm in regard to maintaining security of information related to hard copies and computer based transaction/ exchange of information between the clients and the firm.
21. Testimonials/references from the present clients.
22. Was the applicant ever required to suspend the works for a period of more than six months continuously after award of work? If so, give the reasons of suspension of work.
23. Has the applicant or any constituent partner in case of partnership firm, ever abandoned the awarded work before its completion? If so, reasons for abandonment.
24. Has the applicant or any constituent partner in case of partnership firm, ever been convicted by a court of law? If so, give details.
25. Any other information considered necessary but not included above.

(Signature, name and designation of the authorized signatory)

For and on behalf of _____

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