



Request for Proposal

(RFP)

Tender Document

For

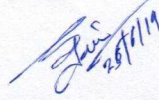
Empanelment of Intellectual Property (IP) Firms

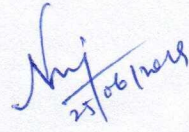
Email: registrar@iiitdmj.ac.in

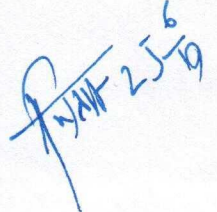
Dumna Airport Road, Jabalpur - 482005, M.P. (India)


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PDPM
INDIAN INSTITUTE OF INFORMATION TECHNOLOGY,
DESIGN AND MANUFACTURING, JABALPUR
Dumna Airport Road, Jabalpur- 482005, M.P. (India)
Tel #: (+91-761) 2794025
Email: registrar@iiitdmj.ac.in
Website: www.iiitdmj.ac.in

Invitation of RFP Tender

Date: 25/06/2019

PDPM IIITDM Jabalpur is a premier Institute of Education and Research established by Government of India under IIIT Act 2014. The Institute would like to procure the following Services for its R&D activities. The Technical Specifications, Allied Requirements and Scope of Supply are given in Appendix 1.

S.No.	Tender No.	Brief Description of Service	Single / Two Bid
1	IIITDMJ/Tender/2019/06/54 dated 25/6/2019	Request of Proposal (RFP) for Empanelment of Intellectual Property (IP) Firms	Two Bid

1. Bids are invited for tendering process and the Tender Document can be downloaded from the PDPM IIITDM, Jabalpur website <http://www.iiitdmj.ac.in/tenders.php>. The schedule of the tendering process is given below:

Event	Date & Time
Tender Publishing Date	25/06/2019
Bid Submission Start Date	25/06/2019
Pre-bid conference	05/07/2019 at 04:00 pm
Bid Submission End Date	24/07/2019 by 03.00 pm
Technical Bid Opening Date	24/07/2019 at 04.00 pm
Financial Bid Opening Date	Will be intimated later on

2. The address for submission of tender document, EMD and for further clarification, contact:
Registrar,
PDPM IIITDM Jabalpur
Dumna Airport Road,
Jabalpur-482005, M.P. (India)
Email: registrar@iiitdmj.ac.in
3. A Pre-Bid Conference shall be held at venue and as per schedule mentioned in the table above. All prospective bidders are requested to kindly submit their queries to the address indicated above so as to reach the office of Registrar at least one day before Pre-Bid Conference. Bidders may join the pre-bid meeting through physical interactions and email questions on the date of pre-bid.

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25/06/2019

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25/06/2019

4. Bid Security/Earnest Money Deposit

(i)	The amount of bid security/EMD shall be a) In case of Foreign Bidder: USD 200 or equivalent INR b) In case of Indigenous Bidder: Rs.10,000.00
(ii)	The Bid Security/Earnest Money Deposit shall be deposited through Bank Guarantee/Demand Draft drawn in favour of "PDPM IIITDM Jabalpur". The original Bid Security/EMD must be delivered to address mentioned in S.No.2 above on or before bid submission date and time as mentioned in "Date Sheet" failing which the bid shall be summarily rejected.

The Director, PDPM IIITDM Jabalpur reserves the right to accept or reject any or all tenders / offers either in part or in full or to annul the tender process at any stage or to split the order without assigning any reasons there for.

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**Request for Proposal (RFP) for Empanelment of Intellectual Property (IP)
Firms By PDPM IIITDM Jabalpur**

PDPM IIITDM Jabalpur invites Request for Proposal from the firms dealing in filing and prosecution of Intellectual Property. The selection and empanelment of the IP firm will be based on an internal evaluation process. PDPM IIITDM Jabalpur reserves the right to shortlist firms at any point on the basis of assessment of their credentials for the empanelment. The advertisement does not constitute and will not be deemed to constitute any commitment on the part of PDPM IIITDM Jabalpur for the empanelment. PDPM IIITDM Jabalpur reserves the right to reject any RFP at any time, if it is not in the given format, or 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 RFP.

Interested firms may submit the RFP in the given format in a sealed envelope within 30 days.

Note: Bidders are required to submit the Technical bid at Proforma-V (Envelope No.1) along with the Financial bid at Proforma-VI (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 summarily 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 Empanelment of Intellectual Property (IP) Firms**".

The RFP may kindly be sent to:

Registrar

PDPM IIITDM Jabalpur
Dumna Airport Road, Jabalpur
482005 (M.P.) India
Phone: 0761-2794025
Email: registrar@iiitdmj.ac.in

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, Freedom to Operate (FTO), patent landscape, invalidity / validity and state of the art search.
3. Aspects such as opposition, revocation and restoration of IP and 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 acts, etc.
6. Securing registration and maintenance of copyright, design, trademark and layout design and others.
7. Handling IP infringement cases.
8. Interaction with inventors.
9. Any other relevant with IPR Policy & Patent Filing.

II. Eligibility Criteria:

The IP firms willing to be empaneled for these tasks shall fulfill the following criteria and 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/or 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 and geographical indications, etc.
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 (i.e., 2015-16, 2016-17, 2017-18).
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 empaneled by PDPM IIITDM Jabalpur will sign an undertaking for providing the services to PDPM IIITDM Jabalpur and its clients as per the final rate with GST (L1) arrived at for the respective schedule of services.



10. The IP firm that will be empaneled will enter in to a 'Confidentiality and Non-Disclosure Agreement' with PDPM IIITDM Jabalpur for maintaining strict secrecy and confidentiality about the clients of PDPM IIITDM Jabalpur and information shared by PDPM IIITDM Jabalpur and its clients.
11. The IP firms empaneled by PDPM IIITDM Jabalpur 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, PDPM IIITDM Jabalpur has right to terminate their empanelment.
12. The IP firms empaneled by PDPM IIITDM Jabalpur after providing the services should submit their bills (separately for the professional services rendered and for reimbursement of Government Fees paid) to PDPM IIITDM Jabalpur for release of payment indicating the details as per the Schedule of Services. Every effort will be made by the concerned officials at PDPM IIITDM Jabalpur for early processing the bills (subject to fulfilling the requirements and submission of the supporting documents) and early release of payment by PDPM IIITDM Jabalpur Accounts Section to the respective IP firm.

For Further Clarification, The IP firm may contact:

Registrar
Email: registrar@iiitdmj.ac.in
Phone: 0761-2794025 (Office)

III. Profile and Business Competencies of the IP Firms

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 / non-governmental 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. Employee Details: Number of professionals (Partners/Associates) presently employed with the firm for patent related IP work in various fields and their profiles (as per the Table given below):

S. No.	Name of the Professional	Qualification	Area of expertise	Experience (No. of years)	Number of cases held (Specify whether it is for Copyright, Trademark OR Patent OR Any other IP form, Litigation/ Opposition)

15. Any other important information

IV. Earnest Money Deposit (EMD):

All the bidders have to submit a Demand Draft or Bank Guarantee of **Rs.10,000.00 (Rupees Ten Thousand only)** (\$ 200 for Foreign bidders) in favour of PDPM IITDM Jabalpur made payable at Jabalpur towards EMD along with their RFP/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 the validity of the tender, whichever is earlier.

Bid/Tender evaluation Methodology for Empanelment of Intellectual Property (IP) firms

- Two bids shall be submitted in two different sealed covers, i.e., Technical Bid and Financial Bid (which would include rates inclusive of GST of Schedule for each IPR activities). 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 if the firm secures minimum technical score of 60% or more, of the maximum possible score, in the evaluation of its technical proposal, along with meeting the mandatory requirements.

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 PDPM IIITDM Jabalpur, 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.

The financial bid of the bidder will be opened only of those bidders who meet the mandatory requirements and secure a minimum technical score of 60 %, in the evaluation of the technical proposal. PDPM IIITDM Jabalpur reserves the right to reject any/all the bids in part/or in full without assigning any reason. The decision of PDPM IIITDM Jabalpur in this regard will be final and binding. The same cannot be challenged in any forum thereafter.

PDPM IIITDM Jabalpur will be preparing a master sheet of all the technically qualified bidders, listing the schedule of services and the respective quotes (including GST) submitted by each IP Firm. The Institute will select the lowest quote (including GST) of each of the services quoted by any of the IP Firm and subsequently a statement would be made listing all the schedule of services for each of the IPs with the lowest rate quoted by any of the technically qualified IP firm against the respective schedule of services. This sheet containing the lowest quote for each of the schedule of services will be provided to all the technically qualified bidding IP firms for their concurrence to provide services as per the lowest quoted rates (including GST) for the respective schedule of services. IP Firms which agree for the above rate schedule may be invited for further discussion for finalization of the 'Empanelment of IP Firms'.

V. Technical Evaluation Criteria of the Firms

(All supporting documents should be enclosed)

The firm must have the technical capacity in following disciplines

- (i) Computer Science & Engineering
- (ii) Design
- (iii) Electronics & Communication Engineering
- (iv) Mechanical Engineering
- (v) Management
- (vi) Physics
- (vii) Mathematics & other fields

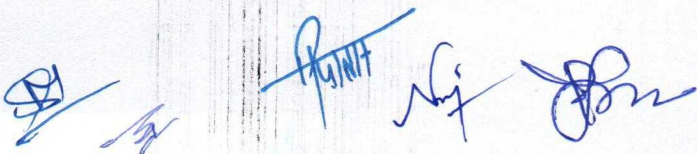
S. No.	Technical Capacity Criteria	Grading of Score/Points	Maximum Score (Total 100)	Self-Score (to be calculated and entered by the bidder)	Obtained Score
1	Number of IP filings in India with IPO (Patent, Trademark, Design) in the last three year	Up to 50 Filings = 5 marks Every additional IP filing = 0.25 mark	15		
2	Number of Patents/Trade Marks / Design granted (India /abroad) for the clients (in India Abroad) during last three years	Up to 20 granted = 5 marks Every additional IP granted = 0.5 mark	15		
3	Prosecution Support work (Preparation of IDS/ Supplemental IDS etc. in last three years)	Up to 50 = 2.5 marks Every additional one = 0.25 mark	05		
4	Number of IP filings outside India (Abroad) (Patents / Trade Marks / Designs) in last three years	Up to 15 Filings = 5 marks Every additional IP filing = 0.5 mark	15		
5	Available paid Search Tools (Minimum Two)	2 database = 5 marks 3 and above = Additional 5 mark	10		
6	Capacity building programmes conducted for Govt. institutions Dept./ Colleges/SMEs in last three years	Up to 10 = 2.5 marks Every additional one = 0.5 mark	10		
7	Number of Clients served in the last 3 years (In India & Abroad)	Patent Related: Up to 30 Clients = 5 marks For additional client: 0.5 mark	10		
8		Trademark Related: Up to 30 clients =5 marks Every additional client: 0.25 mark	10		
9		Copyrights: Up to 2 clients = 2 marks Every additional client: 1 mark	05		
10		Industrial Design: Up to 20 clients= 3 marks Every additional client: 0.50 mark	05		

VI. Financial Schedule of Charges and Timelines (Excluding Govt. Fee)

1.	Evaluation	Rs.	No. of maximum working days
1.1	Evaluation of patent application		
2.	Application	Rs.	No. of maximum working days
2.1	Drafting and filing application with Provisional specification as hard copy		
2.2	Drafting and e-filing application with Provisional specification		
2.3	Drafting and filing complete specification after filing Provisional specification as hard copy		
2.4	Drafting and e-filing complete specification after filing Provisional specification		
2.5	Drafting and filing application with complete specification in the first instant as hard copy		
2.6	Drafting and e-filing application with Complete specification in the first instant		
2.7	Taking over already filed application, per case, if any		
2.8	Typing (original & 4 copies) per page, if any		
3.	Preparation of drawings	Rs.	No. of maximum working days
3.1	A-4 size paper		
3.2	Preparing sequence listing per sequence		
4	Extension of time & late filing (preparing and filing)	Rs.	No. of maximum working days
4.1	Preparing and filing a form for extension of time		
4.2	Late submission of forms/documents		

5	Prosecution	Rs.	No. of maximum working days
5.1	Filing a request for early publication		
5.2	Filing a request for examination		
5.3	Obtaining certified copies of patent application		
5.4	Reporting official action (a) if filed by us (b) filed by others		
5.5	Amending specification, re-filing and filing appropriate response to the examination Report		
5.6	Subsequent report of corresponding application, if any including filing appropriate response to the examination Report		
5.7	Filing of documents after prescribed period with petition of condonation of delay in filing		
5.8	Discussion at Patent Office during prosecution of application per appearance		
5.9	Sending acceptance notice, copy of Gazette notification, sealing of patent, sending letters patent document		
5.10	Attending to renewals and sending Renewal certificate per year		
5.11	Attending to Restoration of lapsed patent, filling petition and attending to payment of fees		
5.12	Working of patents: Each report of working under Section 146		
5.13	Filing petition generally for specific reliefs or order of Controller under different rules <i>*Subject to relief sort</i>		

6	Assignment and Licenses	Rs.	No. of maximum working days
6.1	Drafting deed form		
6.2	Filing application for registration for (a) One patent (b) Each additional patent included at the same time		
7	Recordal of change of name, address, nationality, etc.	Rs.	No. working days of maximum
7.1	Filing application in respect of one patent		
7.2	For additional patent included at the same time		
8	Opposition	Rs.	No. working days of maximum
8.1	Filing Notice of Opposition		
8.2	Drafting Statement of opposition form, written statement and affidavit		
8.3	Drafting reply statement and Affidavit		
8.4	Attending hearing per day at Jabalpur		
8.5	Attending interlocutory petition hearings		
9	Visits outside office & discussion	Rs.	No. of maximum working days
9.1	Local visits per visit		
9.2	Outstation visits per day		
10	Patent revocations/infringement, initialing revocation/ infringement, defending revocation/infringement	Rs.	No. of maximum working days
10.1	Representation charges		
10.2	Any other charges, if any		



11	Miscellaneous	Rs.	No. of maximum working days
11.1	Consultation charges each hour or part Discussions with inventors for drafting		
11.2	Standing searches (monthly) for one subject matter		
11.3	Name search (14 year)		
11.4	Subject search (14 year)		
11.5	Photocopying, fax, cable and other out of pocket expenses, if any		
12	*Filing of foreign patent applications:	Rs.	No. of maximum working days
12.1	Filing of a patent application in USA		
12.1.1	Charges for prosecuting each application till grant of patent (can be as a %age of foreign associates bills)		
12.1.2	Subsequent filing of forms/citations, etc.		
12.1.3	Fee for renewal each year		
12.1.4	Fax, cable, photocopying charges		
12.1.5	Postage charges, if extra		
12.1.6	Any other charges, if any (a) out of pocket expenses (b) Offering technical opinion		
12.1.7	Request for substantive examination		
12.2	Filing of a patent application in Europe		
12.2.1	Charges for prosecuting each application till grant of patent (can be as a %age of foreign associates bills)		
12.2.2	Subsequent filing of forms/citations, etc.		
12.2.3	Fee for renewal each year		
12.2.4	Fax, cable, photocopying charges		

12.2.5	Postage charges, if extra		
12.2.6	Any other charges, if any (a) out of pocket expenses (b) Offering technical opinion		
12.2.7	Request for substantive examination		
12.3	Filing of a patent application in Japan		
12.3.1	Charges for prosecuting each application till grant of patent (can be as a %age of foreign associates bills)		
12.3.2	Subsequent filing of forms/citations, etc.		
12.3.3	Fee for renewal each year		
12.3.4	Fax, cable, photocopying charges		
12.3.5	Postage charges, if extra		
12.3.6	Any other charges, if any (a) out of pocket expenses (b) Offering technical opinion		
12.3.7	Request for substantive examination		
13	Filing of PCT application	Rs.	No. of maximum working days
13.1	Preparing and filing a new PCT application, If the complete specification for India has been drafted by the firm		
13.2	Filing formal documents such as POA, Priority documents, etc		
13.3	Filing amendments under Article 19		
13.4	Filing demand for preliminary examination		
13.5	Filing response to written opinion/ preliminary examination report and for filing amendment under PCT article 34		

*Attach a separate sheet giving filing and prosecution charges for all the countries.

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Section II: Industrial Designs

S. No	Activity	Rs.	No. of maximum Working days
1.	Application for registration in a single class		
2.	Application for registration in multiple classes		
3.	Extension of Design for entire period		
4.	Extension of time (indicate period)		
5.	Filing a response to the office action		
6.	Obtaining expediting and forwarding the design certificate		
7.	Recordal of assignment		



Section III: Copyright

S. No	Activity	Rs.	No. of maximum working days
1.	Application for registration of copyright		
2.	Meeting objections from the Registrar, Copyright		
3.	Drafting of any specific forms such as NOC		
4.	Any others (please specify) (Reporting status of official actions)		



Section IV: Trademarks

S. No	Activity	Rs.	No. of maximum working days
1.	Drafting & filing in India in a single class		
2.	Drafting & filing in India in multiple classes		
3.	Prosecution charges		
4.	Any others (please specify) – Hearing		
5.	Reporting Journal advertisement		
6.	Receiving and forwarding the certificate		

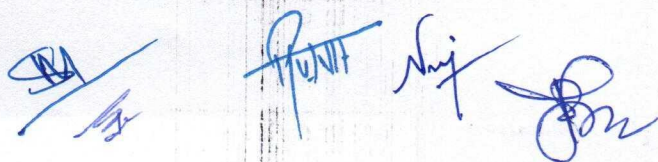
Section V: Agreement

S. No	Activity	Rs.	No. of maximum working days
1.	Drafting of general agreements and MoUs		
2.	Vetting of general agreements and MoUs		
3.	Drafting of non-disclosure agreements		
4.	Drafting of licensing agreements		

Section VI: Activities specific to biotechnical/biomedical inventions

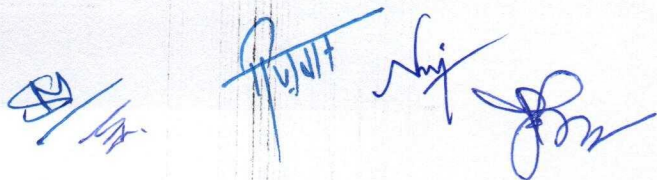
S. No	Activity	Rs.	No. of maximum working days
1.	Drafting & filing of biotechnical/biomedical claims in India		
1.1	Prosecution charges		
1.2	Any others (please specify) – Hearing		
1.3	Reporting Journal advertisement		
1.4	Receiving and forwarding the certificate		
2	Submission of application for NBA approvals		
3	Submission of biological material to IDA		

Signature and Stamp



VII. Dispute Resolution

- (a) Any dispute and or difference arising out of or relating to this contract will be resolved through joint discussion by the authorized representatives of both the parties. However, if the disputes are not resolved by joint discussions, then the matter will be referred for adjudication to a sole Arbitrator appointed by the Director PDPM IIITDM Jabalpur.
- (b) The award of the sole Arbitrator shall be final and binding on all the parties. The arbitration proceedings shall be governed by the Arbitration and Conciliation Act 1996 as amended from time to time and rules formed thereunder.
- (c) The cost of Arbitration shall be borne by the respective parties. During the pendency of the arbitration proceeding and currency of contract, neither party shall be entitled to suspend the work/service to which the dispute relates on account of the arbitration and payment to the contractor shall continue to be made in terms of the contract. Arbitration proceedings will be held at Jabalpur only.



VIII. Format for submitting proposal

To,

Registrar

PDPM Indian Institute of Information Technology, Design & Manufacturing Jabalpur
Dumna Airport Road, Jabalpur
482005 (M.P.)

Sub: Submission of Request for Proposal for "Empanelment of Intellectual Property (IP) Firms"

Sir,

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


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 RFP and have no further pertinent information to supply.
3. I/We also authorize PDPM IIITDM Jabalpur to approach individuals, employees, firms and institute to verify our competence and general reputation.
4. I/We will make comprehensive presentations before officials of the PDPM IIITDM Jabalpur at various stages to explain the functioning and other matter necessary for the empanelment of the IP firm.
5. I/We submit the following technical documents in support of our suitability, technical know-how and capability for having successfully completed the following assignments.

Signature(s) of Applicant(s)

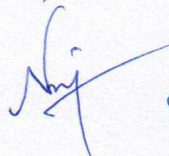
Seal of Firm

Address:

No. of Enclosures:


14-06-19


25/6/19





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