



AIC-BAMU Foundation
(Section 8 Company)
Dr. Babasaheb Ambedkar Marathwada
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Empanelment of IPR and Legal Services

AIC-BAMU Foundation (Section 8 Company) under the aegis of Innovation, Incubation and Linkages at Dr. Babasaheb Ambedkar Marathwada University, Aurangabad calls for an Expression of Interest for Empanelment of the firms dealing in filing and prosecution of Intellectual Property/Chartered Accountant, Company Secretary and Internal and Statutory Auditors.

Detailed information about Qualifications, Experiences & submission of application etc. is made available on University

Website: - <http://bamu.ac.in/bic/Home.aspx>

Last date of application Submission: 18/02/2022

Date: 04/02/2022


CEO
AIC-BAMU Foundation

ADVT No. 01/2022

AIC- BAMU FOUNDATION
(A SECTION-8 COMPANY)
Dr. Babasaheb Marathwada University Aurangabad

Expression of Interest for Empanelment of
Intellectual Property (IP) Firms by

AIC- BAMU FOUNDATION, Aurangabad invites expression of interest 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. AIC- BAMU FOUNDATION, Aurangabad, reserves the right to shortlist firms at any point 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 AIC- BAMU FOUNDATION, Aurangabad for the empanelment. AIC- BAMU FOUNDATION, Aurangabad 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 kindly submit the EOI in the given format in a sealed envelopes through SPEED POST ONLY by Friday 18th February 2022 before 5:00 PM.

Note: Bidders are required to submit the Technical bid at Performa-V (Envelope No.1) along with the Financial Bid at Performa-VI (Envelope No.2). Please do not put "Financial Bid" (Prices quote) envelope 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 envelope sealed and submitted to AIC- BAMU FOUNDATION, Aurangabad. Clearly mention on the larger envelope "Technical Bid and Financial Bid for Empanelment of Intellectual Property (IP) Firms".

The EOI may kindly be sent to:
The Chief Executive Officer,
AIC-BAMU FOUNDATION,
Atal Incubation Centre
Dr. Babasaheb Ambedkar Marathwada University
Mobile: +91-9312427592
Tel: +91-240-2403221, Ext. 021
Email: ceo.aic@bamu.ac.in



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 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 and 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 patents, industrial designs, trademarks, plant varieties, copyrights, Semiconductor Integrated Circuits Layout Design and geographical indications.
7. Handling IP infringement cases
8. Interaction with inventors and applicants.

I. 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(Five) Years years servicing clients based in India and abroad.
2. The IP firm should have minimum eight 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, Plant Varieties, Copyrights, Semiconductor Integrated Circuits Layout Design 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 be blacklisted by any organization / agency of the Central/State Government/ Public Sector Undertaking of the country.
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 empanelled by AIC- BAMU FOUNDATION will sign an undertaking with AIC- BAMU FOUNDATION separately for providing the services AIC- BAMU FOUNDATION and its clients as per the final rate (L1) arrived at for the respective schedule of services.



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

For further clarification, the IP firm may contact:

Chief Executive Officer
AIC-BAMU FOUNDATION,
Atal Incubation Centre
Dr. Babasaheb Ambedkar Marathwada University
Mobile: +91-9312427592
Tel: +91-240-2403221, Ext. 021
Email: ceo.aic@bamu.ac.in



II. 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 along with the annual Turn-over for the last five years.
12. Complete list of all the assignments along with names of clients (Govt/Private) handled by the IP firm during the last three years.
13. Area(s) of Specialization: (Patents/Trademarks/Copyright/Designs/ Semiconductor Integrated Circuits Layout/Geographical Indication / Plant Varieties Protection / Litigation/Opposition/Contracts/ Other IP related activities)
14. Number of professionals (Partners/Associates/ Patent Agents/ Trade Marks) presently employed with the firm for patent related IP work in various fields and their profiles:



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

15. Any other important and relevant information the IP Firm would like to submit:

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

- Two bids shall be submitted in two different sealed covers i.e., Technical and Financial (Rate of Schedule for each IPR activities). Documentary evidence for each of the parameter has to be enclosed separately.
- The financial bid of the IP firm / bidder will be considered for opening only if it secures minimum technical score of 60% or more of the obtainable score in the 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 AIC- BAMU FOUNDATION, 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 secure minimum technical score of 60% in the evaluation of the technical proposal. AIC- BAMU FOUNDATION reserves the right to reject any/all the bids in part/or in full without assigning any reason. The decision of AIC- BAMU FOUNDATION in this regard will be final and binding. The same cannot be challenged in any forum thereafter.



AIC- BAMU FOUNDATION will be preparing a master sheet of all the technically qualified bidders listing the schedule of services and the respective quotes submitted by each IP Firm. The Corporation will select the lowest quote 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 quote 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 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.

III. Technical Evaluation Criteria of the Firms(All supporting documents should be enclosed)

Sr.	Technical Capacity Criteria	Grading of Score/Points	Maximum Score (Total 100)	Obtained Score
1	Number of IP filings in India with IPO (Patent, Trademark, Design) in the last three year	Up to 50 Filings = 5Marks Every additional IP filing = 0.25 Mark	15	
2	Number of Patents/Trade Marks/Design granted (India /abroad) for the clients (in India/Abroad) of the firm for the last three years	Up to 20granted = 5Marks Every additional IP granted = 0.5 Mark	10	
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	10	
5	Available paidSearch Tools(Minimum Two)	1 database = 5M 2 and above = Additional 5M	10	

6	<p>Technical domains (Minimum Five)</p> <p>(i) Electrical (ii) Electronics (iii) Chemical (iv) Mechanical (v) Life Sciences (vi) Food Technology (vii) Oil and Gas (viii) Automobile (viii) Consumer Products (ix) Metallurgy (ix) Medical Devices (x) Energy (xi) Biotechnology (xii) Pharmaceutical Sciences (xii) Artificial Intelligence/ Machine Learning/ IoT</p>	<p>Up-to Five (5) Domains = 5 Marks additional domain=1 Mark each</p>	10	
7	<p>Capacity building programs conducted for Govt. Institutions/ Dept./Colleges/SMEs in last three years</p>	<p>Up to 10 = 2.5 Marks Every additional one=0.5 Mark</p>	05	
8	<p>Number of Clients served in the last 3 Years (In India & Abroad) and their names / list may be provided</p>	<p>Patent Related: Up to 30 Clients =5 Marks For additional client : 0.5 Mark</p>	10	



Sr.	Technical Capacity Criteria	Grading of Score/Points	Maximum Score (Total 100)	Obtained Score
		Trade Mark Related: Up to 30 clients =3 Marks Every additional client: 0.25 Mark	05	
		Copyright Related: Up to 30 clients =3 Marks Every additional client: 0.25 Mark	05	
		Industrial Design: Up to 20 clients = 3 Marks Every additional client: 0.25 Mark	05	
		GI: Up to 2 clients = 2 Marks Every additional client: 1 Mark	05	
		IC Layout: Up to 2 clients = 2 Marks Every additional client: 1 Mark	05	

IV. Rate of Schedule for IPR Applications filing and prosecuting

Sr.	Type of work	Price (INR)
	Section 1: Patent	
1	Application	
1.1	Drafting and filing application with Provisional specification along with all necessary forms such as: Form 1, Form 2, Form 3, Form 5, Form 8, and Form 26 (irrespective of date of filing)	
1.2	Drafting and filing complete specification after filing provisional specification with all necessary forms such as Form 1, Form 2, Form 3, Form 5, Form 8, Form 9, Form 18/18A, and Form 26 (irrespective of date of filing)	
1.3	Drafting and filing application with complete specification in the first instant along with all necessary forms such as Form 1, Form 2, Form 3, Form 5, Form 8, Form 9, Form 18/ 18A, and Form 26 (irrespective of date of filing)	
1.4	Drafting and filing of patent of addition	
1.5	Drafting and filing of divisional application	
1.6	Making request for filing patent outside India (Form 25)	
1.7	Taking over already filed application, per case	

1.8	Charges towards filing various forms if not done earlier at the time of filing the application such as Form 3, Form 8, Form 18/18A and Form 26, with appropriate reason thereof.	
1.9	Seeking permission from National Biodiversity Authority (NBA) for filing IP application under section 6 of The Biological Diversity Act Including Filing Form-III etc. with NBA	
1.10	Discussion with inventor per hour at attorney's office	
2	Preparation of drawings/sequences etc.	
2.1	A-4 size paper	
2.2	In any other material/form	
3	Extension of time & late filing (preparing and filing)	
3.1	Preparing and filing a form for extension of time (Form 4)	
3.2	Late submission of forms/documents	
4	Prosecution	
4.1	Obtaining certified copies of patent applications	
4.2	a) Reporting official action including FER, SER etc. b) Amending specification and re-filing in response to FER, SER etc. c) Subsequent report of corresponding application, if any	
4.3	Filing of documents after prescribed period with petition of condonation of delay in filing	
4.4	a) Attending hearing at Patent Office during prosecution of application per appearance (either physical or virtual)	

Sr.	Type of work	Price (INR)
	b) Amending specification and re-filing in response to hearing c) Subsequent report of corresponding application, if any	
4.5	Postdating of application (each transaction)	
4.6	Reporting of patent in order, obtaining and sending letters patent document	
4.7	Attending to renewals and sending renewal certificate per year (each transaction)	
4.8	Attending to restoration of lapsed patent, filing petition and attending to payment of fees (Form 15)	
4.9	Working of patents under section 146 (Form 27) (each transaction)	
4.10	Request for termination of compulsory license (Form 21)	
4.11	Filing petition generally for specific reliefs or orders of Controller under different rules (Form 24)	
4.12	Request for withdrawal of application	
4.13	Any other necessary activity which are not listed above, viz Filing of affidavit along with Form-30 etc., with appropriate reason thereof.	
5	Assignment and Licenses	
5.1	Drafting deed form	
5.2	Filing application for registration for assignment/ license (Form 6 or Form 16)	
(a)	one patent	
(b)	each additional patent included at the same time in the same deed	
5.3	Application for revision of terms and condition of license (Form 20)	
5.4	Charges for making an application for compulsory license (Form 17)	
5.5	Application for revocation of a patent for non-working (Form 19)	
6	Record of change of name, address, nationality, etc. (Form 6 and Form 10)	
6.1	Filing application in respect of one patent	
6.2	For additional patent included at the same time	
7	Opposition	
7.1	Filing pre-grant opposition	

7.2	Filing notice of opposition (Post grant opposition) In Form 7	
7.3	Drafting statement of opposition form, written statement and affidavit	
7.4	Drafting reply statement and affidavit	

Sr.	Type of work	Price (INR)
7.5	Attending hearing per day at patent office in the city of the attorney's office	
7.6	Attending hearing per day at patent office not in the city of attorney's office	
7.7	Attending interlocutory petition hearings	
7.8	Notice of opposition to amendment/restoration/surrender of patent/grant of compulsory license or revision of terms thereof or to correction of clerical errors (Form 14)	
7.9	Request for the grant of patent under section 26 and 52 (Form 12)	
7.10	Charges for making a request for direction of the controller under section 51 (1) and 51 (2) (Form 11)	
8	Visits outside office & discussion with prior permission	
8.1	Per visit charges for local visit including conveyance	
8.2	Per visit charges for outstation excluding conveyance/fare	
9	Patent revocations/infringement, initialing revocation/infringement, defending revocation/infringement	
9.1	Drafting of infringement suit	
9.2	Drafting of revocation suit	
9.3	Representation charges	
9.4	Any other charges, if any (like legal opinion etc.)	
10	Miscellaneous	
10.1	Consultation charges each hour or part	
10.2	Prior art search report for novelty, inventiveness and utility	
10.3	Freedom to operate studies	
10.4	Photocopying, fax, cable and other out of pocket expenses, if any, (to be claimed along with supporting proof of disbursement and/or receipts)	
10.5	Any other necessary activity (not specified above)	
11	Filing and Prosecution of Foreign Patent Applications	
11.1	Filing of a patent application in each country patent (Fixed charges)	



11.2	Charges for prosecuting each application till grant of patent (Fixed charges)	
11.3	Subsequent filing of forms/citations, etc.	
11.4	Charges for renewal each year	
11.5	Fax, cable, photocopying charges (to be claimed along with supporting proof of disbursement and/or receipts)	
11.6	Postage charges, if extra (to be claimed along with supporting proof of disbursement and/or receipts)	
11.7	Any other charges, if any (to be claimed along with supporting	

Sr.	Type of work	Price (INR)
	proof of disbursement and/or receipts)	
	(a) out of pocket expenses (to be claimed along with supporting proof of disbursement and/or receipts)	
	(b) Offering technical opinion	
11.8	Request for substantive examination	
12	Filing of PCT application	
12.1	preparing and filing a new PCT application	
12.2	Filing formal documents such as POA, Priority document, etc	
12.3	Filing amendments under Article 19	
12.4	Filing demand for preliminary examination	
12.5	Filing response to written opinion/preliminary examination report and for filing amendment under PCT Article 34	
12.6	Filing national phase applications including charges in the claims if necessary	
	Section 2: Designs	
1	Application	
1.1	Application for registration in a single class with all essential form including (form 1, Form 2, and Form 21)	
1.2	Applications for same design in additional classes on per class basis	
1.3	Claim under section 8 (1) to proceed as an Application or Joint Applicant	
1.4	Application to extend copyright (Form 3)	
1.5	Taking over already filed application for registration of design	
2	Restoration of lapsed design (Form 4)	
3	Filing a response to the office action (Form 20)	
4	Obtaining, expediting and forwarding the design certificate	



5	Drafting assignment/licensee/mortgage deed and registration of same (Form 10, Form 11, and Form 12)	
6	Recordable of assignment (Form 13)	
7	Design search through patent office (Form 6 and Form 7)	
8	Petition of cancellation of design (Form 8)	
9	Notice of opposition (Form 19)	
10	Request for correction of clerical errors (Form 14)	
11	Request for certified copies (Form 15 and Form 160)	
12	Appearance charges per appearance before patent office	
13	Inspection of registered design (Form 5)	
14	Notice of intended exhibition of publication of an unregistered design (Form 9)	
15	Notice of alteration of address or name or an address for service in the Register of Designs	

Sr.	Type of work	Price (INR)
	Section 4: Trademarks	
1	Application for registration of a trademark /collective Marks / Certification Mark / Series of trademark for specification of goods or services included in one or more than one classes. (TM-A)	
2	On a notice of opposition under section 21(1), 64, 66 or 73 or application for rectification of register under section 47 to 57, 68, 77 or application under rule 99, 103, 135,140 or On application under section 25 of Geographical Indication of Goods (Regulations and Protection) Act, 1999 to invalidate a trademark or counter statement related thereto. (TM-O)	
3	For renewal/restoration of a trademark under section 25 for each class (TM-R)	
4	Request for search and issuance of certificate (TM-C)	
5	Restoration of trademark (TM-R)	
6	Request for correction of clerical error or for amendment (TM-M)	
7	Request for assignment or transmission of trademark (TM-P)	
8	Request for certificate of the Registrar (TM-M)	
9	Application for review of Registrar's decision (TM-M)	
10	Answering objections from the trademark office (TM-O)	
11	Application filing in other countries (should be shown as percentage of the associate's charges)	
12	Any other activity / Official Actions not listed above(please specify)	
	Section 5: Geographical Indications	
1	Application	
1.1	Drafting & filing in India in single class	
1.2	Charges for additional class	
2	Prosecution charges	
2.1	Preparing for consultative group committee meeting and presenting the case before the committee	
2.2	Reporting reviewing and responding to examination report	
2.3	Obtaining GI certificate and sending the same	
2.4	Renewal of GI	
2.5	Drafting and filing of counter statement to the opposition	
2.6	Drafting and filing of evidence in support of application	
2.7	Attending hearing at GI Regulatory or other place designated by GI Registry	
2.8	Obtaining extension of time wherever required and applicable	

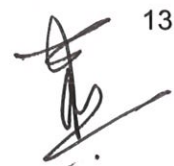


2.9	Drafting and filing a request for the registration as authorized user	
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Sr.	Type of work	Price (INR)
	Section 6: Protection of Plant Varieties and Farmers' Rights	
1	Application for registration of new variety, extant variety and farmer's variety along with necessary forms such as Form PV 1, PV 2	
2	Application for registration of Essentially Derived Variety with necessary forms such as PV 1 and PV 2	
3	Notice for opposition (PV 3, PV 11, PV 13)	
4	Request for extension of time	
5	Application for renewal of registration	
6	Application for revocation (PV 15)	
7	Application for correction of register, alteration of Denomination	
8	Application for compulsory license	
9	Request for certified copies of entries in the plant variety register	
	Section 7: Protection of IC Layout Design	
1	Application for registration along with necessary forms	
2	Notice for opposition	
3	Request for statement of grounds of decision	
4	Application for correction of errors or amendment	
5	Application for extension of time	
6	Application for rectification of the Register	
7	Application for registration of registered user (licensed)	
8	Application requesting registrar for preliminary advice regarding originality or distinctiveness of a layout design	
9	Application for certificate of Registrar	
10	Application for review of Registrar's decision	
	N.B.: If any other parameter / schedule of service that IP firm wish to incorporate by the firm	
2.10	Drafting and filing of interlocutory petition	
3	Inspection of documents at the GI Registry	
4	Obtaining and sending GI certificate	

V. 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 AIC-BAMU FOUNDATION for AIC- BAMU FOUNDATION related for clients related.

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- (b) The award of the sole Arbitrator shall be final and binding on all the parties. The arbitration proceeding's 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 Aurangabad Maharashtra only.

VI. Format for submitting proposal

<<To be executed all pages on the letter head of the IP Firm & sign, stamp all pages >>

To,

Chief Executive Officer
AIC BAMU FOUNDATION,
Atal Incubation Centre
Dr. Babasaheb Ambedkar Marathwada University
Mobile: +91-9312427592
Tel: +91-240-2403221, Ext. 021
Email: ceo.aic@bamu.ac.in

Sub: Submission of Expression of Interest for "Empanelment of Intellectual Property (IP) Firms"

Dear Sir,

Having examined the details given in the Terms and Conditions of the Expression of Interest AIC- BAMU FOUNDATION 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 AIC- BAMU FOUNDATION 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 AIC- BAMU FOUNDATION 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 / Address Seal:

No. of Enclosures:

