Dear Prospective IP Consultants,

This letter will serve as a request from icddr,b, for its ongoing research activities (collectively, “icddr,b” or “1st Party”), for proposals (“RFP”) from a few carefully selected law firms (“firm” or “bidder”) that are being considered to provide excellent and cost effective legal services on an exclusive or semi-exclusive basis related to icddr,b’s global intellectual property-related needs.

icddr,b intends to establish a value-added relationship with the successful law firm, such that icddr,b and the firm will work in close collaboration on intellectual property-related issues, and icddr,b will realize economies from the close relationship(s). In turn, the successful law firm will enjoy a preferred provider relationship with one of the world’s leading research based healthcare entity.

icddr,b is interested in thoughtful responses to the requests outlined here, attached hereto, which take into account the specific nature of icddr,b’s IP service requirement. In order to assist firms in responding, icddr,b encourages you to visit its web site at www.icddrb.org where you can access our annual report and other Company information.

We look forward to receiving your response.

Best Regards,

Qayyum Khan Mahbub
Sr. Manager, Procurement
SCFM, icddr,b
RFP TERMS AND CONDITIONS

icddr,b is willing to receive written proposals responding to the requests of proposal. Please submit your proposal to icddr,b, 68 Shaheed Tajuddin Ahmed Sharani, Mohakhali, Dhaka 1212 Attn.: Director, SC&FM, icddr,b. Your technical and financial submission must be separately submitted in two different envelop. icddr,b reserves the right to reject any proposal that is not received by the **deadline of March 29, 2020; 2:30 BST**.

- **Place of Submission**: Chiller Building Ground Floor, icddr,b (Through Hospital Gate Entry)

All information provided by icddr,b in connection with this RFP, including the fact that this RFP process itself is underway, shall be considered confidential and proprietary information of icddr,b and must not be disclosed to individuals outside your firm without prior written approval from icddr,b. All documentation and/or ideas submitted by your firm shall become the property of icddr,b, and will not be returned.

If during this process a firm has a question or requests additional information, icddr,b will provide the same information to all firms to which this RFP letter is being sent. All such questions or requests must be received by **15th March 2020** and all such questions or requests received after such date will be answered, if at all, by icddr,b, in its sole discretion. (If so answered, however, the same process will apply). Should you have any questions regarding this letter or the RFP process, please contact to following address no other than:

**Sr. Manager, Procurement**
**Email**: supplychain@icddrb.org

icddr,b may award this bid by acceptance of any proposal received without further negotiations or discussions or award this bid after further interviews with the finalist law firms. Initial proposals in response to this RFP should, therefore, set forth the most favorable terms and conditions that you are prepared to offer. Please also provide succinct responses that clearly answer each question. Brevity and clarity are appreciated.

As noted, following its review of the written proposals, icddr,b may ask firms in which it continues to have an interest to travel to our HQ located in Mohakhali, Dhaka, at their own expense, for an interview. In no event will icddr,b schedule meetings in advance of receipt of your RFP response, and the only meetings icddr,b intends to hold, if any, are with the finalist law firms. Please note that your firm should not use this interview, if invited, as a basis for changing your firm’s bid as no bid may be changed after the submission deadline, unless specifically requested by icddr,b.

This RFP does not in any way bind icddr,b to any obligations, or impose liability for any costs or expenses incurred by your firm in responding to the proposal or traveling to an interview in connection with this RFP, and as such, all costs incurred in the preparation and presentation of this RFP shall be wholly absorbed by your firm. icddr,b, in its sole discretion, may or may not make an award, and reserves the right to reject any and all responses received.
Each bidder should recognize, however, that the engagement contemplated by this RFP is not exclusive, and icddr,b reserves the right to continue to use other outside firms on a case by case basis, and to terminate the engagement at any time without cause or if icddr,b is not satisfied with the performance of the bidder.

**SCOPE OF RFP**

icddr,b is looking for a panel of law firms/lawyers, who have expertise in patent and copyright registration, to deal with its patent and copyright applications. The following scope of work will be required from the law firm/s who would be successful in the tender.

**Services with Respect to Patent/Patent Application:**

1. Providing consultation and/or legal opinions on patentability;
2. Searches as to patent, novelty, infringement, etc;
4. The preparation and filing of patent application;
5. Responding to Department of Patent, Design and Trademark (DPDT) notices, objections and other letters;
6. Conducting patent prosecution before the Bangladesh Patent Office/DPDT, including Administrative Appeals and also representing in defense before DPDT and/or attending the hearings;
7. Dealing with renewal process;
8. Providing all kinds of logistical support and follow up starting from filling the patent application till obtaining the final result.

**Services with Respect to Copyright/Copyright Application:**

1. Copyright counseling in general, providing legal opinions;
2. Providing all kinds of services, including logistics, with respect to application filling to granting of copyright registration;
3. Litigation services in the copyright field encompassing the repression of unfair and unauthorized use both in the civil and criminal arenas, including temporary restraining orders and search and seizure injunctions before the Copyright Office and/or any other competent Courts of Bangladesh.

**Technical Requirements**

The law firms/lawyers should have specialization in the area of law protecting the intellectual property rights, especially the area of patent and copyright. The interested law firms/lawyers should satisfy the following requirements in order for their application to be considered:
i. The interested law firms/lawyers must submit their profile enclosing the trade license, TIN Certificate, VAT Registration Certificate, list of all the lawyers and their credentials along with the application (as applicable).

ii. The firms/lawyers must practice in the fields of patent and copyright. The firms/lawyers must have at least 3 (three) years’ experience in dealing with patent and copyright application. In case the principal/lead counsel has experience of more than 3 (three) years then requirement as to firm’s experience period can be relaxed. In the application, in order to support documentation for the experience in patent and copyright, the firm should submit copies of the following –

   a. Proof of at least 5 (five) patent application filing (for instance - POAs in the name of any lawyer of the firm for patent application);
   b. Patent application drafted by the firm/firm’s lawyer/s;
   c. Proof of at least 3 (three) successful patent registration by the firm/its lawyer/s;
   d. Proof of at least 5 (five) copyright application by the firm/its lawyer/s;
   e. Proof of at least 3 (three) successful copyright registration.  
      [In case of providing the documents listed above in a – d, if the firm wishes, icddr,b shall enter into Non-Disclosure Agreements (NDAs) to maintain the confidentiality]
   f. Dealing with overseas Patent and Copyright applications, individually or through foreign Law firm/s, would be an added advantage; prove as such to be provided with the application.

iii. The principal/lead lawyer of the firm or individual lawyer must be an Advocate of Supreme Court of Bangladesh. The copies of Bar Council and Bar Association certificates need to be shared along with the complete application. A declaration has to be made by the firm that none of the lawyers of the firm has been convicted/accused of any criminal and/or terrorist activities and has been suspended for professional negligence from the Bar Council.

iv. If the lawyer/s of the firm has any educational degree specialized in Intellectual Property Rights or related training then it would create a value advantage.

v. Direct working experience with governmental authorities (including DPDT and Copyright Office) would create a value advantage

**PRICING**

The firms/lawyers are requested to provide their fee quotation; the quotation shall be itemized quotation for each of the services requested for under the Scope of Work and as per format provided in ‘Cost Proposal’ section.

The participating firm/s or lawyers who would satisfy the technical requirements shall be considered for financial quotation.
SPECIFIC EVALUATION CRITERIA

While icddr,b encourages each bidder to submit its best proposal in terms of the fee, icddr,b will award the project to the bidder who provides the greatest overall value to icddr,b as determined by icddr,b in its sole discretion. In other words, this is not a case in which the lowest “bid” necessarily will be successful.

The standard evaluation criteria for evaluating professional service is QCBS where weightage of technical part is given 70. Under quality part, we will evaluate the proposals for:

- Corporate Background & Capabilities (20)
- Experience and Past performance of the firm (30)
- Profile of Key Persons (20)

REPORTING CAPABILITIES AND PROCEDURE

In addition to the capabilities described in Scope of RFP above, the successful law firm must have state of the art capability to communicate with icddr,b via e-mail and to electronically transmit and receive documents. icddr,b’s systems utilize Word® as a word processing system as well as Adobe®, Excel® and Outlook® for certain exhibits and other purposes. Please identify your compatible systems, or identify how you will commit to make them compatible, at your expense. In addition, please describe how the bidder will keep icddr,b up to date on the status of each matter.

MASTER SERVICES AGREEMENT

Finally, the successful law firm(s) will enter into a Master Services Agreement with icddr,b.

GENERAL REQUIREMENTS

icddr,b shall not enter into a contract with any individual or organizations that have the following characteristics:

- Have active exclusions in the System for Award Management (SAM) (https://www.sam.gov)
- Appear on the Specially Designated Nationals (SDN) and Blocked Persons List maintained by the U.S. Treasury for the Office of Foreign Assets Control, sometimes referred to as the “OFAC List” (http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx)
- If, at any time, the organizations has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for, or in executing, a contract under any fund;

icddr,b defines, for the purposes of this provision, the terms set forth below as follows:

(a) “corrupt practice” means offering, giving, or promising to give, directly or indirectly, to any officer or employee of a Procuring Entity or other Recipient/governmental/private authority
or individual a gratuity in any form, an employment or any other thing or service of value, as an inducement with respect to an act or decision of, or method followed by, a Procuring Entity in connection with the procurement proceeding;

(b) “fraudulent practice” means a misrepresentation or omission of facts in order to influence a procurement proceeding or the execution of a contract to the detriment of the Client,

(c) “collusive practice” means a scheme or arrangement among two and more organizations/consortiums with or without the knowledge of the Client (prior to or after proposal submission) designed to establish proposal prices at artificial, non-competitive levels and to deprive the Client of the benefits of free, open and genuine competition; and

(d) “Coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence the procurement proceedings, or affect the execution of a contract.

icddr,b will use an online screening service (if required) to check the background of the participants.

icddr,b anticipates issuing a contract to a Bangladeshi registered company or organization only, provided it is legally registered and recognized under the laws of Bangladesh and is in compliance with all applicable civil, fiscal, and other applicable regulations. Such a company or organization could include a private firm, non-profit, civil society organization, or university.

Companies and organizations that submit proposals in response to this RFP must meet the following requirements:

I. Companies or organizations, whether for-profit or non-profit, must be legally registered under the laws of Bangladesh upon award of the contract.

II. Firms operated as commercial companies or other organizations or enterprises (including nonprofit organizations) in which foreign governments or their agents or agencies have a controlling interest are not eligible as suppliers of commodities and services.
# SUMMARY OF COST PROPOSAL

[Bidder can use multiple sheet for cost proposal for multiple task]

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<th>Costs</th>
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- VAT must be mentioned separately

Authorized Signature [In full and initials]: ______________________________

Name and Title of Signatory: ______________________________

Company Seal/stamp: ______________________________