

Belgium-Brussels: Study on the Legal Protection of Trade Secrets in the Context of the Data Economy

OJ S 65/2021 02/04/2021

Contract award notice

Services

Legal Basis:

Regulation (EU, Euratom) No 2018/1046

Section I: Contracting authority

I.1. Name and addresses

Official name: The Executive Agency for Small and Medium-sized Enterprises (EASME)

Postal address: Avenue du Bourget 1

Town: Brussels

NUTS code: BE100 Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad

Postal code: B-1049

Country: Belgium

E-mail: easme-procurement@ec.europa.eu**Internet address(es):**Main address: <http://ec.europa.eu/EASME>Address of the buyer profile: <https://ec.europa.eu/easme/en>**I.4. Type of the contracting authority**

European institution/agency or international organisation

I.5. Main activity

General public services

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Study on the Legal Protection of Trade Secrets in the Context of the Data Economy

Reference number: EASME/2020/OP/0008

II.1.2. Main CPV code

79400000 Business and management consultancy and related services

II.1.3. Type of contract

Services

II.1.4. Short description

The Executive Agency for Small and Medium-sized Enterprises (EASME) wishes to enter into a service contract for a study on the legal protection of trade secrets in order to create a safe environment for the business-to-business data sharing, especially in the strategic economic sectors for the European data economy.

The specific objective of this tender is to gather evidence and make policy conclusions on how to use the legal protection of trade secrets – or features thereof – to offer a secure environment fostering the business-to-business sharing of data.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 234 700,00 EUR

II.2. Description

II.2.2. Additional CPV code(s)

79140000 Legal advisory and information services

II.2.3. Place of performance

NUTS code: BE Belgique / België

Main site or place of performance: The tasks are to be performed at the premises designated by the contractor, except for meetings which will be held at EASME's or the European Commission's premises.

II.2.4. Description of the procurement

The Executive Agency for Small and Medium-sized Enterprises (EASME) wishes to enter into a service contract for a study on the legal protection of trade secrets in order to create a safe environment for the business-to-business data sharing, especially in the strategic economic sectors for the European data economy.

The specific objective of this tender is to gather evidence and make policy conclusions on how to use the legal protection of trade secrets – or features thereof – to offer a secure environment fostering the business-to-business sharing of data.

II.2.5. Award criteria

Quality criterion - Name: Quality, appropriateness and completeness of the methodology to collect and analyse data and to provide in-depth analysis of the results, including the prospective analysis / Weighting: 50

Quality criterion - Name: Organisation of the work and resources / Weighting: 25

Quality criterion - Name: Effectiveness, relevance and credibility of the proposed management and control measures concerning the relationships with stakeholders, consistency of service performance, risk management, quality of deliverables, language quality check, and continuity of the service in case of difficulties such as the absence of a member of the team, etc. /

Weighting: 25

Price - Weighting: 30

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project: Commission Decision C(2020) 1802 final of 25 March 2020 on the financing of the support measures of the Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises 'COSME' for 2020.

II.2.14. Additional information

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 124-302732](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Contract No: EASME/2020/OP/0008

Title:

Study on the Legal Protection of Trade Secrets in the Context of the Data Economy

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

19/02/2021

V.2.2. Information about tenders

Number of tenders received: 6

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 5

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 6

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: IMC Fachhochschule Krems GmbH

Town: Krems

NUTS code: AT Österreich

Postal code: 3500

Country: Austria

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 250 000,00 EUR

Total value of the contract/lot: 234 700,00 EUR

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

Official name: General Court of the European Union

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

E-mail: GC.Registry@curia.europa.eu

Telephone: +352 43031100

Fax: +352 43032100

Internet address: <http://curia.europa.eu>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

See internet address provided in section I.3).

VI.5. Date of dispatch of this notice

26/03/2021