

Belgium-Brussels: Follow-up Study on the Application of the Directive on the Enforcement of Intellectual Property Rights (IPRED) and Contribution to the EU Toolbox against Counterfeiting
OJ S 99/2023 24/05/2023

Contract notice

Services

Legal Basis:

Regulation (EU, Euratom) No 2018/1046

Section I: Contracting authority

I.1. Name and addresses

Official name: European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (GROW), GROW.C.4 – Intangible Economy

Postal address: Avenue d'Auderghem 45

Town: Brussels

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

Postal code: 1049

Country: Belgium

E-mail: grow-procurement@ec.europa.eu

Internet address(es):

Main address: <https://ec.europa.eu/growth/>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=13914>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=13914>

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

Follow-up Study on the Application of the Directive on the Enforcement of Intellectual Property Rights (IPRED) and Contribution to the EU Toolbox against Counterfeiting

Reference number: GROW/2023/OP/0015

II.1.2. Main CPV code

73000000 Research and development services and related consultancy services

II.1.3. Type of contract

Services

II.1.4. Short description

The study will assess how certain measures provided by IPRED are used in the different Member States, considering the EU COM (2017) 708 final. It will provide policy recommendations on improvements to ensure that full advantage is taken of IPRED in the fight against counterfeiting. The study will address the Commission's commitment in the IP action plan to ensure that injunctions are applied uniformly and efficiently across Member States, especially on the proportionality principle. Emphasis will be put on e.g., dynamic injunctions. The study will complement to the study on dynamic blocking injunctions in the EU published by the EUIPO in March 2021. The study will assess how to further strengthen the efficiency and effectiveness of the current enforcement framework, which could serve as a basis for the EU Toolbox against counterfeiting. It will also identify legal differences, gaps and any other obstacles precluding an effective cross border enforcement and cooperation within the EU.

II.1.5. Estimated total value

Value excluding VAT: 250 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

73000000 Research and development services and related consultancy services

II.2.3. Place of performance

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

Main site or place of performance: Please consult the procurement documents available at the address indicated in Section I.3).

II.2.4. Description of the procurement

Follow-up study on the application of the directive on the enforcement of intellectual property rights (IPRED) and contribution to the EU Toolbox against counterfeiting.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 250 000,00 EUR

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 12

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

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: Please consult the procurement documents available at the address indicated in Section I.3).

II.2.14. Additional information

Please consult the procurement documents available at the address indicated in Section I.3).

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

Please consult the procurement documents available at the address indicated in Section I.3).

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Please consult the procurement documents available at the address indicated in Section I.3).

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: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2023/S 065-189976](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 26/06/2023 Local time: 16:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

Bulgarian, Czech, Danish, German, Greek, English, Spanish, Estonian, Finnish, French, Irish, Croatian, Hungarian, Italian, Lithuanian, Latvian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Swedish

IV.2.6.

Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 27/06/2023 Local time: 10:00

Place:

Tenders will be opened electronically on the date and time indicated in the contract notice. It is possible to attend the opening by videoconference.

Information about authorised persons and opening procedure: Please consult the procurement documents available at the address indicated in Section I.3).

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

Please consult the procurement documents available at the address indicated in Section I.3). In case of unavailability or disruptions in the functioning of the electronic means of communication provided in Section I.3) in the last 5 calendar days before the time limit for receipt indicated in Section IV.2.2), the contracting authority reserves the right to extend this time limit and publish the extension at the internet address provided in Section I.3), without a preceding publication of a corrigendum to this notice. Economic operators interested in this procurement are invited to subscribe to the call for tenders at the address in Section I.3) in order to get notified when new information or documents are published.

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: L-2925

Country: Luxembourg

Telephone: +352 4303-1

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

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Please consult the procurement documents available at the address indicated in Section I.3).

VI.5. Date of dispatch of this notice

17/05/2023