

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 240/2023 13/12/2023
Contract award 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.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.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 250 000,00 EUR

II.2. Description

II.2.2. Additional CPV code(s)

73000000 Research and development services and related consultancy services, 79314000 Feasibility study

II.2.3. Place of performance

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

Main site or place of performance: Avenue d'Auderghem 45, 1049 Brussels, BELGIUM.

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

Quality criterion - Name: Quality / Weighting: 70

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: Please consult the procurement documents available at (<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=13914>)

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: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2023/S 099-309612](#)

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

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

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

15/11/2023

V.2.2. Information about tenders

Number of tenders received: 6

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

V.2.3. Name and address of the contractor

Official name: Ernst & Young Consulting

Town: Machelen

NUTS code: BE241 Arr. Halle-Vilvoorde

Country: Belgium

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: 246 875,00 EUR

V.2.5. Information about subcontracting

The contract is likely to be subcontracted Value or proportion likely to be subcontracted to third parties Value excluding VAT: 93 812,00 EUR Proportion: 38 % Short description of the part of the contract to be subcontracted:

Desk research and the analysis and reporting of findings. Contribution to the drafting of the final report, including the conclusions and policy recommendations.

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: L-2925

Country: Luxembourg
Telephone: +352 4303-1
Internet address: <http://curia.europa.eu>

VI.5. Date of dispatch of this notice

06/12/2023