



Annex "A"

TECHNICAL SPECIFICATIONS

A. INTELLECTUAL PROPERTY (IP) AND TECHNICAL RESEARCH SERVICES FOR PATENT STRATEGY AND PRELIMINARY COMMERCIALIZATION/TECHNOLOGY TRANSFER OF FOUR (4) TECHNOLOGIES - PATENT IP FILING INCLUSIVE OF PRIOR ART SEARCH (PAS), PATENT REPORT DRAFTING, AND PATENT/UTILITY MODEL (UM) PROSECUTION UNTIL GRANTED (ISSUANCE OF CERTIFICATE)

1. GENERAL OVERVIEW

- 1.1. DOST-ASTI is seeking IP and Technical Research Service for the Patent and IP Filing of DOST-ASTI technologies for commercialization.
- 1.2. The service provider must conduct a comprehensive prior art search, draft claims, file, and prosecute a patent/UM for four (4) technologies.
- 1.3. The Approved Budget for the Contract (ABC) is inclusive of all applicable government taxes and service charges.

2. TECHNICAL SPECIFICATIONS

2.1. Comprehensive PAS

2.1.1. PAS report to be generated shall include the following:

- 2.1.1.1. Published pending and valid granted local and foreign patent, utility model applications and industrial design applications of similar and closely related or counterpart technologies.
- 2.1.1.2. Search pool in a table form including:
 - 2.1.1.2.1. Keywords used;
 - 2.1.1.2.2. Number of Hits;
 - 2.1.1.2.3. Number of documents considered; and
 - 2.1.1.2.4. Number of relevant document/s.

2.1.2. PAS report will be prepared wherein the search will be based on the relevant technical features of the technology; and

2.1.3. PAS recommendation on the technology for IP protection.

2.1.4. Submit PAS report within thirty (30) working days from the said date of receipt of complete and updated data/disclosures as evidenced by an e-mail or any form of communications sent by DOST-ASTI Technology Licensing Office (TLO) to the contractor, and such disclosure was acknowledged as complete by the contractor.

2.2. Patent/UM Drafting and Filing – Non-Chemical

2.2.1. Drafting and filing to IPOPHIL of technology for patent/utility model application – Non-Chemical

2.2.2. Submit patent / utility model application within sixty (60) working days from the date of receipt of complete data and disclosures for the technology as evidenced by an email or any form of communication sent by DOST-ASTI TLO to the contractor, and such disclosure was acknowledged as complete by the contractor.

2.2.3. In case technology to be filed for patent protection (or UM) cannot be pursued, DOST-ASTI TLO may submit a new disclosure of another technology for IP filing.

2.3. Patent Prosecution

2.3.1. Prosecution until grant of Patent / UM Certificate of Registration to DOST-ASTI.

2.3.2. Timely communication on the progress / updates on patent filed until grant of Letters to Patent / UM certificate.

2.4. Non-acknowledgment of DOST-ASTI TLO's e-mail in seven (7) calendar days would deem the disclosed data as complete.

2.5. Inclusive of communications and other related expenses.

2.6. Inclusive of professional fees, administrative fees, taxes other services, government charges, and other applicable filing fees until issuance of letters of patent / UM certificate.

2.7. Inclusive of a conclusive report of all outputs, and presentation to the DOST-ASTI management.

3. PAYMENTS AND DELIVERY TERMS

3.1. Delivery of the service shall start not later than ten (10) calendar days upon issuance of Notice to Proceed (NTP). The engagement of the service provider shall be for sixty (60) calendar days upon commencement of services.

3.2. Acknowledgment Receipt from IPOPHIL, with complete accompanying/supporting documents, must be submitted to DOST-ASTI.

3.3. Payment shall be made only upon certification/acceptance/by the end-user that the services are delivered in accordance with the terms of this Contract and are duly inspected and accepted. No payment shall be made for services not yet delivered under this Contract.

B. IP AND TECHNICAL RESEARCH SERVICES FOR PATENT STRATEGY AND PRELIMINARY COMMERCIALIZATION/TECHNOLOGY TRANSFER OF FOUR (4) TECHNOLOGIES

1. GENERAL OVERVIEW

1.1. DOST-ASTI is seeking IP and Technical Research Service for the Freedom to Operate (FTO) Report of DOST-ASTI technologies.

1.2. 1.2. The service provider must submit a complete FTO Report for four (4) technologies.

1.3. The ABC is inclusive of all applicable government taxes and service charges.

2. TECHNICAL SPECIFICATIONS

- 2.1. FTO should be drafted in accordance with the acceptable standards that analyzes the risk of potential infringement, comprising but not limited to the following:
- 2.2. Comprehensive FTO search of similar, equivalent or closely related technology/system using databases such as IPOPHL, Espacenet and Patentscope as minimum, with the following scope:
 - 2.2.1. Published pending Philippine patent, utility model applications and industrial design applications of similar and closely related or counterpart technologies.
 - 2.2.2. Valid Philippine granted patents, utility model applications and industrial design registrations if applicable; and
 - 2.2.3. Valid foreign patent applications or registrations that may enter the Philippines through the Patent Cooperation Treaty.
 - 2.2.4. Search pool in the table containing the following information:
 - 2.2.4.1. Keywords used;
 - 2.2.4.2. Number of hits;
 - 2.2.4.3. Number of documents considered; and
 - 2.2.4.4. Number of relevant document/s.
- 2.3. FTO report will be prepared on a technology basis, which may have at least one (1) IP protection, wherein the search will be based on the relevant technical features of the technology using the above-mentioned prior art search tools.
- 2.4. FTO analysis, opinion and recommendation on the technology being rolled out for commercialization (e.g., licensing purposes or spin-off purposes).
- 2.5. Submit FTO report within sixty (60) working days from the date of receipt of complete and updated data/disclosures for the technology as evidenced by an email or any form of communication sent by DOST-ASTI TLO to the contractor, and such disclosure was acknowledged as complete by contractor/firm.
- 2.6. Non-acknowledgement of DOST-ASTI TLO's email in seven (7) calendar days would deem the disclosed data as complete.
- 2.7. Inclusive communications and other related FTO services expenses.
- 2.8. Inclusive of administrative fees, taxes and other services, and government charges.
- 2.9. Inclusive of conclusive report of all outputs, and presentation to the DOST-ASTI Management.

3. PAYMENTS AND DELIVERY TERMS

- 3.1. Delivery of the service shall start not later than ten (10) calendar days upon issuance of NTP. The engagement of the service provider shall be for sixty (60) calendar days upon commencement of services.
- 3.2. Payment shall be made only upon certification/acceptance/by the end-user that the services are delivered in accordance with the terms of this Contract and are duly

inspected and accepted. No payment shall be made for services not yet delivered under this Contract.