



Termes of Reference for the development of a National Intellectual Property Rights report



1. Background

The Regional Activity Centre for Sustainable Consumption and Production (hereinafter SCP/RAC) is a centre for international cooperation on development and innovation based on the sustainable consumption and production approach (hereinafter SCP).

The Centre is one of the Regional Activity Centres established in the framework of UNEP/Mediterranean Action Plan (hereinafter UNEP/MAP)¹, the programme of UN Environment established to support the member countries of the Barcelona Convention. Under that institutional framework, SCP/RAC has an official mandate from the countries as centre that engages in international cooperation with Mediterranean countries on development and innovation in the business sector.

The Centre is based in Barcelona and it is legally hosted by the Catalan Waste Agency, a public service agency considered a reference organization in waste prevention and management and the promotion of circular economy.

SCP/RAC is the leading partner of the ENI CBC Med funded [STAND Up! project](#), a project that aims to enhance scalable, replicable and inclusive circular economy textile ventures in the Mediterranean by developing an ecosystem of business support, innovation, and technology transfer that will lead to sustainable job creation for youth and women. The project is implemented in Egypt, Italy, Lebanon, Tunisia and Spain by national partners.

In order to better protect eco-innovation within the clothing and textiles sector, SCP/RAC has to develop a report on the state of play and the current Spanish landscape regarding Intellectual Property Rights (IPR) of eco-innovation in textile enterprises.

2. Objective

The objective of this consultancy is to develop a report on the state of play and the current landscape regarding Intellectual Property Rights (IPR) related to eco-innovation in Spain. The report should focus on the textile and clothing sector and on circular economy related innovations and it shall include due diligence, state of play and policy gap analysis.

The report will be used in a comparative study of innovation system performance indicators and intellectual property rights system in the Textile and clothing sector between concerned southern and northern Mediterranean partner countries of the Stand-Up! project. Based on this benchmarking, an action plan to enhance the role of intellectual property rights in the innovation ecosystem and the circular economy market in the Textile and clothing sector.



3. Description of the work

The consultant shall develop an action research covering the following contents:

1. National diagnosis of the IPR's system in the textile sector and particularly in relation with eco-innovation and the circular economy

- a. The national policy for the promotion of intellectual property rights (e.g. public policies, regulation)
- b. Organizational framework: certification bodies, model of innovation, training, research and development
- c. Support tools and mechanisms: eg. Mechanisms for promoting IPR market development: grants for patenting inventions, collaborative research, prototyping, hosting, funding, marketing of research results and work, research-business collaboration.

2. Diagnosis of the innovation market and the role of IPs:

- a. Analysis of the circular economy innovation market in the Textiles and clothing industry (eg. turnover coming from IPR integration at the value chain, contribution to economic growth rate of the sector/export growth rate, main subsectors concerned by IPR commercialization activities)
- b. Study of the level of integration of innovation based on intellectual property rights in the market (eg. contribution of IP based circular innovation to the economic growth of the TCI sector, creation of start-ups, youth employment, investments, pollution reduction, waste recovery, etc)

The report shall compile some statistics such as number of TCI patents, in TCI environmental technologies, number of projects created, investments, division by type of projects, share of the IP market in the TCI market.

The consultant(s) should gather the information through desk work and interviews if needed. Meetings might be organized with the project partner leading the benchmarking study and the action plan to ensure coherence with the other national reports.



4. Deliverables and calendar

The Consultant's team will start the work after the validation of their offer by the contractor.

Deliverable	Deadline
#1. Assessment, conceptualization and work plan	2 weeks after notification
#2. First draft of the report	6 weeks after notification
#3. Final report	10 weeks after notification

All the deliverables will have to be presented in English and validated by the Contractor within 1 week after the submission, before moving to the next step of the assignment. Failure in submitting deliverables or not reaching enough quality may result in a reduced budget allocation. In addition, regular calls will be organized with the contractor.

5. Means of work and eligible costs

Equipment, consumables, travel (if any) should be included in the financial offer as a lump sum.

6. Eligibility

Applicants must fulfill the following requirements:

- Be an individual consultant, firm or association. Note: This ToR is not a subvention but a provision of services.
- Be able to comply with national fiscal context and rules for receipt of international funds.
- Have a bank account whose holder name must be the same as the applicant.
- Partnership and subcontracting are allowed, provided that the legal applicant entity has a substantial role in implementing the assignment. The applicant will be the only legal entity with which the contract relation will be established.
- Academic background in law and industrial and intellectual property
- Experience in innovation and intellectual property with specific focus on the Spanish context
- Desirable knowledge or experience in the textiles and clothing industry and in sustainability and circular economy
- Excellent English writing skills



7. How to apply and selection process

Candidates should submit the following documents:

- Technical (maximum 5 pages, see form as Annex): the Consultant should elaborate a specific methodology to conduct the work based on the content suggested in section: “description of work”, elaborating it further. An implementation calendar should be delivered, including planned consultation with key stakeholders.
- Financial offer: the consultant(s) should state the personnel dedication expressed in days (1 day = 8 working hours) as well as a lump sum for other costs related to the implementation of work.
- Profile and project references (maximum 2 pages): the consultant(s) should submit a brief explanation of the candidate (CVs shall be included as annex) and project references on the topic.
- Bank form filled in, signed and stamp by the bank (see form as Annex).

Offers must be sent to Anna Ibañez (aibanez@scprac.org) with the subject “IPR report Spain” **until 9th June 2021 (included)**.

Important :

The header of the **technical and financial offers** must clearly note the candidate data (Name, address, country, telephone, email and fiscal identity number or other official number) and those of the Contractor: « Regional Activity Center for Sustainable Consumption and Production / Agència de Residus de Catalunya / Carrer Dr. Roux nº 80 / 08017 Barcelona, Spain / NIF: **Q-5856373-E** ».

The maximum amount per offer is 8.000 Euros (+VAT).

All candidates will be notified the reception of the offers.

Offers will be assessed according to the following criteria and scores:

Points	Criteria
Maximum points 30	Quality of the technical offer to meet the work objectives
Maximum points 20	Proven track-record in IPR
Maximum points 50	Financial offer

The Contractor may contact candidates to convene an interview to facilitate the evaluation.

If you have questions concerning these ToR, please contact: aibanez@scprac.org.



8. Selection and payments

The winning candidate will be notified by email and post on the selection of the offer. From that moment on work can start according to the calendar.

Payments will be done as it follows:

- Upon the approval of deliverables #1 and #2 the consultant will receive 50% of the contract
- Upon the approval of deliverable #3 the consultant will receive the remaining 50% of the contract

Payments will be done in a period of 60 days after reception and validation of the invoice. The Contractor is not responsible for banking costs that might be applied by the consultant(s) bank, neither for changes in currency exchange.



Annexes: Offer template and bank form

From:





Name: XXXXXX

Address: XXXXXXXXXXXXX

Country: XXXXXXXXX

Phone:

VAT n° or Tax ID: xxxxxx

To:

Regional Activity Center for Sustainable Consumption and Production

Agència de Residus de Catalunya

C/Dr. Roux núm. 80

08017 Barcelona, Spain

NIF: Q-5856373-E

1) Tasks description

- a. Description of methodology to elaborate the guidelines
- b. Potential stakeholders to be consulted

2) Implementation schedule

3) Financial offer

