

Call for tenders' details

Title: 16.CPS.OP.213: Direct contract for the provision of a study on the standardisation of a remote pilot station of RPAS for EASA's certified category.

Start date: 14/10/2016

Time limit for receipt of tenders: 17/11/2016

Contracting authority: European Defence Agency (EDA)

Status: Closed

Call for tenders question list

Call for tenders questions summary

| # | Submission date | Publication date | Question subject | Question | Answer |
|---|---------------------|---------------------|--|---|---|
| 1 | 08/11/2016 16:29 | 09/11/2016 10:01 | Enquiry regarding legal contract for 16.CPS.OP.213 | <p>Our firm is highly interested in participating in the Tender 16.CPS.OP.213: Direct contract for the provision of a study on the standardisation of a remote pilot station of RPAS for EASA's certified category.</p> <p>However, we have some concerns about the clause in your contract about the IPR (clause II.13.2 Licensing rights on pre-existing materials). If we understand correctly, this clause will allow the EDA to dispose of our pre-existing materials and know-how. First, could you please confirm that we have the right approach of this definition? As you can imagine, for security reasons, we are slightly concerned about this matter. Would it be possible to rewrite some conditions of this disclosure agreement and have our legal teams involved in the process in order to present our demands to you?</p> <p>Thanks in advance,</p> | <p>09/11/2016</p> <p>In accordance with Article I.10.2 and Article II.13.2 of the draft contract, EDA confirms that it will not acquire "ownership" of pre-existing rights, which it therefore cannot claim, but only a "right to use" of such pre-existing rights.</p> <p>This is limited to those pre-existing rights that are incorporated in the results. The use of the results is limited to the modes of exploitation indicated in Article I.10.1 of the draft contract, such as distribution. The distribution rights are furthermore limited to those entities expressly stated in section 1.3.3.3 of the Specifications, such as EASA. This licensing is justified by the objective of standardization. It can therefore not be subject of modification.</p> |