

**EXPRESSION OF INTEREST  
FOR THE EXPLOITATION OF THE IPR PORTFOLIO  
OF THE NATIONAL RESEARCH COUNCIL OF ITALY**

**CALL FOR EXPRESSION OF INTEREST**

**WHEREAS**

the National Research Council of Italy (hereinafter also "CNR"), in compliance with the general principles of its Statute and in coherence with its commitment to promote scientific research and innovation, is interested in promoting the development, use and market exploitation of national and/or international Intellectual Property Rights as set out in Annex A (hereinafter referred to as "IPR"), pending the "Regulation for the generation, management and exploitation of Intellectual Property on the results of CNR research" (henceforth "IPR Regulation"), issued with Presidential Decree CNR n. 122 Prot. 0069119 of 14/11/2013, approved by MIUR prot. n. 26810 of 31/10/2013 and published on the Official Journal of the Italian Republic (G.U.R.I.) - general series - n. 281 of 30/11/2013, and of the "Regulation for the establishment and participation of CNR in spin-off companies" (henceforth the "Spin-Off Regulation") issued with Presidential Decree CNR n. 119 Prot. 0066650 of 05/11/2013, approved by MIUR prot. n. 22503 of 23/9/2013 and published on the Official Journal of the Italian Republic (G.U.R.I.) - general series - n. 274 of 22/11/2013;

CNR intends to encourage private and public entities to submit expressions of interest aimed at entering into negotiations concerning the IPR Portfolio, under the economic conditions that will be defined by the outcome of separate negotiations;

considering that, among those who will submit an expression of interest for the IPR Portfolio as described in Annex A (available also for consultation through the Ges.Tro tool on <https://brevetti.cnr.it/home.do>) the Proposer who, during the negotiations, will have presented the most economically advantageous offer for the purposes of economic valorization of intellectual property rights will be taken in consideration;

the following is issued

**CALL**

through which private and public entities who meet the requirements defined in the following art. 1 and according to the instructions described below are invited to submit - to the headquarters of the National Research Council, in Rome, P. le Aldo Moro n. 7 - expressions of interest for one or more IPR of the CNR Portfolio, aimed at opening the subsequent negotiations.

**Art. 1**

**Eligible Proposers**

Entities (hereinafter also referred to as "Proposer/Proposers") that can submit expressions of interest are professionals, natural persons that exercise a business activity, companies of people that exercise business activities, limited companies, consortia among enterprises and other consortium organizations, cooperative companies, public and private research organizations, foundations, public-owned companies, as well as

public bodies established in Italy, or in any other Country, carrying out industrial and/or research activities in the sectors related to the CNR rights as set out in Annex A.

## **Art. 2**

### **Procedure**

The expression of interest, drawn up according to the instructions indicated in art. 3, must be submitted to the National Research Council, Office for the Valorisation of Research, by the end of every month.

By the end of the month following the receipt of the expression of interest, each IPR Referent of the Office, competent in the relevant Research Area/Technology Sector<sup>1</sup> will verify the formal regularity of the submitted documentation, eligibility against the foreseen requirements and will draw up a list of the admissible expressions of interest.

The IPR Referent will start the negotiation, on the outcome of which the opinion of a dedicated Commission, composed by all the IPR Referents and by the Referents for IPR Agreements, will also be acquired.

Following the above preliminary procedure and negotiation, the IPR Referent will draw up a proposal, to be submitted to the Head of the Office for the Valorisation of Research, who is responsible for the final decision on its acceptance or, if needed, on a justified new phase of confrontation and negotiation with the Proposer.

In case of several expressions of interest for the same IPR, preference will be given to proposals for exclusive license by application field rather than proposals for transfer of licences; the possibility of granting non-exclusive licenses to all Proposers will be investigated.

In case of equivalent economic offers for the same IPR, preference will be given to proposals by entities with greater production capacity and/or perspectives/opportunities for collaboration with the CNR Scientific Network and/or the most appropriate guarantees to ensure effective and adequate commercial exploitation of the IPR. CNR spin-off companies can also use the procedure provided for by art. 8 of the "Spin-Off Regulations".

## **Art. 3**

### **Submission of the expression of interest**

The expression of interest, relating to one or more IPR, must preferably be sent by certified e-mail (PEC) to the following address: [protocollo-ammcen@pec.cnr.it](mailto:protocollo-ammcen@pec.cnr.it), with the following wording in the subject: "Expression of interest on the IPR Ref. N .\_\_\_\_\_", as described in Annex A, and the documents indicated in the following art. 4.

Alternatively, the expression of interest can be sent in paper format by registered mail to the following address or by direct delivery to the CNR Protocol Service: CNR – DG –“Valorizzazione della Ricerca” - P. le Aldo Moro 7, 00185 Rome, Italy.

The sender's name and the following wording must be affixed on the envelope: "Call for expressions of interest concerning IPR Ref. N .\_\_\_\_\_", as indicated in Attachment A. The envelope must contain the expression of interest, as defined in the following art. 4.

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<sup>1</sup> [https://www.cnr.it/sites/default/files/public/staff\\_funzioni\\_SPRVR\\_agg.pdf](https://www.cnr.it/sites/default/files/public/staff_funzioni_SPRVR_agg.pdf)

#### **Art. 4**

##### **Content of the expression of interest and related documentation**

The expression of interest must be signed by the Proposer referred to in the above art. 1, with attached copy of an identity document of the signer pursuant to the D.P.R. n. 445/2000.

Furthermore, the expression of interest shall contain the following data:

For individuals carrying out business activities:

a) personal data;

b) tax code and VAT number;

c) statements attesting:

full rights of citizenship; that there are no pending proceedings connected to "Anti-Mafia" legislation; that there are no pronouncements of judgment of conviction by a court, or proceedings for serious crimes against the State or the Community affecting the professional conduct;

d) short description of the economic activity and its correlation with the exploitation of the IPR proposed in the expression of interest;

e) economic offer, subject to negotiation and non-binding, according to the form set out in Annex B.

For companies, consortia, research institutions, foundations:

a) full official name of the legal person, official legal form, registered office, tax code, VAT number, full personal data of the legal representative and of shareholders, where relevant, and respective powers;

b) declaration of entry in the register of the Chamber of Commerce or other equivalent entity (in case of foreign companies), with the following indications:

registration number, official legal form, full official name of the legal person, registered office and business purpose, full personal data and qualification of all the legal representatives; tax code and VAT number, number of employees at the date of submission of the proposal;

c) declaration by the legal representative stating the absence of reasons for exclusion as provided for by article 80 of Legislative Decree no. 50 of 18/04/2016; failure to comply will result in exclusion;

d) brief description of the economic activity and its correlation with the exploitation of the IPR proposed in the expression of interest;

e) economic offer, subject to negotiation and non-binding, according to the form set out in Annex B.

For foreign proposers, the above declarations will be documented according to equivalent legislation.

#### **Art. 5**

##### **Complementary information**

Proposers who have expressed an interest in starting a negotiation concerning one or more IPR as set out in Annex A may be invited to provide further clarifications, information and documentation.

CNR reserves the right, in the presence of valid reasons, to revoke or cancel the present notice and/or the individual negotiation procedures.

With regard to this call for expression of interest, CNR shall process personal data of the Proposers pursuant to Legislative Decree 196/2003.

The person in charge of data processing is the Head of the Office for the Valorisation of Research.

The persons in charge of the procedure are the IPR Referents of the Office as well as, where necessary, the Referents for IPR Agreements:

[https://www.cnr.it/sites/default/files/public/staff\\_funzioni\\_SPRVR\\_agg.pdf](https://www.cnr.it/sites/default/files/public/staff_funzioni_SPRVR_agg.pdf)