



## MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY

Tel: 0702 597360/0702 597360  
057 2505222/ 057 2505223  
E-mail: [info@mmust.ac.ke](mailto:info@mmust.ac.ke)  
Website : [www.mmust.ac.ke](http://www.mmust.ac.ke)

P. O. Box 190 – 50100  
Kakamega  
Kenya

### A NOTICE FOR REQUEST FOR EXPRESSION OF INTEREST (REOI) FOR INTELLECTUAL PROPERTY CONSULTANT

**TENDER NO: MMUST/013/SPIIC/2021-2023**

**CLIENT:**

THE VICE CHANCELLOR,  
MASINDE MULIRO UNIVERSITY OF  
SCIENCE AND TECHNOLOGY,  
P. O BOX 190 – 50 100,  
KAKAMEGA

**CLOSING DATE: WEDNESDAY 6<sup>TH</sup> OCTOBER, 2021**

**CLOSING TIME: 10:00 AM**

**(A) A NOTICE FOR REQUEST FOR EXPRESSIONS OF INTEREST  
(REOI) FOR INTELLECTUAL PROPERTY CONSULTANT**

**NAME OF PROCURING ENTITY: - Masinde Muliro University of Science & Technology**

**Assignment or Contract Title: Provision for consultancy Services as an intellectual Property Consultant**

**Reference No. : MMUST/013/SPIIC/2021 -2023**

- 1) The **Masinde Muliro University of Science & Technology** intends to shortlist consultants for provision of consultancy services as Intellectual Property Consultant as indicated in the Terms of Reference
- 2) The Masinde Muliro University of Science & Technology now invites eligible consulting firms (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The shortlisting criteria on required qualifications and experience of the firm are:
  1. A good degree in a scientific, technical, mathematical, engineering subject or law
  2. A post-graduate degree in law, science, management, engineering or technology,
  3. Registered Patent Agent with the Kenya Industrial Property Institute (KIPI)
  4. At least three post-graduate professional advanced certificates in patents, patent drafting, plant breeders’ rights, trademark, copyright or IP management from the World Intellectual Property Organization Academy, Geneva, Switzerland or its equivalent
  5. Sound knowledge of various statutes of intellectual property law including the Industrial Property Act, 2001, Copyright Act, 2001, Trademark Act, 506 and Seeds and Plant Varieties Act (CAP 326)
  6. Evidence of good verbal and written communication skills
  7. Strong patent drafting skills.
  8. Meticulous attention to detail
  9. Independence
  10. Ability to explain complex IP information clearly and concisely
  11. Sound scientific and technical knowledge
  12. Good IT skills
  13. Analytical and negotiation skills

- 3) The attention of interested Consultants is drawn to the following provisions that will be highlighted in the Request for Proposals to be issued to shortlisted firms.
- i) The Consultant will be expected to have no conflict of interest with other assignments or its own corporate interests and acting without any consideration for future work.
  - ii) The consultant has no personal or business relationship with the Procuring Entity's senior management or professional staff.
  - iii) A firm or an individual in the firm has not been sanctioned by the Public Procurement Regulatory Authority or are under a suspension or a debarment imposed by any other entity of the Government of Kenya, or any international organization.
  - iv) Government-owned enterprises or institutions of Kenya Government, officials and civil servants and employees of public institutions may not eligible.
- 4) Consultants may associate with other firms to enhance their qualifications, but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.
- 5) A Consultant will be selected in accordance with the Quality and Cost Based Selection (QCBS) method set out in the Act and Regulations.
- 6) Further information can be obtained at the address below during office hours (8:00 am – 5.00 pm)  
**Procurement Office**  
**Masinde Muliro University of Science & Technology**  
**P.O. Box 190 – 50100**  
**Kakamega**  
**Kakamega – Webuye Road**  
**Telephone No: 0702 597360 / 057 2505222**  
**Email: [procurementofficer@mmust.ac.ke](mailto:procurementofficer@mmust.ac.ke)**
- 7) Expressions of interest must be delivered in a written form to the address below (in person, or by postal mail, or by e-mail) **by Wednesday 6<sup>th</sup> October, 2021 before close of business.**

## **(B) TERMS OF REFERENCE FOR INTELLECTUAL CONSULTANT IN MASINDE MULIRO UNIVESIRTY OF SCIENCE AND TECHNOLOGY.**

### **Intellectual Property Consultant**

Masinde Muliro University of Science and Technology (MMUST) was established as fully-fledged public university in 2006. It is based in Kakamega County and provides excellent university education, training and research through integrating science, technology and innovation into quality programmes to suit the needs of a dynamic world. The University has a number of campuses spread in different parts of the country in Nairobi, Bungoma, Webuye, Kakuma, Mumias, Kapsabet and Kisumu.

In its current strategic plan 2019-2022, the university aims to maximize on its strength in research and innovation in technical various fields to strategically identify alternative ways of generating income without compromising academic standards. High on the agenda is to endeavor to create and utilize new ideas in teaching and research and disseminate new knowledge and ideas in teaching and research. The university intends to utilize intellectual capacity of staff and students to generate innovative products and processes for the purpose of industrial development, creation of jobs and wealth, generation of additional revenue through licensing in intellectual property rights (IPRs) and collaboration with the industry.

For this reason, the university is seeking services of professional patent agent/attorney consultant to assist SPIIC in the general management of intellectual property of the university. Interested party is invited to submit expression of interest including the following;

1. Letter of introduction including full contact information,
2. CV including qualification, experience, relevant work done, achievements, membership to professional bodies and at least two references,
3. List of past IP work done and achievements in drafting patents, filing patent, utility model, trademark, plant breeders' rights, copyright and industrial design applications
4. Preferred terms of working, duration, deliverables and remunerations,

### **Duties:**

1. Working with IP manager in guiding and directing the university on all matters regarding intellectual property rights (IPRs) including patents, trademarks, copyright, industrial designs and plant breeders' rights
2. Assisting IP manager and CoDs in formulating and executing awareness programs on the importance of IPRs
3. Carrying out and providing timely annual survey reports of the university IP assets and innovations
4. Identifying and analyzing invention disclosure forms to determine the likelihood of meeting the patentability criteria
5. reading descriptions and discussing details of inventions with staff and student inventors
6. undertaking patent searches to establish that inventions are novel, inventive and applicable in the relevant industry
7. producing detailed legal descriptions of inventions for filing with relevant patent offices

8. submitting, defending and negotiating patent applications with the patent office during prosecution
9. training guiding technical staff of the university IP management office
10. keeping up to date record of intellectual property assets of the university
11. providing associated technical and legal IP advice to the university legal office
12. assist the university in commercializing IPRs including licensing and assignment of patent, copyright and trademark rights.