



**REQUEST FOR EXPRESSIONS OF INTEREST  
TO PARTICIPATE IN A PANEL OF LAW FIRMS TO PROVIDE LEGAL CLINICS AT IP101 (IPOS SERVICE  
CENTRE)**

(IPOS/PPD-2018-0001)

02 January 2018

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Dear Sirs

**REQUESTS FOR EXPRESSIONS OF INTEREST TO PARTICIPATE IN A PANEL OF LAW FIRMS TO PROVIDE LEGAL CLINICS AT IP 101 (IPOS SERVICE CENTRE)**

**1 INVITATION**

- 1.1 You are invited by the Intellectual Property Office of Singapore ("IPOS") to submit an Expression of Interest to participate in a panel of law firms to provide legal clinics at IP 101 (IPOS Service Centre) ("IP 101").
- 1.2 Law firms that are appointed onto the panel for the legal clinics will be appointed for a period of one (1) year in the first instance commencing on the date specified in the Letter of Appointment. IPOS may, in its sole discretion, extend the duration of appointment of a law firm on the panel for a period of one (1) year, and may also thereafter extend the duration of appointment for a further additional period of one (1) year.

**2 BACKGROUND**

- 2.1 To provide assistance to persons and local enterprises in intellectual property ("IP") related disputes, IP 101 will provide access to legal clinics conducted by a panel of law firms. Such legal clinics are intended to help persons and local enterprises in understanding the legal issues relevant to their dispute and to empower them to decide on the next step to be taken (e.g. whether to refute the allegations and/or to engage a lawyer). A person or local enterprise may request for a legal clinic session of 45 minutes duration to discuss their matter with a law firm which they select from the panel (each person or local enterprise that requests for a legal clinic session is termed a "Requestor"). The legal services that are provided to each Requestor during each legal clinic session are chargeable to, and are payable by, the Requestor concerned, directly to the law firm. However, IPOS will provide a subsidy to each Requestor that will defray the cost of the 45 minute legal clinic session.

**3 LEGAL CLINICS**

- 3.1 IPOS intends to appoint up to 6 law firms to its panel for the IP legal clinics. The duration of appointment shall be as described at paragraph 1.2 above. The number of law firms appointed onto the panel for the IP legal clinics is at IPOS's sole discretion, and IPOS may, at any time, change the number of law firms appointed onto the panel without prior notice.
- 3.2 The main objective in appointing the panel of law firms is to have a ready pool of law firms to staff the IP legal clinics, whose lawyers possess the experience, ability and expertise to meet the needs of persons and local enterprises in IP-related disputes. Each 45 minute legal clinic session shall be conducted by an advocate and solicitor (Singapore) from the panel of appointed law firms with at least 5 years of post call legal experience in the provision of legal advice and in the handling legal matters (including dispute resolution proceedings) relating to intellectual property disputes. An appointed law firm's appointment onto the panel of law firms for the IP

legal clinics is not assignable or sub-licensable to any third party. All lawyers staffing the legal clinic sessions shall be subject to IPOS's prior approval, and appointed law firms shall not send lawyers that have not been approved by IPOS beforehand to staff any of the clinic sessions of the IP legal clinics. Appointed law firms on the panel that wish to nominate lawyers from their firm who are advocates and solicitors (Singapore) to staff the IP Legal Clinics can write to IPOS with information on the post call legal experience of the lawyer in question (in the provision of legal advice and in the handling of legal matters (including dispute resolution proceedings) relating to intellectual property disputes) and with 2 references (for reference checks), to obtain IPOS's prior approval.

- 3.3 The IP legal clinics will be run as a three (3) hour clinic blocks, split up into four 45 minute sessions. Each 45 minute session will comprise one advocate and solicitor (Singapore) from the panel of appointed law firms providing detailed face to face legal advice to Requestors. IPOS intends to run one IP Legal Clinic block per week, up to a maximum of 50 blocks in a year. Each law firm that is appointed onto the panel must have the capacity to staff up to twelve (12) legal clinic blocks in a year. IPOS will liaise with each appointed law firm regarding the actual number of legal clinic blocks and/or legal clinic sessions that are to be handled by the firm. Although a three (3) hour clinic block would usually require one lawyer from an appointed law firm, IPOS may, at its sole discretion, require an appointed law firm to send more than one lawyer to service a particular three (3) hour clinic block. IPOS may also, at its sole discretion, determine that the 45 minute sessions within a 3 hour clinic block are to be staffed by different law firms that have been appointed onto the panel.
- 3.4 The lawyers of each law firm that are appointed onto the panel shall be required to provide oral legal advice in relation to the following (to Requestors of the IP Legal Clinics):
  - a) Advice on all legal matters related to IP disputes;
  - b) Provision of advice on the courses of action, remedies and enforcement actions that can be taken, that are related to IP rights infringement; and
  - c) Provision of legal advice to assist the Requestor in assessing his or her legal position and on the strategy to be adopted in his or her dispute proceedings, so as to obtain the best resolution of such dispute in a cost efficient manner. Some examples (this is not an exhaustive list) include the following:
    - (i) advice prior to the commencement of dispute proceedings on the legal position(s), the viability of commencing dispute proceedings, on the possible remedies that can be pursued, and on the likelihood of success and the expected result for each remedy;
    - (ii) where legal documents pertaining to civil and criminal proceedings are received by the Requestor, to provide advice on the legal position of the Requestor, advice on the merits of the action, the possible remedies that can be brought against them, the likelihood of success of the case and expected result of each remedy, the possible steps that the Requestor can take after receiving such legal documents;
    - (iii) advice in the event any judicial decision or arbitral award is adverse to the Requestor, on the likelihood of success of any appeal against such decision; and

- (iv) Advising on the best strategy to be adopted in the dispute proceedings, so as to obtain the best resolution of such dispute in a cost efficient manner.
- 3.5 Each law firm that is appointed onto the panel is expressly prohibited, during the legal clinic session, from providing advice to the Requestor on the registrability of any IP in Singapore, as well as advice on the merits of any decision issued in connection with any IP registration process.
- 3.6 During a IP legal clinic session, the lawyers of each appointed law firm shall act in a professional and responsible manner and shall provide quality legal advisory services to the Requestor (that specifically address the Requestor's problems, after taking into account the Requestor's fact scenario, and which go beyond just highlighting legal issues to the Requestor). An appointed law firm and its lawyers is bound to treat all documents, materials and other information released by a Requestor with utmost confidence.
- 3.7 If any follow up action is required after the legal clinic session is over, that is at the Requestor's sole discretion.
- (a) An appointed law firm is not precluded from forming a contract for the provision of legal services with a Requestor, after the Requestor's legal clinic session is over.
  - (b) Feedback shall be sought from each Requestor after the 45 minutes legal clinic session is over. An appointed law firm that does not provide quality legal advisory services (that specifically address the Requestor's problems, after taking into account the Requestor's fact scenario, and which go beyond just highlighting legal issues to the Requestor) during the legal clinic session, or who gives the Requestor the message that they must hire the law firm and/or the lawyer who has provided the advice during the legal clinic session, may be removed from the legal panel at IPOS's sole discretion.
- 3.8 Each 45 minute legal clinic session is chargeable to the Requestor by the appointed law firm based on the blended hourly rate indicated by the appointed law firm in its completed Expression of Interest Form. The blended hourly rate indicated in the completed Expression of Interest Form shall be binding on the law firm for the period of one year starting from the commencement of the operation of the legal clinics. The range of the blended hourly rates for the 45 minute legal clinic sessions will be made known on IPOS's website, for the information of potential clinic Requestors. The lawyer-client relationship shall be between the lawyer conducting the session and the Requestor of that legal clinic session.
- 3.9 Each appointed law firm and its lawyers shall be wholly responsible for the advice provided to Requestors during the IP legal clinics, and by submitting the Expression of Interest Form for consideration for appointment onto the legal panel, the law firm agrees to indemnify IPOS fully and to hold IPOS free from all cost, damages and expenses related to the provision of advice by the appointed law firm's lawyers during the IP legal clinic sessions.
- 3.10 Upon completion of the 45 minute legal clinic session, the requestor is required to make payment to the appointed law firm for the services provided during the 45 minute legal clinic session. Subsequently, in relation to the 45 minute legal clinic session, the Requestor can submit a claim form with relevant supporting documents (the invoice and receipt indicating full payment has been made to the appointed law firm for the 45 minute legal clinic session) to IPOS within one (1) month from the date of the legal clinic session, to obtain a subsidy that will reimburse the cost incurred by the Requestor for the 45 minute legal clinic session. IPOS shall not be responsible for any payments that are due from any Requestor to any appointed law

firm, and IPOS shall not be responsible for any disputes howsoever arising between any Requestor and any appointed law firm.

3.11 For the duration of the law firm's appointment onto the panel for the legal clinic sessions:

- (a) the firm consents to IPOS publishing on its website information on the law firm's appointment onto the legal panel for the IP legal clinics, and information on the lawyers from the law firm that have been approved by IPOS to staff the IP legal clinics; and
- (b) agrees not to publicise its appointment onto the legal panel except with prior written approval from IPOS.

3.12 The terms and conditions for appointment onto the panel for the IP legal clinics (as contained in the document "Request for Expressions of Interest to Participate in a Panel of Law Firms to Provide Legal Clinics at IP101 (IPOS Service Centre)" (IPOS/PPD-2018-0001)" may be amended by IPOS at any time, by e-mail or post to an appointed law firm's last known address on IPOS's record.

3.13 IPOS may, upon thirty (30) calendar days notice in writing, terminate a law firm's appointment on the panel for the IP legal clinics without providing any reason.

3.14 Further information can be found at the "FAQs (for Law Firms)" at Annex II.

#### **4 EVALUATION CRITERIA**

4.1 IPOS will set up a committee to select the law firms for the panel.

4.2 All Expressions of Interest received shall be evaluated based on the following criteria:

- a) Comprehensiveness of submission and compliance with submission requirements;
- b) Ability of the law firm to provide the full range of the required legal services for the IP legal clinics;
- c) Track record of the law firm in the provision of legal advice and in the handling of legal matters (including dispute resolution proceedings) relating to intellectual property disputes;
- d) Track record of the lawyers in the provision of legal advice and in the handling of legal matters (including dispute resolution proceedings) relating to intellectual property disputes; and
- e) Price competitiveness of the blended hourly rate to be charged by the law firm to Requestors of the IP legal clinics.

4.3 The decision of the IPOS selection committee is final and IPOS shall not be obliged to provide reasons for the selection or non-selection of any particular law firm.

4.4 A Letter of Appointment shall be sent to those law firms that have been appointed for inclusion onto the panel.

## 5 SUBMISSION OF EXPRESSIONS OF INTEREST

5.1 Law firms interested in submitting an Expression of interest are to complete and submit the Form found in Annex I. Expressions of Interest that are not in the format found in Annex I shall not be considered for evaluation.

5.2 IPOS may contact the law firm's contact person (as indicated in the completed Expression of Interest form) to seek clarification on any aspect of the Expression of Interest that has been submitted by the law firm.

5.3 All documents must be submitted to:

The Person in Charge  
IP Legal Clinics Project  
Partnership and Programme Department  
Intellectual Property Office of Singapore  
#01-01 Manulife Centre, 51 Bras Basah Road  
Singapore 189554

by **1700 hrs (Singapore Time) on 12 January 2018 (“Closing Date”)**.

## 6 FOR ENQUIRIES

6.1 For further clarifications on the requirements for submitting an Expression of Interest, you may contact Alisa Yu at [ipclinic@ipos.gov.sg](mailto:ipclinic@ipos.gov.sg).

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AT IP 101 (IPOS SERVICE CENTRE)**

**IMPORTANT INSTRUCTIONS**

1. All fields in this form are mandatory. Where information is not applicable, please indicate "Not Applicable" or "NA". Incomplete application forms will be rejected.
2. By submitting this form for consideration for appointment onto the panel of law firms for the IP legal clinics, a law firm warrants that it has understood and is fully agreeable to all the terms and conditions that are contained in the document entitled "Request for Expressions of Interest to Participate in a Panel of Law Firms to Provide Legal Clinics at IP101 (IPOS Service Centre)" (IPOS/PPD-2018-0001)" (including its two Annexes, Annex 1 and Annex II).

**1 LAW FIRM INFORMATION**

Name of Law Firm

Unique Entity No.  
(UEN)

Law Firm Address

Contact No.

Name of contact person

Contact person's e-mail

**2 DESCRIPTION OF LEGAL SERVICES PROVIDED, AND PAST TRACK RECORD, OF THE LAW FIRM, IN THE PROVISION OF LEGAL SERVICES RELATED TO INTELLECTUAL PROPERTY RELATED DISPUTES**

Description of legal services provided by the law firm in the area of IP-related disputes (To indicate in the box below in 300 words or less)

Past track record of the law firm in the provision of legal advice and in the handling of legal matters (including dispute resolution proceedings) relating to intellectual property disputes (in addition to providing a description of past experience, please also state the number of years of such experience) (To indicate in the box below in 500 words or less)



**5 BLENDED HOURLY RATE TO BE CHARGED BY THE LAW FIRM TO REQUESTORS OF THE LEGAL CLINICS**

In relation to all lawyers from the law firm that would be conducting the legal clinics, the single blended hourly rate indicated below shall be used by the law firm to charge the Requestors of the 45 minute legal clinic sessions. The blended hourly rate indicated below shall take into account the fact that this rate is only for the provision of face to face legal advice during the 45 minute legal clinic session. The blended hourly rate indicated below shall be binding on the law firm for the period of one year starting from the commencement of the operation of the IP legal clinics.

**Blended hourly rate to be charged (in SGD)**

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**6 DECLARATION BY LAW FIRM**

*(Note: Only a Partner of the law firm may sign this Section titled "Declaration by Law Firm".)*

On behalf of \_\_\_\_\_ (name of law firm):

- (a) I/we declare that all information and credentials submitted for the purposes of consideration for appointment onto the panel of law firms for the IP legal clinics are true, accurate, up to date and error free, and I/we have not withheld or distorted any material fact or information; and
- (b) I/we agree that, should my law firm be appointed onto the panel for the IP legal clinics, that:
  - (i) the information and credentials that have been submitted to IPOS shall be updated whenever there is a change in any of the information (IPOS may revoke my firm's appointment onto the panel, without any liability or compensation, in the event any of the submitted information or credentials is untrue or inaccurate.);
  - (ii) the number of law firms appointed onto the panel for the IP legal clinics is at IPOS's sole discretion, and IPOS may change the number of law firms appointed onto the panel without prior notice;
  - (iii) my law firm's appointment onto the panel of law firms for the IP Legal Clinics is not assignable or sub-licensable to any third party;
  - (iv) all lawyers sent by my law firm to staff the IP legal clinic sessions shall be subject to IPOS's prior approval and my law firm shall not send lawyers that have not been approved by IPOS beforehand to staff any of the clinic sessions of the IP legal clinics;
  - (v) my firm is bound to treat all documents, materials and other information released by a Requestor with utmost confidence;
  - (vi) during each legal clinic session, my law firm's lawyers shall act in a professional and responsible manner and shall provide quality legal advisory services to the Requestor (that specifically address the Requestor's problems, after taking into account the Requestor's fact scenario, and which go beyond just highlighting legal issues to the Requestor);
  - (vii) the terms and conditions of the appointment of law firms onto the panel for the IP legal clinics (as contained in the document "Request for Expressions of Interest to Participate in a Panel of Law Firms to Provide Legal Clinics at the IP101 (IPOS Service Centre)" (IPOS/PPD-2018-0001)" may be amended by IPOS at any time, by e-mail or post to my firm's last known address on IPOS's record;
  - (viii) IPOS may, upon thirty (30) calendar days notice in writing, terminate my law firm's appointment onto the panel for the IP legal clinics without providing any reason;

- (ix) my law firm shall indemnify IPOS fully and keep IPOS free from all costs, damages, and expenses that are related to the provision of advice by my law firm's lawyers during the IP legal clinic sessions; and
- (x) my law firm shall not hold IPOS responsible for any payments that are due to it from any Requestor, and my law firm shall not hold IPOS responsible for any disputes howsoever arising between any Requestor and my law firm.

Full Name

Signature\* and  
Law Firm Stamp

Designation

**FOR IPOS INTERNAL USE ONLY**

	<i>IPOS officer-in-charge to indicate if completed satisfactorily</i>
<i>Section 1 completed</i>	
<i>Section 2 completed</i>	
<i>Section 3 completed</i>	
<i>Section 4 completed</i>	
<i>Section 5 completed</i>	
<i>Section 6 completed</i>	

## FAQs (for Law Firms)

### 1. Legal Profession issues

(a) Who is my client?

The client will be the persons or entities that have requested for an IP Legal Clinic session.

(b) What of the liability arising from giving legal advice at the IP Legal Clinic sessions?

We are considering a limited disclaimer to be signed by a Requestor that would indicate the following:

- The Requestor has not shown any information or documents to the lawyer from the appointed law firm prior to the legal clinic session.
- The Requestor has only had a 45-minute legal clinic session, and is agreeable to only receiving oral legal advice during that time.
- The Requestor has received oral legal advice on the legal options available to him/her during the legal clinic session, and will make his/her own decision as to further steps to take.

Please note that for all intents and purposes, the legal advice provided at an IP legal clinic session shall be of the same professional standard and quality as expected of a lawyer who meets a walk-in client for the first time.

(c) What happens when there is a conflict of interest? e.g. if a person walks in with a letter from my firm, or is conducting infringement activities against my client.

The appointment system will endeavour to obtain basic information concerning the legal problem of the Requestor. This will include a field where the Requestor can provide details of the legal problem (including the firm/person they are being sued by, or whom they wish to take action against). IPOS will arrange the legal clinic sessions in such a way so as to avoid conflicts of interest.

In the event insufficient information is given over the appointment system, and a Requestor shows up with his or her document(s) and a potential conflict of interest is apparent, IPOS staff will direct the Requestor to attend another IP legal clinic, which would be conducted by another appointed law firm on the panel.

An appointed law firm and its lawyers (i) will only be able to declare a conflict of interest where there is an actual relationship to the Requestor; and (ii) will not be allowed to 'pick and choose' Requestors.

(d) Will the usual prohibition against solicitation and advertisements apply?

Yes.

A Requestor should not walk away with the message that they must hire the law firm and/or the lawyer who has just provided the advice during the legal clinic session. Feedback will be obtained from Requestors after each IP legal clinic session to monitor for this issue.

However, if the Requestor makes the independent decision to approach the appointed law firm for further legal services, that will be the decision of that particular Requestor.

## 2. Workflow

### (a) How will the legal clinic be conducted?

Requestors will register for an appointment on an online system provided by IPOS. Basic data will be collected from them on their problem. They will be screened for suitability as well as for conflict of interest issues. After being screened, for each Requestor, IPOS make arrangements for the IP legal clinic session.

All IP legal clinics shall be held at the premises of IP 101, the IPOS Services Centre, at Manulife Centre, unit 01-01, 51 Bras Basah Road. Staff at the IP 101 will be on hand to receive the Requestors, verify their identity, and channel them to the lawyer in the meeting room.

Should there be any needs or queries relating to the administration of the IP Legal Clinics, they may be referred to the IP 101 staff on station outside of the meeting room.

### (b) Are there measures to handle rowdy Requestors?

The nature of the clinic is IP legal advisory, and it is rare that such commercial matters will evoke primary responses from Requestors.

However, there will be IP 101 staff on hand to handle the administration of the IP legal clinics, and there is a standard procedure in place to handle a variety of situations.