

**ANNEX VI TO FRAMEWORK CONTRACT  
GSA/OP/09/16/LOT[x]:  
DECLARATION OF PREEXISTING RIGHTS  
AND  
THIRD PARTY INTELLECTUAL PROPERTY  
RIGHTS**



Tender/Contract Ref: GSA/OP/09/16/LOT[x]

**Project Information**

Project Title:	Integration of Fundamental Elements
Project Type:	Open Procedure
Project Co-ordinator:	<i>Please complete</i>
Project Deliverables :	As indicated in Annex I to the FWC and any Terms of Reference to a Specific Contract

**IMPORTANT NOTICE:**

The Contractor (including each consortium member) is requested to complete this form to report on the pre-existing rights relevant for the service provision under the Contract.

This document is not an assignment. It simply provides a disclosure of your background and that of your consortium members to the European GNSS Agency.

I, declare the information contained in this form is correct to the best of my knowledge.

Pre-existing rights' means any industrial and intellectual property rights, including background technology, which exist prior to the contracting authority or the contractor ordering them for the purpose of the FWC performance and include rights of ownership and use by the contractor, the creator, the contracting authority and any other third parties.

Name : \_\_\_\_\_

The contractor (including each consortium member) can either explicitly exclude some specific pre-existing rights or identify which pre-existing rights are available for access by GSA, other consortium members and subcontractors. It is important to indicate very clearly for each element of pre-existing rights whether it is explicitly excluded or included.

Access rights, where applicable, will be based on the present declaration. According to the requirements, of the FWC, the contractor shall grant access to the pre-existing rights needed for the use of the results delivered under the contract.

Signature: \_\_\_\_\_

As appropriate, please respond to the queries in this form with brief comments and not simply "yes" or "no". Please feel free to provide additional comments if deemed necessary.

Date : \_\_\_\_\_

**Please create a new sheet for each right of your pre-existing rights declaration.** To copy a sheet select the command "move or copy sheet" in the "edit" menu. A new identical sheet will then be created.



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**Declaration Form (pre-existing rights) - PATENTS**

(this form can also be used for declaring Utility Models)

A)

Own background or third-party IP?							
Owner: <i>If you are not the owner, please also indicate your legal right to use it (e.g. under a license)</i>							
Short title of the invention:							
Description:							
Is this pre-existing right necessary to provide the services under the contract?	<b>NO</b>		Explain:				
	<b>YES</b>						
Publications:							
Name of Investigator(s):							
Patented (yes / No) :							
Type of patent*	Filing date	Filing number	Grant date	Grant number	Expiration date		Owner
Inventor(s):							

\* If the same technology has been protected through a family of patents, please give details of all the patents

B) List of licences granted with regard to the above patent

Ref.	Licensee	Type of licence	Expiration date	Countries	Royalty	Payment terms	Exclusivity	Registered?



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### **Declaration Form (pre-existing rights) - TRADEMARKS**

A)

Own background or third-party IP?							
Owner: <i>If you are not the owner, please also indicate your legal right to use it (e.g. license)</i>							
Trademark							
Is this pre-existing right necessary to provide the services under the contract?	<b>NO</b>		Explain:				
	<b>YES</b>						
Description							
List of classes (Nice classification)							
Territorial Scope of the Trademark*	Filing date	Filing number	Type of mark	Registration date	TM origin	Expiration date	Owner

\* If the same sign has been protected through different trademark registrations please provide details for each application/registration

B) List of licences granted with regard to the above trademark

Ref.	Licensee	Type of licence	Expiration date	Countries	Royalty	Payment terms	Exclusivity	Registered?



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**Declaration Form (pre-existing rights) - COPYRIGHT**

A)

Own background or third party IP?						
Short title of the work:						
Description:						
Is this pre-existing right necessary to provide the services under the contract?	<b>NO</b>		Explain:			
	<b>YES</b>					
Are there any related rights involved, such as of producers, publishers, broadcasters, etc? Please explain						
Publications:						
Name of creator(s):						
Ownership of the work: <i>If you are not the owner, please also indicate your legal right to use it (e.g. license)</i>						
Legal Deposit (yes / No) :						
If yes	Name of notary or collecting society :		Date of deposit:		Registration Number:	

B) List of licences granted with regard to the above copyright

Ref.	Licensee	Type of licence	Expiration date	Countries	Royalty	Payment terms	Exclusivity	Registered?



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**Declaration Form (pre-existing rights) - SOFTWARE/DATABASE**

A)

Own background or third-party IP?						
Short title of the work:						
Description (including details of the intended purpose, programming language, hardware minimum requirements, etc...)						
Is this pre-existing right necessary to provide the services under the contract?	<b>NO</b>		Explain:			
	<b>YES</b>					
Please describe the new and original aspects of the creation						
Has any third party proprietary technology been used for the development of the software/database? Please give details						
Has any open source or free software components been used for the development of the software/database? Please give details						
For databases only: Has any data protected by third party copyright been used in the database? Please give details						
Publications:						
Name of creator(s):						
Ownership of the work: <i>If you are not the owner, please also indicate your legal right to use it (e.g. license)</i>						
Legal Deposit (yes / No) :						
If yes	Name of notary or collecting society :		Date of deposit:		Registration Number:	

B) List of licences granted with regard to the above software/database

Ref.	Licensee	Type of licence	Expiration date	Countries	Royalty	Payment terms	Exclusivity	Registered?



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**Declaration Form (pre-existing rights) - KNOW HOW & TRADE SECRETS**

A)

Own background or third-party IP?			
Owner: <i>If you are not the owner, please also indicate your legal right to use it (e.g. license; NDA)</i>			
Short title of the know how or trade secret:			
Description:			
Is this pre-existing right necessary to provide the services under the contract?	NO		Explain:
	YES		
Name of creator(s):			

Has the relevant information been made available to any third party	
	NO
	YES

Third parties to whom the information has been disclosed	NDA* (yes/no)	Date of NDA	

\* NDA stands for "Non Disclosure Agreement"

B) List of licences granted with regard to the above knowhow or trade secret

Ref.	Licensee	Type of licence	Expiration date	Countries	Royalty	Payment terms	Exclusivity	Registered?