**FAR 15.604 UNSOLICITED PROPOSAL**

**PRELIMINARY INFORMATION**

“It is the policy of the Government to encourage the submission of new and innovative ideas in response to Broad Agency Announcements, Small Business Innovation Research topics, Small Business Technology Transfer Research topics, Program Research and Development Announcements, or any other Government-initiated solicitation or program. When the new and innovative ideas do not fall under topic areas publicized under those programs or techniques, the ideas may be submitted as unsolicited proposals.”

**UNSOLICITED PROPOSAL DEFINITION**

*Unsolicited proposal* means a written proposal for a new or innovative idea that is submitted to an agency on the initiative of the offeror for the purpose of obtaining a contract with the Government, and that is not in response to a request for proposals, Broad Agency Announcement, Small Business Innovation Research topic, Small Business Technology Transfer Research topic, Program Research and Development Announcement, or any other Government-initiated solicitation or program. (FAR 2.101)

**CONTENT OF UNSOLICITED PROPOSALS**

Reference FAR subpart [15.605](https://www.acquisition.gov/far/part-15#FAR_Subpart_15_6).

**RESPONSIBLE PROSPECTIVE CONTRACTORS AND ORGANIZATIONAL AND CONSULTANT CONFLICTS OF INTEREST**

Offerors of unsolicited proposals shall be subject to the Federal Acquisition Regulation (FAR) requirements of [subpart 9.1](https://www.acquisition.gov/far/part-9#FAR_Subpart_9_1) – “*Responsible Prospective Contractors*” and [subpart 9.5](https://www.acquisition.gov/far/part-9#FAR_Subpart_9_5) – “*Organizational and Consultant Conflicts of Interest*”.

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**PRELIMINARY INFORMATION *(Cont’d)***

**ADVERTISING MATERIAL, COMMERCIAL ITEM OFFER AND CONTRIBUTION**

Advertising material, commercial item offers, or contributions, as defined in [15.601](https://www.acquisition.gov/far/15.601#FAR_15_601),

or routine correspondence on technical issues, ***are not unsolicited proposals***.

The preferred methods for submitting ideas/concepts to the Government, such as any agency: upcoming solicitations; Broad Agency Announcements; Small Business Innovation Research programs; Small Business Technology Transfer Research programs; Program Research and Development Announcements is through the specific instructions appropriately described for any applicable and announced effort as these efforts are established/organized and/or become available.

**“UNIQUE” AND “INNOVATIVE”**

*Specifically,* a “unique, innovative” product or service idea or approach would be a sole, inventive conception, unusual, and/or without a like or comparable idea or approach**.**

*For example*, a proposed unique and innovative product or service idea or approach which is similar or comparable in purpose, concept, design, etc., to those supplies and services offered under the “GSA Federal Supply *Multiple Award Schedule (*MAS*)* contracts” would ***not*** be considered “unique and innovative”.

**agency points of contact for information regarding advertising, contributions, and other types of transactions similar to unsolicited proposals and information sources on agency objectives and areas of potential interest**

* USPTO Office of Procurement
* USPTO cognizant, applicable Office Activity Representatives and technical representatives; subject-matter experts and qualified personnel;
* USPTO Office of Public Affairs/Relations;

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**PRELIMINARY INFORMATION *(Cont’d)***

**agency points of contact for information regarding advertising, contributions, and other types of transactions similar to unsolicited proposals and information sources on agency objectives and areas of potential interest *(Cont’d)***

* Dept. of Commerce (DOC) Office of Small Disadvantaged Business Utilization (OSDBU); USPTO Small Business Specialist (SBS);
* USPTO Office of General Counsel (OGC)

**instructions for identifying and marking proprietary information so that it is protected and restrictive legends conform to** **FAR 15.609**

Unsolicited proposals should be identified and marked as prescribed by FAR 15.609.

**PrELIMINARY MEETINGS**

preliminary meetings may be scheduled at the discretion of the Government and upon request. To submit requests for preliminary meetings, access UnsolicitedProposals@USPTO.gov

**Procedures for submission and evaluation of unsolicited proposals**

Unsolicited proposals shall be submitted and evaluated as prescribed by FAR subpart 15.6. If after review of these preliminary considerations, potential offerors determine to submit an unsolicited proposal or proposals, access UnsolicitedProposals@USPTO.gov.