

STANFORD UNIVERSITY
STANFORD, CALIFORNIA 94305

Area Code (415) 497-0651
Telex: 348402 STANFRD STNU

OFFICE OF
TECHNOLOGY LICENSING
105 Encina Hall

April 16, 1984

Ms. Darcia Bracken
Department of Commerce
14th and Constitution NW, Room 4816
Washington, DC 20230

Dear Darcia:

Attached is the information you requested about the "informal survey" that I made of 20 universities active in technology transfer. As you can see, I got 16 responses which wasn't too bad. One attachment is a copy of the letter I sent out to the universities and a sample response. The other attachment is my handwritten notes tabulating the responses.

Let me know if you have any questions, and please give my regards to Joe and Norm.

Very truly yours,



Niels J. Reimers
Director, Technology Licensing

Enclosures
NJR:kla

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RECEIVED

APR 11 1983

April 6, 1983

PATENTS & LICENSES

Mr. Theodore C. Wood
Manager
Patents and Licensing
Cornell University
P.O. Box Dh, Day Hall
Ithica, NY 14853

TOW _____
~~TOW~~ _____
SFC _____
RR _____
FILE HFR RETURN

Subject: Experience Under PL 96-517 (as Implemented by
OFPP Circular A124 "Patents-Small Firms and
Non-Profit Organizations, Effective Date 3/1/82")

Dear Ted:

This is an informal survey of about 20 universities active in technology transfer to gain some insight into the effect PL 96-517 may be having on our operations.

I hope you'll be able to respond within two weeks. If any questions will take a significant effort in order to prepare a response, please just skip the question. All respondents will get a summary of the survey results.

Thank you in advance for your cooperation.

Very truly yours,



Niels J. Reimers
Director, Technology Licensing

Enclosure
NJR:jm

PL 96-517 Survey1. Number of disclosures

| | 1978 | 1979 | 1980 | 1981 | 1982 |
|---------|-----------|-----------|-----------|-----------|-----------|
| Number: | <u>41</u> | <u>45</u> | <u>43</u> | <u>27</u> | <u>56</u> |

2. Administration

Extent PL 96-517 effected patent administration (as opposed to licensing) such as negotiation of patent clauses, petitions for release of rights, reporting, etc.

| | | | | |
|-----------------------------|----------------------------|---------------------------------|----------------------------------|---------------------|
| <u>more</u> <u>admin</u> | <u>no</u> <u>change</u> | <u>some</u> <u>reduction</u> | <u>large</u> <u>reduction</u> | (circle closest) |
|-----------------------------|----------------------------|---------------------------------|----------------------------------|---------------------|

Estimated "full time equivalent" change 0
(Example: less 0.8 FTE)

Result of reduced (or increased) administrative FTE "person power."

Reduction in force or transfer? _____

Used to Increase licensing effort? _____

Other _____

3. Licensing

Change in licensing staff in FTE (post PL 96-157) 0
(Example: +1.5 FTE)

4. Industry Research Support

In your opinion, has the reduced prospect of "contamination" (through certainty of rights to government-supported research results) led to greater industry-university research collaborations? (Circle)

No No opinion Probably Definitely Other _____

Percent change in proportion of industry research support (to total research support) over last 5 years:

From 4.1 % in 1978 to 5.2 % in 1982.

experience with Government Agency Exceptions
an agency "may" (Al24, Paragraph 7.a.) exempt a Go Co or specific funding agreements from the standard Al24 patent rights clause, which gives a first option to contractor.

If your institution manages a Go Co, has any agency exercised the exemption; i.e., continues to require petitions for release of rights?
No Go Co _____ no _____ Agency NSF

1 (yes)
X
Number (if any) of funding agreements, by agency, for which exemption exercised.

NSF-1
(Example: DOE-5)

6. Government Research Laboratories

It has been postulated government research laboratories act to:
(a) reduce level of extramural funding, becoming "competitors" with university faculty/student researchers, particularly in energy research, and
(b) make it difficult to encourage industry to invest in development of promising scientific discoveries, particularly in energy, because of "competition" by these laboratories.

Your reaction to (a): don't know
("don't know," "more perceived than real," etc.)

Your reaction to (b): don't know

Any specifics? _____
Yes _____ No _____ (Circle)

7. Post PL 96-517

Indicate if you see any intellectual property problems at the agency-university interface that could be improved.
Invention reporting obligations. We can usually determine government has rights but can't identify each grant from particularly "Cooperative Research" grants.

5. Experience with Government Agency Exceptions

An agency "may" (A124, Paragraph 7.a.) exempt a Go Co or specific funding agreements from the standard A124 patent rights clause, which gives a first option to contractor.

If your institution manages a Go Co, has any agency exercised the exemption; i.e., continues to require petitions for release of rights?

No Go Co yes no
1 X _____ Agency NSF

Number (if any) of funding agreements, by agency, for which exemption exercised.

NSF-1
(Example: DOE-5)

6. Government Research Laboratories

It has been postulated government research laboratories act to:

(a) reduce level of extramural funding, becoming "competitors" with university faculty/student researchers, particularly in energy research, and

(b) make it difficult to encourage industry to invest in development of promising scientific discoveries, particularly in energy, because of "competition" by these laboratories.

Your reaction to (a): don't know
("dont know," "more perceived than real," etc.)

Your reaction to (b): don't know

Any specifics? Yes No (Circle)

7. Post PL 96-517

Indicate if you see any intellectual property problems at the agency-university interface that could be improved.

Invention reporting obligations. We can usually determine if government has rights but can't identify each grant from each agency, particularly "Cooperative Research" grants.

5/83

PL 96-517 Survey

1. No. of Packages

| | <u>78</u> | <u>79</u> | <u>80</u> | <u>81</u> | <u>82</u> | <u>TOT</u> |
|--------------|------------|------------|------------|------------|------------|-------------|
| Boston U | 13 | 21 | 11 | 25 | 32 | 102 |
| U. Wash | 20 | 22 | 27 | 28 | 33 | 130 |
| Iowa State | 32 | 47 | 47 | 46 | 51 | 223 |
| Iowa | 28 | 17 | 25 | 27 | 31 | 132 |
| Texas A & M | 15 | 17 | 18 | 20 | 37 | 107 |
| Mich State | 16 | 9 | 12 | 12 | 17 | 66 |
| Penn | 12 | 43* | 19 | 28 | 24 | 126 |
| Wash. Univ | - | - | - | - | - | - |
| UC System | 134 | 219 | 214 | 235 | 308 | 1110 |
| Oregon State | 22 | 26 | 17 | 26 | 28 | 119 |
| Northwestern | 11 | 21 | 14 | 14 | 17 | 77 |
| SUNY | 5 | 23 | 18 | 23 | 36 | 115 |
| Virginia | 56* | 21 | 12 | 21 | 16 | 126 |
| Stanford | 88* | 67 | 142 | 140 | 142 | 579 |
| | <u>455</u> | <u>557</u> | <u>573</u> | <u>657</u> | <u>776</u> | <u>3011</u> |

* 2 unusual blips

| | | | | | |
|---------|----|----|----|----|----|
| Duke | 0 | 0 | 41 | 32 | 44 |
| Cornell | 41 | 45 | 43 | 27 | 56 |
| MIT | | | | | |
| Harvard | | | | | |

PL 96-517 Survey

2. Admin

| | | | | |
|---|------|-----------|----------------|-----------------|
| 0 | More | No change | some reduction | large Reduction |
| | 1 | | 1 | 1 |

0 FTE change + reason

| | | | |
|------|-----|----------------------|------|
| - X | FTE | reduced admin | |
| -0.2 | | " | |
| +0.5 | | increase licensing | |
| X | | industry interaction | |
| X | | negligible red. | |
| -0.1 | | reduced admin | |
| 0.5 | | " | (SU) |

less 0.3 FTE
(count for more...)

3. Licensing

| | | |
|------|---|---|
| 1 | | Independent Foundation does licensing |
| | | None |
| +1.0 | | Caution - reflects all industry interaction |
| +0.5 | 1 | |
| +2 | 1 | Little to do w 96-517 |
| 2 | 1 | SU - " |

4. Industry Research

| | | | | | | |
|---|---|----|------------|-------|------------|-------|
| | | No | No opinion | Prob. | Definitely | Other |
| 0 | "reduced contain.? affected ind-univ." | 1 | 1 | 1 | | |

0 % change in industry support over last 5 years.

| | | | | | | |
|-------------|-----------|-------------|-----------|--------------|-----------|---------|
| <u>From</u> | <u>To</u> | <u>From</u> | <u>To</u> | <u>From</u> | <u>To</u> | |
| 1% | 4% | 4 | 5 | 0.58 | 2.55 | 41 S.D. |
| 3.01 | 5.12 | 1 | 8* | 71 | 72 | |
| 2.6 | 4.0 | 6 | 10 | "pos. trend" | | |

* not solved 96-517

5. Gov. Agency Exceptions

UC 6 GoCos DOE
5U 1 DOE
15U 1 DOE
Cornell 1 NSF

6. Gov. Research Labs

(c) Competitor for research?

(b) " Industry?

| probably don't know | More Forward/known | Definite | Minor |
|---------------------|--------------------|----------|-------|
| 1 atb | 1 (c) | 1 (a) | 1 (a) |
| 11 atb | 1 | 1 (b) | 1 (b) |

Specifics: Texas A&M
Iowa State

"Funds received as a result of
ban on the equipment"

7. Post PL 96-517

now OK

UC DOD has not impl. A124, waiting for DAR Council
SUNY "Problems re ownership of TRP"
Voc Agency affiliate "universities getting involved"
GoCos which are non-computer related also
have A124

Duke Standalone computer - LPTAS reports how much
Cornell Invention reporting - particularly multiply by Gov
support