

Patent License Agreement

# T<sup>2</sup>[PLAs]

## Policy and Objectives

The Federal Government's technology transfer policy is designed to promote the increased use and commercialization of inventions that arise from government agency-supported research and development. This policy is implemented through licence argeements.

Using a Patent License Agreement (PLA) the patent owner permits a third party to make, use, or sell the patented invention in return for some valuable consideration, most commonly, a royalty.

The Air Force process for Patent Licensing follows the principle that practically all federally owned inventions in the custody of the Air Force will normally best serve the public interest when they are developed to the point of practical application and then rapidly made available to the public.

Nonexclusive, partially exclusive, or exclusive licenses are available to applicants who agree to develop and/or market these inventions. Some restrictions and conditions apply to all licenses granted.



Air Force Technology Transfer Program  
AFRL/XPTT  
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Wright-Patterson AFB, OH 45433-7226  
[www.afrl.af.mil/techtran](http://www.afrl.af.mil/techtran)  
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**Air Force**  
**Research Laboratory | AFRL**  
*Science and Technology for Tomorrow's Air & Space Force*



# [PLAs]

## Technology Transfer Patent License Argements



# THE UNITED STATES



Providing Air Force Inventions  
to the Public Marketplace



## Air Force T<sup>2</sup>

The Air Force Technology Transfer Program (T<sup>2</sup>) assures that all Air Force science and engineering activities promote the transfer and/or exchange of technology with state and local governments, academia, and industry to create jobs, improve productivity, and increase competitiveness while supporting the Air Force.

The technologies developed, tested, and evaluated within the Air Force have tremendous potential for commercial applications. These technologies can dramatically enhance the competitiveness of individual small businesses as well as develop economic opportunities for state and local governments. They can also serve academia by expanding areas of exploration and cooperation.



## Air Force Research Laboratory | AFRL

*Science and Technology for Tomorrow's Air & Space Force*

Air Force research and development activities are organized under the Air Force Research Laboratory (AFRL), which has research sites across the United States. The Air Force Technology Transfer Program operates under the management of AFRL. AFRL's mission is leading the discovery, development, and integration of affordable warfighting technologies for our air and space force. Since AFRL leads the research and development efforts of the Air Force, it understands the importance of technology transfer. AFRL is known for its diverse array of research facilities, equipment, and expertise that give rise to numerous inventions each year suitable for PLA grants.

## Benefits of PLAs

- > Maximizes the use of the Air Force technology in the private sector
- > Stimulates research
- > Makes available new products and processes
- > Creates new industries and job opportunities
- > Benefits the U.S. economy
- > Provides royalty income to the Air Force

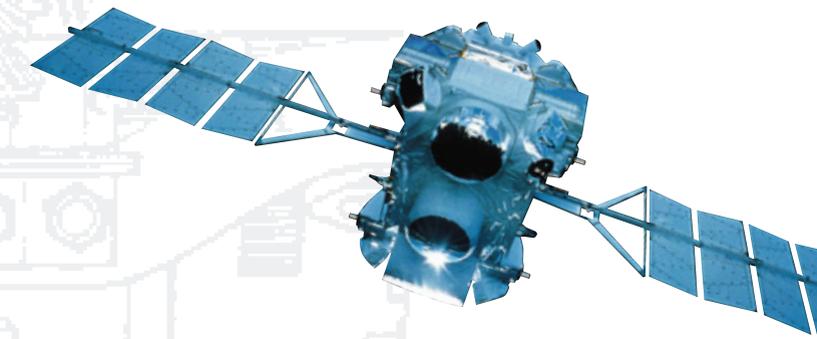
## Definitions

Patent – A Grant issued by the U.S. Government giving an inventor the right to exclude all others from making, using, or selling the invention throughout the United States, or importing the invention into the U.S. This exclusive patent right is not secured from other countries unless a separate patent application is filed with each of the desired countries.

Federally owned invention – An invention, plant, or design which is covered by a patent, or patent application in the U.S., or a patent, patent application, plant variety protection, or other form of protection, in a foreign country, title to which has been assigned to or otherwise vested in the U.S. Government.

## General Guidelines for PLAs

- > The applicant must supply the Air Force with both a satisfactory plan for development and/or marketing of the invention, and with information about the applicant's capability to fulfill the plan.
- > A license may be granted on a pending patent application filed in the U.S. or foreign patent office or on an issued patent and can be nonexclusive, partially exclusive or exclusive.
- > The company must commercialize the invention within a specified period of time and must continue to make the benefits of the invention reasonably accessible to the public.
- > The company must report its utilization of the patent periodically to the government agency holding the patent.
- > A license shall normally be granted only to a licensee who agrees that any product embodying the invention or produced through the use of the invention will be manufactured substantially in the United States and preference should be made to small businesses. This requirement, however, may be waived by a showing that reasonable but unsuccessful efforts were made to grant licenses to U.S. manufacturers, or by a showing that manufacture in the U.S. is not commercially feasible.
- > The government may use private inventions for Government purposes subject to payment of reasonable compensation.
- > The government retains a nonexclusive, royalty-free worldwide Government purpose license to the invention
- > The government may use private inventions for Government purposes subject to payment of reasonable compensation



## More Information

For further information on licensing of government owned inventions refer to:

37 CFR Ch. IV Part 404  
[www.access.gpo.gov/nara/cfr/waisidx\\_0237cfr401\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_0237cfr401_02.html)

AFI 51-303  
[www.e-publishing.af.mil/pubfiles/af/51/afi51-303/afi51-303.pdf](http://www.e-publishing.af.mil/pubfiles/af/51/afi51-303/afi51-303.pdf)

To begin Air Force PLA discussions visit [www.afrl.af.mil/techtran](http://www.afrl.af.mil/techtran) and contact your regional Technology Transfer Office.

A sample of a PLA can be found at:  
[www.afrl.af.mil/techtran/handbk/index.htm](http://www.afrl.af.mil/techtran/handbk/index.htm) (under Section J)

