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# FLC Washington DC Office

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FLC Midwest Regional Meeting  
“DC Update”

Madison, WI  
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# Overview



- **Congressional Actions**
- **Administration Actions**
- **Miscellaneous - DC Office**



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# Congressional Actions

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# CRS Technology Transfer Report

(November 2009)

## Highlights:

- Current federal tech transfer efforts;
- Role of the FLC;
- Legislative History

## Summary:

“At issue is whether incentives for technology transfer remain necessary, **if additional legislative initiatives are needed to encourage increased technology transfer**, or if the responsibility to use the available resources now rests with the private sector.”

“As the 111th Congress makes decisions concerning funding for R&D, the role of the federal government in technology transfer, technology development, and commercialization **might be expected to be explored further.**”

**(<http://www.aaas.org/spp/cstc/stc/index.shtml#CRS>)**

# Legislation

## ■ SBIR/STTR Reauthorization

- CR through end of September 2010 for both

## ■ America COMPETES Reauthorization

- House passed in April
- Senate passed out of committee in July

## ■ Patent Reform Bills

- Introduced House & Senate, 3/3/09 (S. 515; HR. 1260)
- Moving towards compromise this summer ....

# Tech Transfer Hearing(s)

(June 2010: Focus on University Tech Transfer)

- **House Science and Technology Committee  
Subcommittee on Research and Science Education**  
Focused on university tech transfer
  - Recommendations for federal labs:
    - Require that license agreements executed for subject technologies become publicly accessible
    - Use jobs created, capital raised -- not #patents -- for metrics
    - Provide federal researchers with sabbatical, leave-of-absence, programs to start companies
    - Others
  
- **From the hearing charter:**

“Technology and Innovation Subcommittee [also within the House S&T Committee] [intends to carry out a comprehensive review of the Bayh-Dole and Stevenson-Wydler Technology Innovation Acts](#) later this year.”

# Tech Transfer Hearing(s)

(2010 (?): Focus on Bayh-Dole and Stevenson-Wydler)

- **House Science and Technology Committee Subcommittee on Technology and Innovation**
  - Met with Subc. Staff Director in late June
    - “What’s happening in federal tech transfer” - informational
- **Preparation:**
  - FLC panelist – FLC efforts
  - Agency, lab, IWGTT panelists

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# Administration Actions

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# White House Working Group on Innovation & Entrepreneurship

- **Co-Lead: OSTP (Aneesh Chopra) and NEC (Ginger Lew)**
  - “Policy” deliverables by Fall 2010
- **4 Subgroups**
  - Access to Capital -- focus on private funding available for innovation and entrepreneurship
  - SBIR – focus on USG funding to others
  - Proof of Concept Centers – focus on university tech transfer
  - Federal Lab Tech Transfer – focus on fed lab tech transfer (status ??)

# Miscellaneous

## Selected Items of Interest

### ■ Administration's Open Govt Initiative and T2 (Dec 2009)

- HHS, DOE, DOC, USDA, NASA
- Data streaming initiative

“...increasing access to information on 1) new [technologies available for commercial licensing](#), 2) Cooperative Research and Development ([CRADA](#)) awards and opportunities, 3) Small Business Innovation Research ([SBIR](#)) awards and opportunities, 4) Small Business Technology Transfer ([STTR](#)) awards and opportunities, and 5) projects sponsored through grants and contracts.”

### ■ WH WGI&E: RFI on proof of concept centers (Mar 2010)

Sought comments on:

1. how to encourage commercialization of university research
2. whether POCCs can be a means of stimulating the commercialization of early-stage technologies by bridging the ‘valley of death’

# Miscellaneous

(continued)

## Selected Items of Interest

- **DOC: Held innovation forum series (Jun - Jul 2010)**  
Taking tech from univ lab to market (U Mass; USC; U Mich; Ga Tech)
- **DOC: National Adv. Council on Innov. & Entrep. (July 2010)**
- **NSF, NIH, OSTP: STAR METRICS (Ongoing from pilot)**  
To measure the impact of federally-funded research on employment, knowledge creation and health outcomes.  
Phase I: jobs from ARRA  
Phase II: *Economic growth; Workforce outcomes; Scientific outcomes; Social outcomes*

# Federal T2 Summary Report

(FY 2008, Department of Commerce, Issued March 2010)



	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
CRADAs, total active in FY	6,015	5,947	7,268	7,326	6,923
New inventions disclosed in FY	5,454	4,771	5,193	4,486	4,365
Patent applications filed in FY	1,768	1,745	1,912	1,825	1,938
Patents issued in FY	1,391	1,012	1,284	1,405	1,272
Licenses, total active in FY	7,567	9,577	10,186	10,352	11,098
New, executed in FY	1,535	1,824	1,495	1,463	1,377
Income from licenses, (\$\$M)	\$99.5	\$144.9	\$138.7	\$149.9	\$170.9

**\*\*Also includes multiple examples of downstream outcomes for all agencies (reporting since 2001)**

# FY 2012 S&T Priorities

## (OMB Memorandum – July 21, 2010)

Agency budgets should explain how resources will be directed – consistent with mission – to S&T activities “that **address six challenges and strengthen six cross-cutting areas** that underlie success in addressing all of these challenges.”

### Challenges:

- Promoting sustainable economic growth and job creation
- Defeating the most dangerous diseases and achieving better health outcomes ...
- Moving toward a clean energy future to reduce dependence on energy imports...
- Understanding, adapting to, and mitigating the impacts of global climate change
- Managing sustainable use of land, fresh water, and oceans (food, biofuels, etc.)...
- Developing the technologies to protect our troops, citizens, and national interests

# FY12 S&T Priorities

## (OMB Memorandum - Continued)

“Agencies should encourage and rigorously evaluate new approaches to supporting multidisciplinary research, such as the convergence of bio-, info-, and nanotechnologies; **and new approaches for accelerating technology commercialization and innovation**, including incentive prizes, university-industry partnerships, proof-of-concept centers, and regional innovation clusters.”

“Agencies ... should develop and sustain **datasets to better document Federal science, technology, and innovation investments and to make these data open to the public in accessible, useful formats.**”

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# Miscellaneous – DC Office

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# Update on Select Court Decisions

## (Implications for Bayh-Dole and Methods Patents)

- **Bilski - v - Kappos:** Concerned denial by USPTO for a business methods patent (did not meet eligibility standards)

SC Decision: Affirmed that Bilski's method was not the type of innovation that may be patented ... but provided little clarity (according to some) on what is patentable

- **USPTO issued guidance for comment (see PTO web site)**

- **Stanford - v - Roche:** Concerned IP ownership of industry-sponsored and university-conducted research

Court of Appeals: 'Will assign and do hereby assign' (researcher agreement with Roche-owned firm) trumps 'agree to assign' (researcher agreement with university).

- **University associations filed brief in spring highlighting potential implications for Bayh-Dole if the decision holds (see [aaup.edu](http://aaup.edu) web site)**

# Promoting Federal T2

(Selected Outreach Since Fall 2009)

- **DOE Business Opportunity Session (DOE HQ, DC) (2x)**
  - Energy focus (small firms)
- **ETEBA conference (TN)**
  - Energy community focus (small firms)
- **IEDC Federal Forum (DC)**
  - Economic development, community focus
- **NASA Next Steps in Managing Innovation (PA)**
  - Small businesses working with NASA
- **Science Diplomatic Club (DC)**
- **Thai delegation (DC)**

# Other Organizations and the FLC

## (Selected Coordination With Related Organizations)

### Memorandum of Understandings (Current MOUs)

- **NASVF**
  - Seed and Venture Funding
  
- **SPIE**
  - Photonics, Optics
  
- **AURP**
  - Research Parks
  
- **LES**
  - Licensing Executives
  
- **TEDCO**
  - Partnership Intermediary



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# Congressional Visits and Interactions, 2010

**2009 Engaged:** 25 Senate offices  
26 House offices

**2010 Target:** 2010 Awards Winners  
2010 Tech For Today Labs  
Current State & Local Gov't Brochure (New)

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# 2011 FLC National Meeting

(Nashville, TN; May 2–5, 2011)



*the national meeting of the federal laboratory consortium for technology transfer*

## YOU'RE IN T2 COUNTRY!

*2011 FLC national meeting*

## NASHVILLE

*tennessee*  
*may 2-5, 2011*

*The Technology Transfer Event of the Year*

- Technology Transfer Training*
- Technology Transfer Awards*
- Technology Transfer Town Hall Meeting*
- Science and Technology Policy*
- Industry Perspectives*
- Energy and Technology Transfer*
- Agency Meetings*
- FLC Tech Fair*

*Exhibit & Support Opportunities!*

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## Wisconsin Statues in the Capital



- **Jacques Marquette  
(1637 – 1675)**
- **French Jesuit  
missionary and  
explorer**
- **Robert La Follette  
(1855 – 1925)**
- **Elected House: 1885**
- **Elected Gov: 1891**
- **Elected Senate: 1905**
- **Ran for Pres (lost):  
1912, 1924**