

Engineer Research and Development Center (ERDC) Application for an Evaluation License

ERDC has the authority to grant licenses pursuant to 35 USC §§207-209. ERDC follows the regulations set forth in 37 CFR §404. All ERDC licenses are individually negotiated and each license contains terms concerning technology transfer (practical application), license duration, royalties, and periodic reporting—information that constitutes the business terms of the license.

The evaluation license application process requires the licensee to provide an application. Once the license application has been accepted by ERDC and the potential licensee, all information in the finalized application will be included in the evaluation license agreement. Please note that no revenues, sales or transfers of any products or services embodying the ERDC technology can be generated under any ensuing evaluation license agreement with the exception of samples. In the interests of establishing a market, for any sampling to occur, the licensee is required to obtain prior written authorization from ERDC and must also execute a ERDC Material Transfer Agreement (to be provided upon request) before proceeding with any transfer of samples or materials to a third party.

All information submitted in this license application will be maintained in confidence by ERDC and will not be subject to disclosure under the Freedom of Information Act.

1. Technology Information

Fill in the following table for the case associated with this evaluation license application, herein called “Technology.”

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|--|---|---------------|-----------------------|--------------------|
| Technology Title: | | | | |
| Type (put X in appropriate box): | <input type="radio"/> | Issued Patent | <input type="radio"/> | Patent Application |
| USPTO Patent Number if issued: | | | | |
| Is the technology commercially available? | <i>State best knowledge of the extent the invention(s) are being practiced by private industry and/or Government.</i> | | | |
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2. Licensee Information

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| Company Name: | |
| Contact Name: | |
| Address: | |
| City: | |
| State: | |
| ZIP: | |
| Country: | |
| Phone/Fax: | |
| Cage Code/DUNS No: | |
| Email: | |
| Place of Incorporation: | |
| Parent Company or Organization: | |

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|---|---|-----|-----------------------|----|-----------------------|----------------|
| US Citizen, if individual (put X in appropriate box): | <input type="radio"/> | Yes | <input type="radio"/> | No | <input type="radio"/> | Not Applicable |
| Small business under 37 CFR§404.3(c) (put X in appropriate box): | <input type="radio"/> | Yes | <input type="radio"/> | No | | |
| Company Summary: | <i>Describe the nature of the company's business (i.e Business Classification: Small Disadvantaged, Woman-Owned, etc)</i> | | | | | |
| Number of Full-Time Employees: | | | | | | |
| Technology Transfer History: | <i>Describe any products/services you have successfully transferred in the past (or "none")</i> | | | | | |
| Source: | <i>How did you become aware of ERDC's technology (e.g., ERDC article, trade show presentation, ERDC or other Web site, USPTO search, referral, etc.)?</i> | | | | | |

3. Proposed Technology Use

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|-----------------------------|---|
| Product: | <i>Briefly describe the products/services that will use the Technology.</i> |
| Investment Required: | <i>State estimated investment of capital and other resources need to evaluate the technology.</i> |
| Market: | <i>Briefly describe the markets and applications that will use the above-described products/services.</i> |
| Market Size: | <i>Estimate the expected annual revenue to be generated from the above-described products/services.</i> |

4. Proposed License Terms

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| Grant of License: | USACE, Engineer Research and Development Center (ERDC) would grant to Company, a revocable, royalty-bearing, evaluation license to Technology. |
| Type of License: | Non-Exclusive |
| Fields of Use: | All fields of use |
| Sublicense Rights: | Not Granted |
| Term of Use: | One (1) year from license agreement execution |
| License Fees: | Company would pay to ERDC an upfront, nonrefundable license fee of two thousand five hundred dollars (\$2,500.00), payable upon signing of license. |
| Royalty Obligations: | Royalty obligations are covered under license fee. The purpose of an evaluation license agreement is to allow the Company to practice the Technology in order to establish practicability, customers, market(s), supply chain(s), sales avenue(s), etc. No revenues, sales or transfers of any products or services embodying the ERDC technology can be generated under any ensuing evaluation license agreement with the exception of samples. In the interests of establishing a market, for any sampling to occur, the licensee is required to obtain prior written authorization from ERDC and must also execute a ERDC Material Transfer Agreement (to be provided upon request) before proceeding with any transfer of samples or materials to a third party. |
| Reporting Period: | Within one month after the end of the evaluation license period, Company is required to provide ERDC a final report documenting the results of the evaluation. The report must include Company's intent with respect to commercializing technology. If Company decides to continue commercialization efforts, Company must first apply and be granted a commercial license agreement before additional/continued commercialization activities can commence. |

Company understands that the above is the initial basis for an offer to license the Technology.

Signature: _____ Date: _____

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| Name: | |
| Title: | |