



ENGINEER RESEARCH AND DEVELOPMENT CENTER (ERDC)

COMMERCIAL PATENT LICENSE APPLICATION

Please respond to each of the following areas in as much detail as possible to establish the applicant's interest and expertise for the available licensing opportunity at ERDC. Responses to the below questions shall be provided in a separate document and submitted in **portable document format (PDF) Format**. Pursuant to 35 U.S.C. 209(f), information submitted by a license applicant shall be treated as privileged and confidential and is not subject to disclosure under 5 U.S.C. 552 (Freedom of Information Act) **only if** you have **marked each** page of your response **BUSINESS PROPRIETARY**.

1. INVENTION(S) for which license is desired (Complete all relevant sections):

- a. US Patent(s) or Application(s) Number(s)
- b. Title of Patent or Application(s), Date Filed and names of inventors if known:
- c. Source from which you learned of availability of a license to the present invention(s) (e.g., website, conference, inventor, etc.)

2. Please indicate the TYPE OF LICENSE for which the applicant is requesting. If requesting an exclusive license, define proposed fields of use.

- a. Proposed licensed product(s), process (as), and/or method(s) for which the licensed technology will be used. (Fields of Use)
- b. Geographic Territories requested. (Include the territory or regions in which the product will be manufactured and sold, or both)
- c. Where in the United States will the products embodying the licensed technology be manufactured?

3. APPLICANT INFORMATION:

- a. Name:
- b. Title:
- c. Address:
- d. Cage Code:
- e. DUNS #:
- f. Telephone Number:
- g. Is the applicant a U.S. Corporation? Yes – No. If no, state Country of Origin. State of incorporation of applicant and ultimate parent?

- h. Approximate number of persons employed by applicant at this location and altogether:
- i. A statement indicating whether the applicant is a small business firm as defined in § 404.3(c);
- j. Identify licenses previously granted to applicant under federally owned inventions by date, Agency, etc.

4. COMPANY INFORMATION:

Please describe your company's composition. (If a prior license application has been submitted to ERDC within the last two (2) to (3) years, please reference that application and update the facts that have changed.) In your description, please include information describing:

- a. Active Standard industrial Classification codes;
- b. Principal products and/or services;
- c. Years in operation;
- d. Locations in operation;
- e. Manufacturing, R&D, Marketing, Distribution, and Sales capabilities related to the technology to be licensed.
- f. Intellectual property positions important to the proposed license that are held by your company;

5. DEVELOPMENT PLAN

A detailed description of applicant's plan for development or marketing of the invention, or both, which should include:

- a. A statement of the time, nature and amount of anticipated investment of capital and other resources (e.g., labor, testing, source of funding, etc.) which applicant believes will be required to bring the invention to practical application;
- b. A statement as to applicant's capability and intention to fulfill the plan, including information regarding manufacturing, marketing, financial (e.g., market value, penetration, sales, suppliers, distribution, etc.), and technical resources;
- c. A statement of the fields of use for which applicant intends to practice the invention; and
- d. A statement of the geographic areas in which applicant intends to manufacture any products embodying the invention and geographic areas where applicant intends to use or sell the invention, or both;

e. Identification of licenses previously granted to applicant under federally owned inventions and the status of commercialization efforts for those inventions;

f. A statement of applicant's initial proposed annual fees earned royalties, and other consideration to be paid to the Government.

g. A statement containing applicant's best knowledge of the extent to which the invention is being practiced by private industry or Government, or both, or is otherwise available commercially; and

g. If you are interested in an exclusive or partially exclusive license, please provide an additional explanation of why you believe a non-exclusive license would be insufficient to bring this technology to market. ERDC must make a written determination that exclusivity is required to bring the technology to market. The facts presented in your justification will be considered in making that determination.

h. Any other information which applicant believes will support a determination to grant the license to applicant.

i. Who is the primary person (and his/her position title, telephone number and email address) within your company having signature authority of license agreements?

As the Applicant or Authorized Representative, "I certify, to the best of my knowledge and belief, that all of the information provided on this application is true and accurate."

Signature of Applicant or Authorized Representative:

Printed Name
Title of Signatory

Date: