

# Return on Investment initiative Progress

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## Lab-to-Market Cross Agency Priority Goal: *Improve Transfer of Federally-Funded Technologies from Lab-to-Market*

### CAP Goal Leads




**Walter Copan**

Under Secretary of Commerce for Standards and Technology  
Director, National Institute of Standards and Technology



**Michael Kratsios**

Chief Technology Officer  
Deputy Assistant to the President for Technology Policy  
White House Office of Science and Technology Policy

### Participating Agencies



### Interagency Partnering & Coordination

National Science and Technology Council Lab-to-Market Subcommittee

Interagency Working Group for Technology Transfer

Interagency Working Group for Bayh-Dole

Small Business Innovation Research (SBIR) Program Managers Working Group

Entrepreneurial Training Interagency Working Group

Federal Laboratory Consortium for Technology Transfer

# ROI Green Paper

RETURN ON  
INVESTMENT  
INITIATIVE

TO ADVANCE  
THE PRESIDENT'S  
MANAGEMENT  
AGENDA

FINAL GREEN PAPER  
APRIL 2019

- Developed with support of the Science and Technology Policy Institute (STPI) and with White House Office of Science and Technology Policy
- Carefully considered extensive stakeholder inputs
- Addressed review with interagency working groups
- Published as NIST Special Publication 1234 on April 24, 2019

UNLEASHING  
AMERICAN  
INNOVATION

NIST Special Publication 1234

**NIST**  
National Institute of  
Standards and Technology  
U.S. Department of Commerce

15 key NIST findings to inform actions that will remove existing impediments to innovation at the public-private sector interface, and streamline and accelerate technology transfer



# Stevenson-Wydler Legislative Proposal



A number of the ROI findings would require legislative change to implement:

- Copyright in Federal lab software
- Extend CRADA information protection period
- S-W regulatory authority
- Royalty payments to Federal employees
- Presumption of government rights
- Clarify CRADA authority
- Expansion of ACT
- Expansion of OTA
- Expansion of Foundations
- Reporting and metrics

Action	Timeline
Package to the Hill	<i>Est Nov 2019</i>
Passage	???

# Bayh-Dole Regulatory Action



## Primarily Deregulatory; other draft actions:

- Addresses march-in rights for price control by further defining “reasonable terms”
- Clarifies “government use” rights
- Provides for a formal release process after a contractor has taken corrective actions after breaching a reporting requirement
- Permits up to 3% of funding to be used for IP protection
- Creates a parallel Federal report for extramural invention information

Action	Timeline
Proposed Rule/Comment	<i>Est Jan 2019-Mar 2020</i>
Final Rule	<i>Est May 2020</i>

- Enhanced Use Lease Authority
- Employee inventor conflict of Interest
- Investment incentives



**QUESTIONS?**