

# iEdison Policy-Related RFI Responses




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



NIST iEdison Feedback Session Meeting  
#NISTiEdison  
June 22, 2020

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## RFI Response - General



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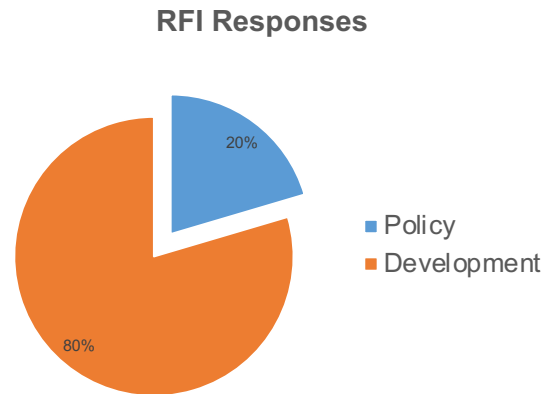
- Received over 50 responses to the RFI
  - Universities
  - Research Institutions
  - Software Providers
  - Government agencies or contractors
  - Professional Organizations
  - Non-Profits
  - Consultants
  - Individuals
- All comments have been reviewed, categorized, consolidated, etc.
  - Pros, Cons, and Improvements
  - Policy & Development
  - Type & Sub-Type

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# RFI Policy-Related Responses



- 159 comments designated as “policy-related”
- What do we mean by Policy-Related responses?
  - Fall outside of iEdison development OR
  - Require agency agreement before being implemented within iEdison



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# Top Policy-Related Responses



## 1. Require all agencies to use iEdison

- 30 Comments
- NIST cannot currently mandate that all agencies utilize iEdison.
- What we CAN currently do:
  - We are making substantial steps to bring certain agencies not currently using iEdison under the iEdison umbrella.

**POLL QUESTION: What federal agencies would like to see join or re-join iEdison?**



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## Top Policy-Related Responses



### 2. Rejection Reasons are Unclear

- 25 Comments
- The only way to control agency rejections is to have them choose from a dropdown, which would provide even less detail.
- What we CAN do:
  - We will be working with the agencies to increase training on document rejection and how to explain to users what is needed.

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## Top Policy-Related Responses



### 3. Update Point of Contacts for Agencies

- 20 Comments
- Agencies will be able to update their own contact information via their user profile
- Additionally, the iEdison system intends to require agencies to confirm contact information no less than annually

### 4. Consistency within agency and between agencies

- 15 Comments
- NIST cannot currently mandate that agencies use certain forms or criteria or mandate internal agency policies
- What we CAN do:
  - We are working to determine some uniform guidelines and agreed upon forms, where possible.

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# Top Policy-Related Responses



## 5. Improve Help Resources and Help Desk

- 8 Comments
- Bethany's sole role once the new system is launched will be to help and educate contractor and agency users.
  - We will expand this team as necessary to accommodate changing workload
- Also, because the NIST core-system will be internally managed, we will have a team of IT support to help with any technical issues.
- Finally, agency-specific requests will be able to be documented within the iEdison system (via the Communications section)

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# Top Policy-Related Responses



## Ideas for Help Resources Features

1. Updated User Guides
  - a. Including ability to jump to topic
2. FAQs
3. Bayh-Dole timelines and flow charts
4. Field Definitions (also included within records via a clickable )
5. Invention Disclosure Acceptance Guidelines
6. Grant Number Formatting list – perhaps with a live formatting “check” possible
7. Government Support Clause Generator
8. Forms Section – to provide blank forms for CLs, EPAS, 3<sup>rd</sup> Party/Inventor Assignment, Domestic Manufacture Waiver, etc.
9. Agency Comparison chart explaining where they differ on certain topics, such as 2018 Bayh-Dole Dates & instructions on how to clear GSCs on abandoned applications
10. System Updates & Upcoming Trainings Page

**ANY OTHER IDEAS?**

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# Top Policy-Related Responses



## 6. Increased iEdison Training

- 7 Comments
- Increased training is planned for institution and agency users
- We plan to have a variety of training and education resources available

**POLL QUESTION: How, if at all, have you been trained on Bayh-Dole regulations and iEdison reporting?**

**POLL QUESTION: Would you be interested in an iEdison Certification Program?**

[www.slido.com](http://www.slido.com)  
#NISTiEdison

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# Top Policy-Related Responses



## Ideas for Training Materials

1. Online Videos
  - a) Broken down by various skill level including "New to iEdison" videos to explain the basics
2. Interactive training module
3. In-person training at various locations
4. Regular live online training with Q&A sessions including
  - a) Topic Specific
  - b) Go over updates & changes
  - c) Would like to include periodic "Ask an Agency" series
5. Continued participation with AUTM Compliance Conferences
6. Bayh-Dole and iEdison educational videos for non-users (such as other members of your tech transfer office, your grants office, & faculty members)

**ANY OTHER IDEAS?**

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## Other Policy-Related Responses



- Have all agencies use EPAS
- Standardize waiver process
  - Waivers will now be able to be processed within iEdison
- Have Funding Agency make 1980/2018 BD determination
  - Contractors will still make 1980/2018 BD determination (there will be a field for this), but agencies will be able to change if they disagree (and you will receive a notice of this change)
- Guidelines for calculating income within URs
  - Will work to get guidelines to put in help/training resources
- Make iEdison reporting information more easily available to the public
  - Due to confidentiality requirements much of the data cannot be made available to the public – however, we are seeking to increase reporting on Bayh-Dole, such as inventions, patents, and other data collected by iEdison
- Have to report inventions too early
  - This will become less and less of a problem under 2018 Bayh-Dole

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## Corollary: Planned Rulemaking



- Seven NIST ROI Green Paper findings noted that regulatory changes to 37 CFR 401 or 404 could provide increased clarity and transparency for contractors and partners
- NIST has led an extensive informal interagency process over the last 8 months to develop proposed streamlining and clarifying edits to the regulations and hopes to publish an NPRM in the Federal Register this summer
- Looking forward to public comment and additional stakeholder engagement on the NPRM in the coming months, some of which may further assist in the iEdison development process

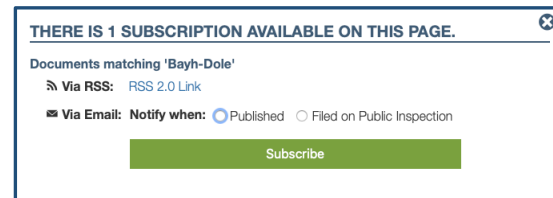
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# Get Bayh-Dole Regulation Updates



- Check our website at <https://www.nist.gov/tpo/bayh-dole/iedison-rebuild>
- Email list-serve coming shortly
- Register for Bayh-Dole updates on the Federal Register
  - Go to <https://www.federalregister.gov>
  - Create an account
  - Search for “Bayh-Dole” in Search Bar
  - Click “Subscribe”



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# Let Us Know . . .



- What other ideas for training or help resources do you think would be useful?
- What ways do you think it would be useful to notify the public of federally-funded inventions in the public domain?

E-mail us your thoughts at:

[iedison@nist.gov](mailto:iedison@nist.gov)

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