



The Toolkit



Partnering with NETL

Activities



Mechanisms



Forming Ideas, Scoping Projects, Drafting Joint Proposals, Sharing Technical Information, Testing Samples

Informal Discussions

Informal discussions allow for full exploration of the breadth of interests and capabilities to identify areas of overlap or synergy. Once the synergies are understood, discrete activities take shape. From these activities, one or more appropriate partnering mechanisms are pursued.

Nondisclosure Agreements (NDAs)

NDAs enable NETL and a partner to exchange information (including samples and data) under obligations of confidentiality. Even without an NDA, federal employees are bound not to disclose partner confidential information under the Trade Secrets Act, and NETL's contractors are bound by the confidentiality terms in their contracts.

Nonanalysis Agreements (NAAs)

NAAs allow a partner to test and evaluate NETL materials that are patented or patent pending technology to determine if the material is suitable to the partner in its application or commercial need. NAAs prohibit certain activities, such as determining material compositions and using the technology for commercial purposes.



Codeveloping Technology; Accessing Experts, Capabilities and Equipment

Cooperative Research & Development Agreements (CRADAs)

A CRADA is a collaborative research and development agreement between NETL (or another federal laboratory) and one or more non-federal parties including industry, educational institutions, non-profits, and state and local government. All parties to the CRADA actively participate in the research. Such participation may involve in-kind contributions of intellectual property, proprietary information, personnel, equipment, supplies, materials or facilities. The nonfederal party may also contribute funds, but NETL cannot transfer funds to the nonfederal party.

Contributed Funds Agreements (CFAs)

A CFA permits NETL to perform work for a nonfederal party. Under a CFA, the nonfederal party funds all the work and does not perform any of the work. A CFA permits the party access to NETL's unique facilities, equipment or personnel. Rights in inventions that arise under a CFA may vest in the nonfederal party according to the terms of the CFA class patent waiver.



Activities



Mechanisms



Commercializing NETL Intellectual Property, Creating Startups

Licenses

Licenses transfer NETL-created, DOE-owned intellectual property rights to another party. The type of license (exclusive, partially exclusive or nonexclusive) and the rights transferred (make, use, sell, research, evaluate) depend on the stage of the technology's development and the commercialization plans of the licensee.



Teaming

Memorandum of Understanding (MOU) & Memorandum of Agreement (MOA)

MOUs memorialize an understanding between NETL and a party of intended plans or actions under a nonbinding arrangement where either party can discontinue performing at any time. MOAs memorialize an agreement between NETL and a party for a collaborative project through a binding agreement. MOAs are typically used by NETL with other government agencies where there is an existing funding mechanism. Neither MOUs nor MOAs allows for the transfer of funds. Implementation of funded, collaborative projects must be accomplished through a separate, legally binding instrument.



Accessing Federal Funding

Financial Assistance Awards (FAs)

FAs support specific projects conducted outside of NETL through cooperative agreements or grants. FAs result from a competitive notice of funding opportunity process (formerly funding opportunity announcement) or a noncompetitive, unsolicited proposal submission.

Small Business Innovation Research (SBIR) & Small Business Technology Transfer (STTR) Programs

SBIR and STTR programs encourage U.S. small businesses to engage in federal research and development projects with the potential for commercialization. Both programs offer U.S. small businesses the ability to collaborate with federal laboratories or other partners as subcontractors. Awards are categorized into three phases: feasibility, R&D and commercialization.



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