



# Universities Can and Do Participate in ATP

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*ATP – The BEST Federal Program  
for University-Industry  
Partnerships*



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## *Non-Profits and ATP*

- ATP has a legislative mandate to . . . “aid industry-led U.S. joint R&D ventures...which may also include universities and independent research organizations”
- Universities have received **\$140 million** through ATP
  - 8.5% of total ATP funds (\$1.65B)
  - \$105 million (75%) thru subcontracts
- **153 Universities** have participated in **280 projects**
  - 58% of total (481) active-or-completed projects
  - 493 incidences

*note: dollar amounts are approximate*



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## How Non-Profits Can Participate in ATP

- Subcontractor
- Joint Venture partner
  - Joint Venture must be led by at least 2 for-profits
- For-profit startups
  - ‘Commitment’ may be an issue if key personnel remain employed by non-profit

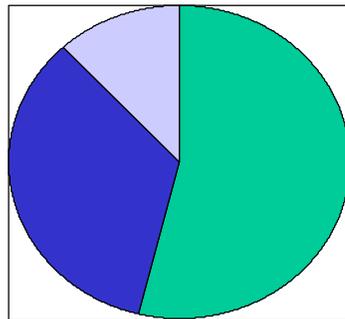


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## University Participation Incidents as Subcontractors and JV Partners

### In Projects Involving Universities



■ Subcontract Single Applicant Project	54%
■ Subcontract Joint Venture Project	34%
□ Joint Venture Participants	12%

*note: dollar amounts are approximate*



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## *IP Rights under an ATP Award*

- Current statute restricts ownership of patent rights to **for-profit companies**
  - does not apply to **non-patentable IP**
- Non-profit and awardee are free to negotiate terms re. consideration, MTAs, licensing of background IP, NDAs, copyrights, etc.
  - Cannot grant **non-profit** with **exclusive** license to invention
- Government reserves right to paid-up, royalty-free, non-exclusive license for governmental use
  - Not exercised to date



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## *IP Ownership by Non-Profits*

**In the past, NIST, DoC has recommended that  
Congress amend statute:**

“Title to any intellectual property arising from assistance provided under this section shall vest in a company or companies incorporated in the United States **or any other person otherwise eligible to participate in an eligible joint venture, as agreed by the parties, receiving funding under any particular award**, notwithstanding the requirements of section 202(a) and (b) of title 35, United States Code.



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## University Participation Varies with Industry

Technology	Projects <small>(active or completed)</small>	Incidents				Total	Total as % of Projects
		JV		Single			
		U.Sub	U.JVP	U.Sub			
Information	92	24	11	45	80	87	
Biotechnology	109	16	9	72	97	89	
Chemistry & Materials	114	62	5	69	136	119	
Electronics	99	34	20	39	93	96	
Manufacturing	67	33	12	42	87	130	

*note: numbers are approximate*



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## Most Involved Universities

### Incidents in Active or Completed Projects

Organization	As Sub	As JV	Total
Stanford	14	3	17
University of Michigan, Ann Arbor	15	2	17
MIT	15	1	16
Pennsylvania State	13	1	14
Cornell University	12	1	13
University of Minnesota	11	2	13
Carnegie Mellon	9	4	13
Johns Hopkins	10	2	12
Univ. of California - Berkeley	9	1	10
North Carolina State	9	0	9



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## *Non-Profit Participation* **What Non-Profits Get**

- **Develop new innovations to commercialization**
- **Expose students and faculty to industrial R&D**
  - leads for future research
  - future career opportunities for students
  - consulting opportunities for faculty
- **Strengthen ties with industry**
  - future gifts and sponsored R&D
- **Local/State economic development**

**ATP Helps Facilitate R&D Partnerships**



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## *Non-Profit Participation* **What Non-Profits Bring**

- **World-class R&D capabilities - Can help write proposal!**
  - access to eminent researchers
  - overall research reputation
  - previous research interactions
- **Tremendous expertise in government contracting**
  - e.g.: many small companies lack institutional review boards (IRBs) for projects involving human subjects or IACUCs for animal subjects
- **Facilitates post-project equipment transfer**
  - non-profit; many other federal projects
- **Supporting facilities, education, etc.**
  - research libraries; state-of-the-art equipment
  - future employees
  - stimulate creative thinking; technical training for industry



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## *Non-Profit Participation Integration is Critical*

- **Be an involved member of the team**
  - frequent and open communications
  - push company personnel to learn (demonstrate your value!)
  - Non-Profit may need to ask for more interaction!
- **Continuously work to understand industry's expectations and communicate limitations**
  - student training and graduation
  - other (teaching, papers, proposals) faculty duties; school calendar
  - adapt to merge with pace and needs of companies
- **Negotiate agreements before work begins**
  - innovations can happen sooner than expected!
- **Have a liaison who will earn the respect of both parties**
- **Focus on the common goals that will deliver the win/win**



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## *Alliance Network Website [www.atp.nist.gov/alliance](http://www.atp.nist.gov/alliance)*

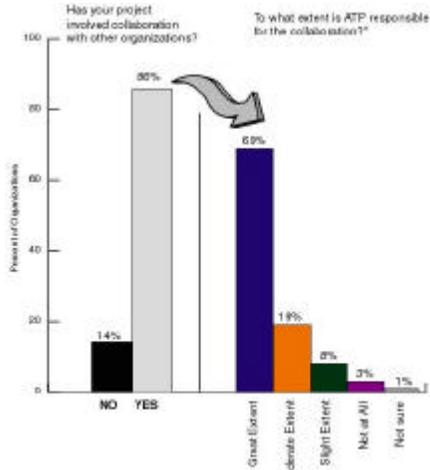
- Special section on non-profit partnerships
- Educate non-profit researchers about collaborative R&D
  - **Savvy partners are more desirable partners**
- Resource for prospective, industrial partners
  - **Convince companies to apply**
  - **Refer company partners to ATP information, regulations and forms**
- Collaboration Bulletin Board
  - **Post available technology**



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## ATP Stimulates Collaborations



Developing  
Precompetitive  
Technologies is Fertile  
Ground for  
University/Industry/  
Government Partnerships

Note: Excludes responses from organizations indicating "YES" to prior question.

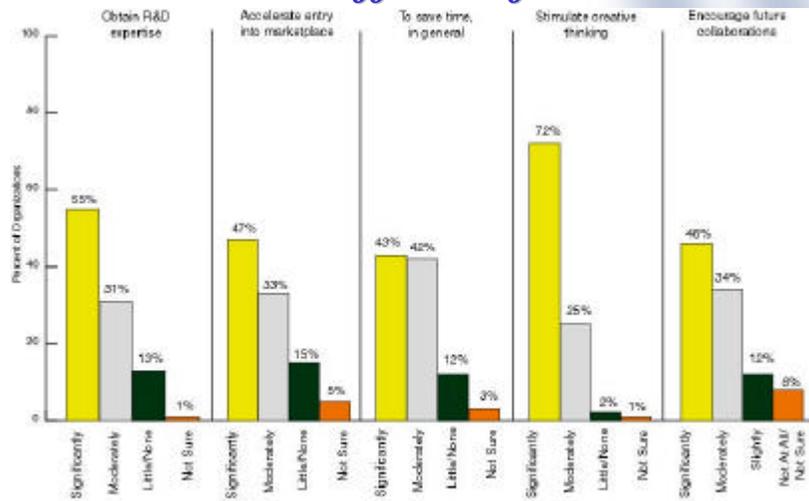
Source: Business Progress Reports from 415 organizations in 188 ATP projects funded 1993-1997—after one or more years of ATP funding.



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## ATP Data Effects of Collaboration



Note: Includes responses from organizations indicating "YES" to question—Has your project involved collaboration with other organizations?

Source: Business Progress Reports from 415 organizations in 188 ATP projects funded 1993-1997—after one or more years of ATP funding.

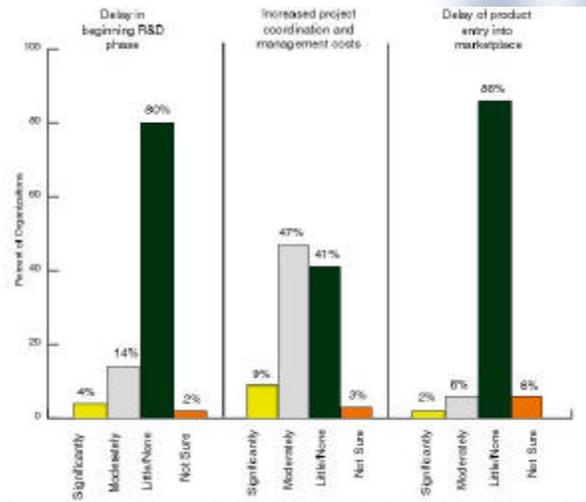


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ATP Data

## Costs of Collaboration



Note: Includes responses from organizations indicating "YES" to question—Has your project involved collaboration with other organizations?

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## Information Re. ATP and Proposal-Submission

### [Browse ATP Information](#)

World Wide Web: [www.atp.nist.gov](http://www.atp.nist.gov)

### [Get on the ATP Mailing List](#)

Call toll-free: **800-ATP-FUND**  
**(800-287-3863)**

Fax your name and address to: **(301) 926-9524**

Send an e-mail message to: [atp@nist.gov](mailto:atp@nist.gov)



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