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AGENCY ANNUAL REPORTING ON THE TECHNOLOGY TRANSFER ACTIVITIES OF THEIR FEDERAL LABORATORIES

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Why collect and report this information?

Under the Technology Transfer Commercialization Act of 2000 (P.L. 106-404), each department/agency must submit to the Office of Management and Budget an annual performance report addressing the technology transfer activities of its Federal laboratories (15 U.S.C. Sec. 3710 (f)(1)).

This information is to be included as part of the department/agency's annual budget submission. These agency reports will in addition provide the data for the Secretary of Commerce's annual Summary Report to the President, the Congress, and U.S. Trade Representative on the status of federal laboratory technology transfer (15 U.S.C. Sec. 3710 (g)(2)).

Which agencies need to report?

Each Federal agency which operates or directs one or more Federal laboratories or which conducts patent license activities under sections 207 and 209 of title 35, United States Code, shall provide this report annually to the Office of Management and Budget.

The term "Federal laboratory" means:

- 1) A facility or group of facilities owned, leased, or otherwise used by a Federal agency, a substantial purpose of which is the performance of research, development, or engineering by employees of the Federal Government;
- 2) A group of Government-owned, contractor-operated facilities under a common contract, when a substantial purpose of the contract is the performance of research and development for the Federal government; and
- 3) A Government-owned, contractor-operated facility that is not under a common contract described in subparagraph (B), and the primary purpose of

which is the performance of research and development for the Federal Government.”

15 U.S.C. Sec. 3710a(d)(2)

What information must I provide

Two main categories of information are requested from the departments/agencies in these annual reports:

- 1) Description of the current technology transfer programs and plans of the agency’s Federal laboratories. Including:
 - a) Explanation of the agency’s tech transfer program for the preceding fiscal year;
 - b) Explanation of the agency’s plans for conducting its technology transfer function:
 - i) Plans for securing intellectual property rights in laboratory innovations with commercial promise, and
 - ii) Plans for managing laboratory intellectual property so as to advance the agency’s mission and benefit the competitiveness of U.S. industry.
- 2) Statistics and other relevant data that describe the Federal laboratories’ activities and achievements in technology transfer over the most recently closed fiscal year. In general this will include:
 - a) Information about collaborative relationships for R&D, invention disclosure and patenting, licensing, other performance measures deemed important by the agency, and examples of downstream outcomes from technology transfer activities.

For explanation and details on data series and definitions, other relevant performance measures, and report format, agency personnel are requested to use the current edition of the "Guidelines on Agency for Preparing the Annual Reporting on Federal Laboratory Technology Transfer Plans and Activities" issued by the Department of Commerce (Office of Technology Policy, Technology Administration) in conjunction with the Interagency Working Group on Technology Transfer.

Supporting Information: Department of Commerce/Interagency Working Group on Tech, "Guidelines to Agencies for Preparing the Annual Reporting on Federal Laboratory Technology Transfer Plans and Activities."

The above guidelines document is prepared by the Office of Technology Policy, Technology Administration, Department of Commerce, in cooperation with the Interagency Working Group on Technology Transfer.