

# INFUSE CRADA Best Practices

*An Informational Meeting*

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# LLNL cannot compete with private industry, but private industry can . . .

- ✓ Use LLNL's unique capabilities
- ✓ Collaborate with LLNL in work complementary to its DOE mission
  - License LLNL-developed intellectual property to commercialize the technology

***All LLNL work is subject to DOE approval.***



# What NNSA Checks For in CRADAs

- ✓ Fairness of Opportunity
- ✓ Conflicts of Interest
- ✓ Unique capability? Sensitivity of capabilities?
  - *Simulation codes having UCNI. Run only on LLNL computers and by LLNL personnel*
  - *Declare as Background IP for consistency*
- Significant involvement from Participant
  - *SOW must reflect collaborative work*
- More than one Participant?
  - *Multi-Party CRADAs need IP Management Plan*
- *Subcontractors?*
  - *IP Protection for Parties' Proprietary Information*

# Best Practices for Principal Investigators

- If you have to share proprietary information as you develop the INFUSE Proposal and SOW with the Participant, put in place a Non-Disclosure Agreement.
  - However, even with a NDA in place, avoid putting proprietary information in the SOW.
- Follow the format and structure of the SOW, so NNSA can focus on issues and not on the completeness of the document.
  - Background, Reason for Cooperation, Expected Goals, Technical Objective, Division of Tasks & Responsibilities, Phases of the Project, Deliverables, and Property
  - Remove any doubt for NNSA to conclude that this is a collaboration
- Work with IPO
  - To prepare the necessary documents to get in the NNSA's queue for approval, including Foreign Partner Review if needed
  - To answer all their questions required for approval
- Control the information to be used in, and to be generated by, the CRADA.
  - Anticipate the appropriate markings for each deliverable

# Best Practices for Tech Transfer Offices

- Have the Participant complete the Business Self-certification form as the basis for Due Diligence.
  - Anticipate need for Foreign Partner Review, SAM.gov registration, etc.
- Check the SOW for completeness
- Check the budget sheets for consistency
- Check the Background IP List for any sensitive codes
- Work with PI
  - To prepare the necessary documents to get in the NNSA's queue for approval, including Foreign Partner Review if needed
  - To answer NNSA questions, if needed
- Weekly report to NNSA Field Office for CRADAs requiring NNSA approval
- Monthly meeting with NNSA Field Office to discuss general issues

