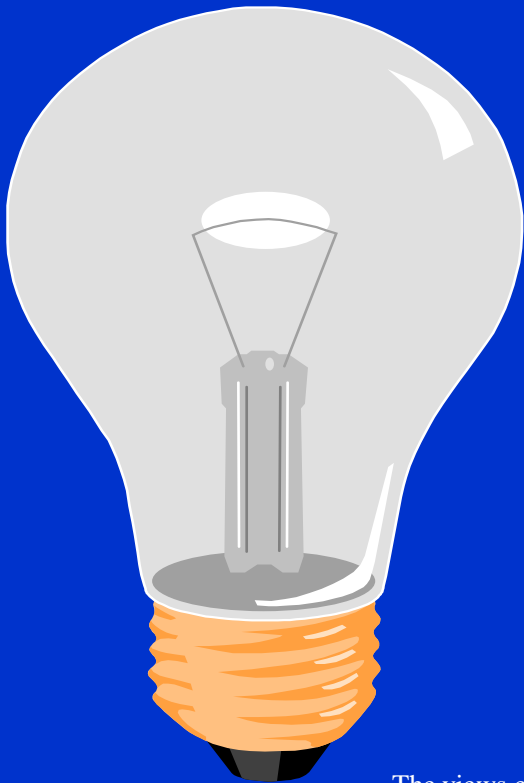


# MILITARY MEDICINE PARTNERSHIP DAYS



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USAMRMC  
18 April 2016

The views expressed in this presentation are those of the author(s) and may not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.

- THE CREATING SPACE
  - Contracts, Grants & Cooperative Agreements
  - Cooperative Research & Development Agreements (CRADAs)
- PROTECTION MECHANISMS
  - Patents
  - Copyrights
  - Trademarks
- T2 & COMMERCIALIZING
  - Licensing

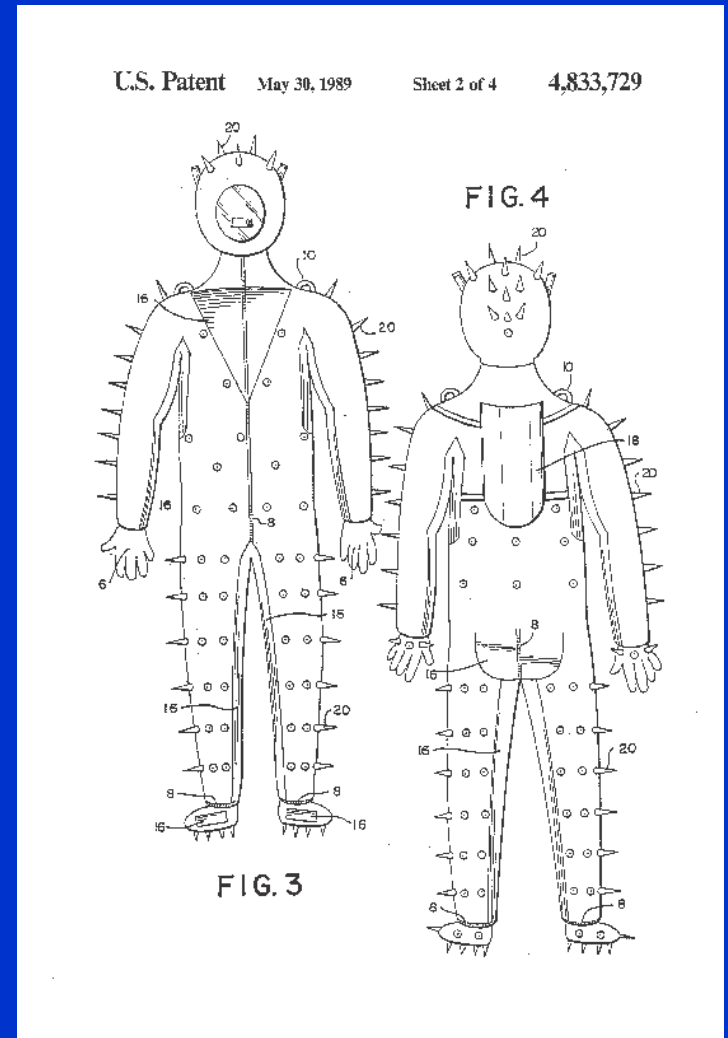
# CREATING

## Inventions arise from:

- Intramural organizations:
  - Government laboratory or organization
- Extramural organizations:
  - Contracts
  - Public Assistance Agreements
    - Grants & Cooperative Agreements
- Joint Efforts:
  - CRADAs & Undocumented Research

# INTELLECTUAL PROPERTY

- Patents
- Trademarks
- Copyright
- Trade Secrets



# TRADEMARK

- A name, symbol, logo, combination or other device that indicates the source and quality of goods and services and distinguishes those goods and services from those of the competition.
- Also includes servicemarks, collective marks, certification marks.

# COPYRIGHT

- An exclusive right to reproduce, distribute, perform, display or prepare derivative works of copyrightable material.
- Examples:
  - Literary & Graphic Works
  - Audiovisual Works
  - Music
  - Databases & Software

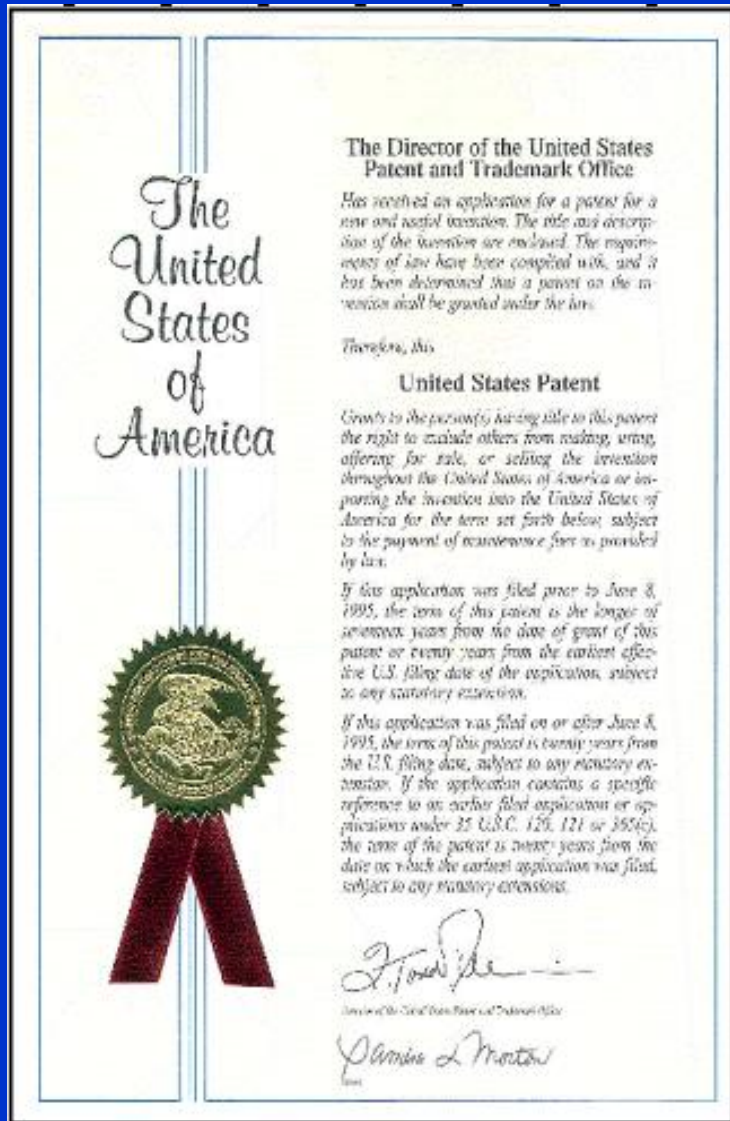


# PATENT

- A grant from the U.S. Government for a limited time during which the owner can exclude others from making, using, offering to sell, or selling the invention that is claimed in the patent document.
- Authorized in U.S. Constitution, Article I, Section 8
- Grant is Territorial--Protection Only in U.S.

# EXAMPLE

- Term: 20 years calculated from the date of filing the patent application
- Example: Application filed 1 April 2002, term expires 1 April 2022, but patent not awarded until 1 April 2008
- Effective patent term is 14 years beginning 1 April 2008





# TYPES OF PATENTS

- Utility
  - For Functionality
- Design
  - For Ornamentality
- Plant
  - For Asexually Reproducible Plants

# UTILITY PATENT

- PROCESS
- MACHINE
- ARTICLE OF MANUFACTURE
- COMPOSITION OF MATTER
- IMPROVEMENTS THEREOF
  
- Term: 20 Yrs From Filing Date—Global Harmonization

# GENERAL IP FRAMEWORK: The Bayh-Dole Act

Contractor generally may retain title to any invention made while performing under a government contract, grant, or cooperative agreement.

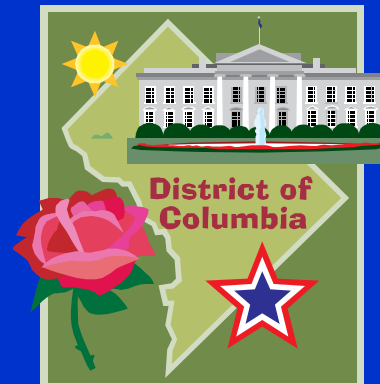
Government retains a non-exclusive license to use or make the invention.

# CONTRACT/GRANT/CA REQUIREMENTS

- To retain title to invention, contractor must do 3 things!
  - **DISCLOSE** *INVENTION TO GOVT*
  - **ELECT** *TO RETAIN TITLE*
  - **FILE** *PATENT APPLICATION*
- And do these 3 things in a timely fashion!

# PATENT LICENSE AGREEMENTS (PLA) TYPES

- Nonexclusive
- Exclusive
- Partially Exclusive
  - field of use
  - geographic
  - duration



# IP GENERATION, REPORTING, OWNERSHIP & LICENSING

- 4 SCENARIOS:
  - Contracts
  - Grants & Cooperative Agreements
  - Small Business Innovative Research (SBIR)
  - Cooperative Research & Development Agreement (CRADA)

Thank  
You.

You  
deserve a  
pat on the  
back!

**United States Patent** [19]  
**Piro**

[11] **Patent Number:** **4,608,967**  
[45] **Date of Patent:** **Sep. 2, 1986**

[54] **PAT ON THE BACK APPARATUS**

[76] **Inventor:** **Ralph R. Piro, 676 Centre Ave.,  
Lindencurse, N.Y. 11757**

[21] **Appl. No.:** **739,669**

[22] **Filed:** **May 31, 1985**

[21] **Int. Cl.:** ..... **A61H 7/00**

[52] **U.S. Cl.:** ..... **128/63; 4/559;  
15/142 R; 15/210 R; 224/265; 269/3; 372/1 R;  
372/76; 446/26; 128/67**

[58] **Field of Search:** ..... **128/24.2, 24 R, 24 A,  
128/25 B, 28, 32-40, 45, 46, 47, 50-53, 56, 57,  
59, 61, 62, 65, 68, 69; 272/96, 8 N, 8 R, 76, 27  
R, 27 N, 1 J R; 15/28, 29, 310 R, 145 R, 144 R,  
145; 4/559; 2/44, 45; 269/3; 234/265; 446/26,  
28**

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*Primary Examiner:* Clyde L. Coughenour  
*Attorney, Agent, or Firm:* John J. Byrne; Bradford E.  
Kille; Kevin M. O'Brien

[57] **ABSTRACT**

A self-congratulatory apparatus having a simulated human torso carried on a pivoting and suspended torso-shoulder supported member. The hand is manually swivable into and out of contact with the user's back to give an amusing, or an important pat-on-the-back.

**4 Claims, 2 Drawing Figures**

