

<?xml encoding="UTF-8">

# **PART 3027—PATENTS, DATA, AND COPYRIGHTS**

Authority: 5 U.S.C. 301-302, 41 U.S.C. 1303, 41 U.S.C. 1707, 41 U.S.C. 1702, and 48 CFR subpart 1.3.

Source: 68 FR 67871, Dec. 4, 2003, unless otherwise noted.

## Subpart 3027.2—Patents

### 3027.205 Adjustment of royalties.

### 3027.208 Use of patented technology under the North American Free Trade Agreements.

## Subpart 3027.3—Patent Rights under Government Contracts

### 3027.304-1 General.

### 3027.304-5 Appeals.

### 3027.305 Administration of Patent Rights Clauses.

### 3027.305-4 Conveyance of invention rights acquired by the Government.

### 3027.306 Licensing background patent rights to third parties.

## Subpart 3027.4—Rights in Data and Copyrights

### 3027.404 Basic rights in data clause.

### 3027.409 Solicitation provisions and contract clauses.

## **Parent topic:** SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

## **Subpart 3027.2—Patents**

### **3027.205 Adjustment of royalties.**

(a) Reports shall be made to Component legal counsel. Contracting Officers shall coordinate actions with the COCO and HCA.

### **3027.208 Use of patented technology under the North American Free Trade Agreements.**

(f) Contracting officers shall ensure compliance.

## **Subpart 3027.3—Patent Rights under Government Contracts**

### **3027.304-1 General.**

Interim and final invention reports and notification of all subcontracts for experimental, developmental, or research work (FAR) 48 CFR 27.304-1(e)(2)(ii) may be submitted on DD Form 882, Report of Inventions and Subcontracts.

### **3027.304-5 Appeals.**

- (a) Contracting officers are authorized to take the specified actions.
- (b) Appeals shall be made to the CPO.

### **3027.305 Administration of Patent Rights Clauses.**

#### **3027.305-4 Conveyance of invention rights acquired by the Government.**

The contracting officer shall ensure that solicitations and contracts which include a patent rights clause include a means for the contractor to report inventions made in the course of contract performance and at contract completion. This requirement may be fulfilled by requiring the contractor to submit a DD Form 882, Report of Inventions and Subcontract.

#### **3027.306 Licensing background patent rights to third parties.**

- (b) The CPO shall make the required determinations and notifications under this subpart.

## **Subpart 3027.4—Rights in Data and Copyrights**

### **3027.404 Basic rights in data clause.**

(f)(1)(iii) The DHS will use Alternate IV of the (FAR) 48 CFR clause 52.227-14 in all contracts containing the basic clause, unless the HCA approves an exclusion. Approval at a level above the contracting officer is required for the contract to exclude items or categories of data from Alternative IV.

### **3027.409 Solicitation provisions and contract clauses.**

Alternate IV of the (FAR) 48 CFR clause 52.227-14 shall be included in solicitations and contracts containing the basic clause unless the HCA approves an exclusion. Additional non-conflicting alternates may be used.