

# PART 727—PATENTS, DATA, AND COPYRIGHTS

Authority: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR 1979 Comp., p. 435.

Source: 72 FR 53163, Sept. 18, 2007, unless otherwise noted.

## Subpart 727.3—Patent Rights under Government Contracts

### 727.303 Contract clause.

## Subpart 727.4—Rights in Data and Copyrights

### 727.404 Basic rights in data clause.

### 727.409 Solicitation provisions and contract clauses.

**Parent topic:** SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

## **Subpart 727.3—Patent Rights under Government Contracts**

### **727.303 Contract clause.**

Contracting officers must insert the clause at 752.227-70, Patent Reporting Procedures, in all solicitations and contracts that contain the clause at (48 CFR) FAR 52.227-11, Patent Rights—Ownership by the Contractor.

## **Subpart 727.4—Rights in Data and Copyrights**

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

(a) through (f) [Reserved]

(g) When the contract includes a requirement for the contractor to assign copyright to the Government or another party, the contracting officer must insert (48 CFR) 752.227-14 and/or include an express limitation or restriction in the contract. USAID contracting officers will assert such a right in limited circumstances in accordance with the principles as stated in (48 CFR) 27.402.

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

(a) When the contracting officer inserts (48 CFR) FAR 52.227-14, and if the release or publication of data first produced in the performance of the contract may be sensitive to U.S. Government relations with the cooperating country, the contracting officer must use the clause at (48 CFR) AIDAR

752.227-14.

(b) through (m) [Reserved]

(n) The prescriptions for provisions and clauses in (48 CFR) FAR 27.409 apply to all USAID contracts regardless of place of performance.