

UNITED STATES PUBLIC HEALTH SERVICE TECHNOLOGY TRANSFER POLICY MANUAL

Chapter No. 101

Policy for PHS Agencies to Coordinate Technology Transfer Activities

A. PURPOSE

The purpose of this Manual Chapter is to set forth the policy of the U.S. Public Health Service (PHS) agencies, comprising the National Institutes of Health (NIH), the Food & Drug Administration (FDA), and the Centers of Disease Control (CDC), (collectively, Agencies) to coordinate technology transfer activities pursuant to the Federal Technology Transfer Act of 1986, as amended, and other applicable technology transfer laws and regulations.

B. BACKGROUND

The Secretary of the Department of Health and Human Services (HHS) has designated the NIH as the lead agency for technology transfer and intellectual property matters for HHS.

C. POLICY

It is the continuing responsibility of the Federal Government to ensure the full use of the results of the Nation's Federal investment in research and development. To this end the Federal Government shall strive where appropriate to transfer federally owned or originated technology to the private sector and to researchers. It is PHS's policy to coordinate its technology transfer activities among and within its Agencies consistent with its mission and responsibilities pursuant to the Federal Technology Transfer Act of 1986, as amended, and other applicable technology transfer laws and regulations.

D. DESIGNATION OF TECHNOLOGY DEVELOPMENT COORDINATOR

In order to carry out the following responsibilities, each Agency or, as deemed appropriate by each Agency, the Institutes, Centers, Divisions, Bureaus, or other comparable components within each Agency (collectively, Agency/IC), shall designate, in writing to the Director of NIH's Office of Technology Transfer (NIH OTT), an individual to act as the Technology Development Coordinator (TDC).

The TDC shall serve as the official point of contact to the NIH OTT for the Agency/IC for technology transfer activities and provide the official Agency/IC position, response, etc., to the NIH OTT and the public on behalf of the Agency/IC. The TDC is the official responsible for coordinating the administration and management of the technology transfer program within the TDC's assigned Agency/IC. In carrying out this technology transfer management function, it is important that the TDC work closely and coordinate with others within the Agency/IC (e.g., Director, Scientific Director(s)). In carrying out technology transfer

activities, an Agency/IC may elect to use “Technology Transfer Service Centers” to obtain technology transfer services. Depending on the Agency/IC technology transfer requirements, Technology Transfer Service Centers may provide a limited or the full range of administration and management of an Agency/IC technology transfer program. The Agency/IC TDC remains the primary point of contact for the NIH OTT, and coordinates the Technology Transfer Service Center activities as appropriate, unless the Agency/IC has specifically requested in writing to the Director, NIH OTT, that a Technology Transfer Service Center employee become the official point of contact to NIH OTT for the Agency/IC.

E. AGENCY/IC RESPONSIBILITIES

Each Agency/IC shall be responsible for educating and providing information and guidance to Agency/IC staff on technology transfer matters, including Cooperative Research and Development Agreements (CRADAs) and such other technology transfer agreements, as authorized and appropriate. A TDC may designate a representative to be directly responsible for fulfilling these activities.

F. EFFECTIVE DATE

The policy set forth in this Manual Chapter is effective June 18, 2009, and supersedes in its entirety PHS Technology Transfer Policy Manual Chapter 101, which was first approved on March 26, 1998.

G. ADDITIONAL INFORMATION

For additional information on this Manual Chapter, contact the Office of Technology Transfer, NIH, (301) 496-7057 or http://www.ott.nih.gov/contactus/contact_us.aspx.