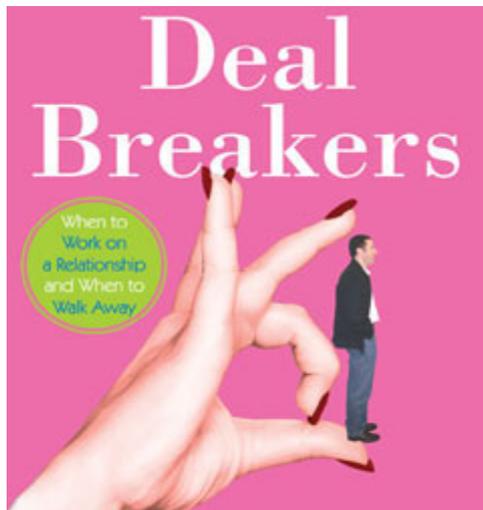


Now It's Time to Play: "Deal Breakers" in Federal Lab License Agreements!



"Consent of the governed"? — that could be a deal-breaker."

Deal or No Deal?



Howie's
Question No. 1:
“My company wants
to manufacture the
federal technologies
we are to license
from a federal lab in
a plant outside the
United States.”
Deal or No Deal?

Deal or No Deal?



Howie's

Question No. 2:

“I'd like to have an exclusive license that's fully exclusive to my company in all fields of use where we would be the only one that could use the Federal Lab's patents.”

Deal or No Deal?

Deal or No Deal?



Question No. 3:

“As a small firm in this economy, my budget is very tight this year. I may not have the funds you expect for upfront license and patent expense reimbursement payments.”

Deal or No Deal?

Deal or No Deal?



Howie's

Question No. 4:

“I'd like to have a license to patents and materials in order to complete my SBIR project but can't afford to pay anything to the tech transfer office.”

Deal or No Deal?

Deal or No Deal?



Howie's

Question No. 5:

“As a small firm, I’m planning to get a large corporate partner as sublicensee. Since this is “my business”, I don’t want to share the details with the Federal Lab!”

Deal or No Deal?

Deal or No Deal?



Question No. 6:
“My business needs the Federal Lab patents I’ve licensed enforced against any infringers! We would like to do this since we have so much at risk here with this new product.”
Deal or No Deal?

Deal or No Deal?



Howie's
Question No. 7:
“It’s just a non-
exclusive license for a
group of Federal Lab
patents this time! I
don’t think I should
have any diligence
requirements in the
license”.

Deal or No Deal?

Deal or No Deal?



Question No. 8:
“I would just like to have a license to the Federal Lab patents and do my own R&D. I don’t need a CRADA (Cooperative Research and Development Agreement) with the labs of the inventors.”
Deal or No Deal?

Deal or No Deal?



Howie's
Question No. 9:
“My license
application shows how
I'm going to hire the
inventors as
consultants and have
them on the Scientific
Advisory Board of my
new firm when I get
the license.”
Deal or No Deal?

Deal or No Deal?



Howie's
Question No. 10:
“If we ever have any
disputes about this
license agreement
the company and
Federal Lab should
be subject to binding
arbitration to solve
the problem.”
Deal or No Deal?

The Final Word & Audience Questions



Deal or No Deal?