Department of Veterans Affairs
Technology Transfer

Bringing Research Advancements for Veterans to Everyone!
Agenda

• Technology Transfer
• Business at the VA
• Scope of VA Portfolio
• Our business process
  • Invention Disclosure
  • Determination of Rights
  • Assessment of Technology
  • Marketing
  • Licensing
  • Royalty Distribution
• Questions & Answer
Technology Transfer

The commercialization of inventions and discoveries made by Government and academic researchers.

Most often it involves licensing a patent to a company which will develop the invention into a product that benefits the public.

Could involve a collaboration with the inventor(s) through a license or a Cooperative Research And Development Agreement (CRADA).
• The mission of the VA Technology Transfer Program (TTP) is to facilitate the commercialization of VA inventions to benefit Veterans and the American public
  • Manage Inventions of VA employees
  • Review CRADAs
  • Consultations
  • Collaborate with partners

• Bringing Research Advancements for Veterans to Everyone (BRAVE)
• 10 FTE
• 1 - Director, Dr. John Kaplan PhD, JD, MBA, PE
• 5 - Technology Transfer Specialists (PhD, JD, MBA, MPP)
• 4 - Staff Assistants (JD, MBA)

• Experience - Government, Private Industry, Consulting
• Intramural Research Program ($600MM/ $1.8BB)
• Hundreds of CRADAs reviewed each year
• Over 100 partnerships with academia
• 325 IDs/ yr.
• 15 active license agreements (VA only)
  • Est. 100 plus VA & Affiliate license agreements
• $300-500K annual license revenue (VA only)
  • Est. $2.5MM annual VA & Affiliate license revenue
• FY 16
  • 63 patents filed
  • 30 patents issued
Aspirational Goals

• FTEs
  • Current 10
  • Goal 22

• Disclosures
  • Current average 215
  • Goal 700 plus

• Patents
  • Patent applications 63
  • Goal 400 plus

• Licenses
  • Current 15
  • Goal 150 plus
Our Process

VA Affiliate
Inventor Disclosure

Affiliate TTO
VA TTP

D.O.R

VA Lead

Affiliate Lead

Assessment

Protection

Market

Deal

11/25/2016
Disclosure

• 38 CFR 1.656
• VA Certification Form
• 1 per each VA affiliated inventor
  • Full-Time
  • Part-Time
  • WOC
  • IPA
Determination of Rights

• **Assessment of Government Rights**
  • Assert Government ownership of the invention
  • Leave ownership of the invention with the inventor
  • Leave ownership of the invention with the inventor subject to the VA retaining a non-exclusive, Govt. use license

• **VA Asserts Rights**
  • Managed by VA; or
  • Obligations through CTAA/IMA/IIA if jointly owned
• Brief Technical Description
• Brief Market Analysis
• Competitive Position
• Barriers to Entry
• Recommendations
Patent Protection

- **Provisional Patent Application**
  - VA contracted patent firm
  - Collaborative process between attorney and inventor(s)
  - Managed by TTS
  - Active marketing during first year informs decision on conversion to a utility patent application

- **Utility Patent Application**
  - In the absence of a license or strong licensing prospect, only U.S. patent is sought
Marketing

• Passive
  • Posted to Web site
• Marketing Briefs
• Active Marketing
• Media Outlets
• Inventor Suggestions
## Active Marketing

<table>
<thead>
<tr>
<th>Company</th>
<th>Contact</th>
<th>Action</th>
<th>Response After Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adroit Medical Systems</td>
<td>Gene Gammons</td>
<td>2/27/13 – Called and spoke with G. Gammons. He is interested and would like to see the NCD. Introductory e-mail and NCD were sent.</td>
<td>3/14/13 – Called and spoke with Gene. He is interested in speaking with the inventors and would be happy to sign an NDA. TreMonti will arrange the call and coordinate any necessary paperwork.</td>
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<td>3/13/13 – Sent follow up e-mail to G. Gammons. Received reply, “Yes, I would be interested in reviewing your device. As you may or may not know, this technology is what my life has been dedicated to manage Hypo/Hyperthermia, The art of heating and Cooling patients.” Replied asking if the information had been received on the 27th. Also explained that the technology was intended to be used for the management of hypo/hyperthermia.</td>
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<td>Received second e-mail reply to my original message, “Yes I would be very interested in discussing your device”</td>
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11/25/2016
Licensing

• To Further Commercialize
• Application Process is Codified (37 CFR 404)
  • Commercial Development Plan
• Negotiate an exclusive, partially exclusive, or nonexclusive license agreement
  • Fees
  • Royalties
  • Reimbursement of Costs

*No Inventor Involvement During Financial Negotiations*
Royalty Distribution

• First $2,000 to each inventor, then:
• 50% to inventor(s)
• 50% to VAMC where invention was made
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Helpful Links

• Intranet: http://vaww.research.va.gov/programs/tech_transfer/
• Internet: http://www.research.va.gov/programs/tech_transfer/
• VHA Directive 1200.18
Thank you!