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)
At the VA...

• 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)
TTP Org

• 10 FTE
• 1 - Director, Dr. John Kaplan PhD, JD, MBA, PE
• 5 - Technology Transfer Specialists (PhD, JD, MBA, MPP)
• 5 - Staff Assistants (JD, MBA)

• Experience - Government, Private Industry, Consulting
• Intramural Research Program ($600MM/ $1.8BB)
• 500 new CRADAs/ yr.
• Over 100 partnerships with academia
• 325 IDs/ yr.
• 15 active license agreements (VA only)
  • Est. 100 plus VA & Affiliate license agreements
• $500,000 annual license revenue (VA only)
  • Est. $2.5MM annual VA & Affiliate license revenue
• FY 16
  • 63 patents filed
  • 30 patents issued
Aspirational Goals

- FTE’s
  - Current 10
  - Goal 22

- Disclosures
  - Current average 215
  - Goal 700 plus

- Patents
  - Patent applications 63
  - Goal 400 plus

- Licenses
  - Current 15
  - Goal 150 plus
Representative VA Affiliates

- University of Washington
- Rensselaer Polytechnic Institute
- Medical College of Georgia
- Duke University
- University of South Carolina
- University of Arkansas
- Wayne State University
- University of Minnesota
- Iowa State University
- University of Iowa
- NY State University of New York (Buffalo)
- Yale University
- UCLA
- Massachusetts Eye and Ear Infirmary (MEEI)
- University of Maryland
- New York University
- NY State University of New York System
- University of Mississippi
- Cleveland Clinic Foundation
- Hawaii

- University of Utah
- University of Illinois, Chicago
- University of Notre Dame
- University of Louisville
- University of Cincinnati
- Wisconsin Alumni Research Foundation
- Wisconsin, Medical College
- University of Nebraska Medical Center
- Louisiana Tech University
- Virginia Commonwealth University

- University of Alabama Birmingham
- Georgia State University
- Emory University, Atlanta
- University of Pittsburgh
- University of South Florida
- Texas A&M University System
- Oregon Health & Science University
- The University of Texas Medical System
- University of Colorado
- Vanderbilt University
- Loyola University Chicago
- Boston University
- University of Pennsylvania
- Brown University

3/1/2017
Our Process

VA Affiliate Inventor Disclosure

Affiliate TTO VA TTP

D.O.R

VA Lead

Affiliate Lead

Assessment

Protection

Market

Deal
Disclosure

• 38 CFR 1.656
• VA Certification Form
• 1 per each VA affiliated inventor
  • Full-Time
  • Part-Time
  • WOC
  • IPA
• **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
Assessment

- 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

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<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>
<td>3/18/13 – E-mailed G. Gammons requesting contact information at Adroit in order to move forward with the NDA.</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>
<td>4/9/13 – Resent NCD to G. Gammons.</td>
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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 inventor(s), then:
• 50% to inventor(s)
• 50% to VAMC where invention was made
Contact

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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
Questions & Answers

Thank you!