Limited Warranty and Indemnification – Any license for a PNNL technology will contain a disclaimer of warranties and requires indemnification of Battelle and DOE.

Non-Assailability – The license may extend to subsidiaries of the licensee or other parties, but will be non-assailable unless approved by Battelle.

Sublicensing – A PNNL license may include the right to grant sublicenses subject to the approval of Battelle.

Export Control – The license will contain a provision recognizing that the export of goods/data from the U.S. may require an export license.

How do I get a license started?
The Laboratory maintains a Website listing its technologies available for licensing or other forms of technology transfer at http://availabletechnologies.pnl.gov. Companies seeking specific technologies are encouraged to review posted technologies and/or contact the appropriate commercialization manager for the portfolio of interest. For the list of commercialization managers, visit www.pnl.gov/business/tech_transfer.asp.

Licensing PNNL Technologies
Using our technology to enable your business plan

“Our client set tends to be industrial companies engaged with problems that relate to the work we do on a national level: energy, environment, and national security. Since companies seek ways to be competitive, they watch to see who is working on new developments. In that market space, a lot of those technologies have been created at the national labs. So that makes for a productive partnership. We have it. They want to put it into practice.”

— Cheryl Cejka, Director, PNNL Technology Commercialization

What it’s all about
For more than four decades researchers at Pacific Northwest National Laboratory (PNNL) have developed a growing portfolio of innovative intellectual property. Battelle, which manages PNNL for the U.S. Department of Energy (DOE), has a long-standing history of developing science into commercial products. In fact, federal legislation and Battelle’s contract with DOE make technology transfer a requirement of the Laboratory. With a rich history of securing patents and software copyrights for technologies, Battelle holds more than 1,550 U.S. and foreign patents in its growing portfolio.

The Technology Commercialization team at PNNL combines more than a century of business experience with technology savvy. The Laboratory’s technology transfer staff members include MBAs and PhDs, who are veterans of startups, ventures, university technology transfer, and multinational companies.

Technology licensing is a contractual arrangement in which the licensor’s patents, trademarks, copyrights, or other intellectual property is made available to a licensee for compensation that is negotiated between the parties. This compensation may be a lump sum royalty, a running royalty (royalty that is based on volume of production), milestone payments, equity, or a combination of these.
PNNL’s successful licensing background

PNNL’s business model is to seek out future returns, through commercialization and licensing of its available technologies, for reinvestment into next-generation science and technology. Licensing agreements are one way for companies—or other entities—to gain access to these technologies. Licenses allow the business to reproduce, manufacture, sell, or leverage intellectual property developed at PNNL in their own products. The Laboratory licenses its intellectual property using common terms used by universities, other research organizations, and industrial firms.

PNNL has also been rewarded for its stellar reputation in technology transfer. Since 1984, the Federal Laboratory Consortium (FLC) has recognized PNNL with 67 nationally acclaimed FLC Awards for Excellence in Technology Transfer. FLC awards are given to federal laboratory employees who have done outstanding work in transferring government-sponsored technologies to the public and private sectors. PNNL has earned more FLC awards than any other DOE national laboratory.

A license’s components

License agreements are appropriate for companies interested in using intellectual property developed at PNNL for commercial use. It is the Laboratory’s goal to find parties interested in leveraging government-sponsored research. License agreements often contain:

- **Grant of Rights** – Exclusive and non-exclusive (or a combination of both) license grants can be negotiated by both parties.
- **Royalties and Payments** – Licenses usually require an up-front, non-refundable payment, royalty payments based on sales, and a minimum annual royalty.
- **Government Retained License** – The U.S. government retains a worldwide, non-exclusive, non-transferable, irrevocable, paid-up license to practice any licensed intellectual property on behalf of the government.
- **U.S. Preference** – Battelle at PNNL is required to preferentially license inventions to U.S.-based firms, particularly those that will develop and manufacture licensed products in the country.
- **Technical Assistance** – The licensee is solely responsible for the commercialization of the licensed inventors.

*These components only factor into licenses of intellectual property resulting from government-sponsored research.

FLC for Technology Transfer

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