inventions are issued pursuant to the
authority of the Commission under 42
U.S.C. 2186 (sec. 156 of the Act), 42
U.S.C. 2201g (sec. 161g. of the Act), and
according to regulations issued by the
Administrator of General Services pur-
suant to the Memorandum and State-
ment of Government Patent Policy
issued by President Nixon on August
23, 1971 (36 FR 16887).

§ 81.11 Policy.
(a) The inventions covered by the
U.S. patents and patent applications
vested in the Government of the United
States of America, as represented by or
in the custody of the Commission, nor-
mally will best serve the public inter-
est when they are developed to the
point of practical application and made
available to the public in the shortest
time possible.
(b) The Commission generally prefers
to make these inventions available to
all interested parties through the
granting of nonexclusive licenses. How-
ever, the Commission recognizes that
to obtain commercial utilization of an
invention, it may be necessary to grant
an exclusive license for a limited pe-
riod of time as an incentive for the in-
vestment of risk capital to achieve
practical application of an invention.
(c) Whenever the Commission deems
it appropriate to grant an exclusive li-
cense, the license will be negotiated on
terms and conditions most favorable to
the interests of the public and the Gov-
ernment. In considering the accord of
such a license, due weight will be given
to assisting small business and minor-
ity business enterprises, as well as eco-
nomically depressed, low income and
labor surplus areas within the United
States.
(d) All licenses shall be by express
written instruments. No license shall
be granted or implied in an NRC inven-
tion except as provided for in these reg-
ulations or in patent rights articles
under Commission procurement regul-
ations, pursuant to the Act, or pursuant
to any existing or future treaty or
agreement between the United States
and any foreign government or inter-
governmental organization.
(e) No grant of a license under this
subpart shall be construed to confer
upon any licensee any immunity from
the antitrust laws or from liability for
patent misuse, and the acquisition and
use of rights pursuant to this subpart
shall not be immunized from the oper-
ation of State or Federal law by reason
of the source of the grant.
(f) No grant of a license under this
subpart shall be construed to confer
any authorization under chapters 4, 5,
6, 7, 8, 10, or any other chapter or sec-
ion of the Act (42 U.S.C., sec. 2011–2296)
for which separate application for a li-
cense must be made in accordance with
the Act or other Commission regula-
tions.

§ 81.13 Publication of NRC inventions
available for licensing.
(a) The Commission will have pub-
lished periodically a list of the NRC in-
ventions available for licensing under
this subpart in the FEDERAL REGISTER,
the U.S. Patent Office Official Gazette,
and in one other publication which it is
determined will best serve the public
interest and, where advisable, in other
publications.
(b) Interested persons may obtain
copies of such lists by communicating
with the Commission, Washington, DC
20555. Copies of U.S. patents may be ob-
tained from the U.S. Patent Office.
Copies of U.S. patent application speci-
fications, or microfiche reproductions
thereof, may be secured at reasonable
cost from the National Technical Infor-
mation Service (NTIS) or from the U.S.
Patent Office with Commission ap-
proval.
[38 FR 7318, Mar. 20, 1973, as amended at 40
FR 8793, Mar. 3, 1975]

§ 81.20 Nonexclusive licenses.
(a) NRC inventions will normally be
made available for the grant of non-
exclusive licenses to responsible appli-
cants who will practice the invention
and make its benefits reasonably ac-
cessible to the public.
(1) The nonexclusive license will be
revocable, at the option of the Com-
mission, if the licensee does not com-
ply with all the terms and conditions
of the license agreement.
(2) The duration of the license shall
be for a specified period and/or such ad-
ditional period as may be provided for
in the license agreement.