



Agreement for Commercializing Technology

Overview

A new initiative makes it easier for businesses to use NREL's research capabilities.

NREL is one of six national laboratories within the U.S. Department of Energy participating in a pilot program intended to offer an additional, more flexible partnership agreement option: an Agreement for Commercializing Technology (ACT).

ACT was created to address concerns raised by industry about difficulties in the process of partnering under the existing agreements, the Cooperative Research and Development Agreement (CRADA) or Strategic Partnership Projects (SPP) agreements. These concerns included requirements regarding performance, liability, and payment.

An ACT agreement will give NREL and other participating labs adaptability in attracting potential partners who previously may not have wanted, or were unable, to do business with the lab.

Benefits of an ACT Partnership

- **Intellectual Property Rights.** While the labs generally have had limited flexibility on intellectual property (IP) terms under CRADAs and SPP arrangements, an ACT will allow both parties to develop a specialized arrangement that will facilitate moving the technology into the marketplace as quickly as possible.
- **Payments and Indemnification.** More flexible terms will also be available on other issues ranging from payment arrangements, to project structures, to indemnification. In all, the goal is to develop terms that are better aligned with industry practice.
- **Multi-Party Research and Development Partnership.** Whereas SPP arrangements and CRADAs tend to be tailored for two-party agreements between one company and a lab, an ACT will make it easier to develop a multi-party research and development partnership. Groups of companies, universities and/or other entities may come together with a laboratory to address complex technological challenges that are of mutual interest.

Types of Partners Who May Prefer an ACT with NREL

ACT is available to a full range of those in industry, including startups as well as small and large businesses, that are able to provide private funding to sponsor research. International non-governmental organizations, utilities and regulatory agencies, state and local governments, and commercial companies with an international and domestic presence would all be prime candidates to enter into an ACT agreement.

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