

 **Frequently Asked Questions:****Frequently Asked Questions**

BUILDER™ SMS Patent License Agreements (PLA)

March 13, 2017

1.

**Question:** How much is the annual license fee?**Answer:** The annual license fee is negotiated after the application is approved for licensing. Applicants should expect a signing fee at the time a license is issued and an annual fee each year thereafter. The amount of the fee will generally be in two tiers where a lower fee will apply to small business as determined by SBA's criteria.

2.

**Question:** Is there a minimum annual license fee?**Answer:** Yes. The minimum annual license fee as negotiated can be credited to the licensee's account for royalties due from commercial sales of new user licenses and product maintenance.

3.

**Question:** Is the annual license fee the same thing as a royalty?**Answer:** Yes, see question 2.

4.

**Question:** Is the non-refundable license issue fee credited toward the first year's license fee?**Answer:** Yes. This fee will be an advance against royalty payments for the 1<sup>st</sup> year of the PLA.

5.

**Question:** Is a BUILDER™ PLA required to provide BUILDER™ assessment and training support under a government contract either through the U.S. Army Engineer Research and Development Center, U.S. Army Corps of Engineers or directly with an installation?**Answer:** No.



## US Army Corps of Engineers

6.

**Question:** Does having the BUILDER™ PLA provide some type of advantage/incentive for government contractors providing BUILDER™ assessment and training support?

**Answer:** There is no direct advantage or incentive. However, the licensee may feel the license has value in establishing their credibility as a service provider.

7.

**Question:** Do the annual license fees pay for technical support services?

**Answer:** No. A licensee may enter into a Services Agreement with ERDC-CERL to obtain support such as assistance in data migration, web-site hosting, help desk, special training curricula, and detailed engineering or business process analysis.

8.

**Question:** According to the earned royalty table in Appendix B, when are annual maintenance royalties due?

**Answer:** All royalties are due twice a year, normally April 1 and October 1 of each year.

9.

**Question:** After the first application deadline of March 17, 2017, when is the next opportunity to submit an application?

**Answer:** The next application submission period will be July 1 – December 31, 2017. Decisions on approving applications for licensing will occur February 28, 2018. Beginning in 2018, the application open season will be as follows:

### **Round I - Application Review BUILDER™** (2018 and beyond)

Application submission period I	January 1 – June 30
Communicate decision to applicants	August 30

### **Round II - Application Review BUILDER™** (2018 and beyond)

Application submission period II	July 1 – December 31
Communicate decision to applicants	February 28