



U.S. ARMY COMBAT CAPABILITIES DEVELOPMENT COMMAND

Cooperative Research and Development Agreements 101

WHAT IS A CRADA



- A Cooperative Research and Development Agreement (CRADA) is a Technology Transfer (T2) mechanism that **establishes a cooperative relationship between a federal laboratory and its collaborator(s).**
- The purpose of a CRADA is to leverage each Party's resources toward a common or mutually beneficial objective.
- Parties may contribute resources including access to personnel, facilities, equipment, and intellectual property (IP).
- **CRADAs allow federal laboratories to receive funds from collaborator(s), but they are unable to provide any funds to collaboration partner(s).**

ARMY REGULATION 70-57, ARMY TECHNOLOGY TRANSFER



Section II Technology Transfer Policy

1–7. Army technology transfer enables Army modernization through management of intellectual property (*Army Directive 2018-26*)

a. Army laboratories provide unique capabilities in the form of personnel, services, facilities, equipment, and IP. These capabilities can be effectively leveraged by the acquisition community through technology transfer mechanisms to meet the technology requirements of acquisition programs.

b. **Commanders or directors of specified Army laboratories may utilize CRADAs to conduct specific research, development, test, and evaluation (RDT&E) activities** in direct support of acquisition. Nongovernment entities and their resources can be leveraged via CRADAs to develop technology that could be competitively procured by the Army. CRADAs can be used to offset the costs of an acquisition as well as to trade for the desired acquisition outcome, increasing the value of the agreement beyond monetary compensation.

WHO MAY PARTICIPATE IN A CRADA?



CRADAs **must involve at least one non-federal party**. In addition to DEVCOM researchers, the other participants in a CRADA may be one or more of the following:

- Private corporations (U.S. or foreign)
- Nonprofit and not-for-profit institutions (U.S. or foreign) including universities and foundations
- State and local governments (U.S.)
- Individuals (U.S. or foreign)

WHEN IS A CRADA APPROPRIATE?



- CRADAs are appropriate **when ideas, staff, materials, equipment will be exchanged over a period of time** to advance science and technology efforts consistent with their Army mission, while having potential commercial viability.
- CRADAs enable DoD researchers to exchange technical expertise with non-federal partners and protect the rights of both parties to inventions that may result from the collaboration.
- CRADAs may be used to assist in the further development and commercialization of DoD inventions that have been licensed.

BENEFITS OF USING A CRADA



CRADAs provide DoD organizations and partners the opportunity to easily engage and collaborate on joint R&D efforts, while offering the following benefits:

- Identify, generate, protect and exploit IP to modernize defense systems.
- Accelerate the commercialization of federally-developed technology and defray R&D costs.
- Evaluate a new commercial technology and provide feedback on desired improvements for DoD applications.
- Protect any proprietary information brought to the CRADA by either partner.
- Retain option to negotiate for exclusive rights to jointly or DoD-owned technology generated under a CRADA.

DEVCOM TECHNOLOGY FOCUS AREAS



- 5G
- Additive Manufacturing
- Artificial Intelligence
- Autonomous Systems
- Biomanufacturing/Synthetic Biology
- Computer Networking
- Cyber
- Data Analysis
- Digital Design
- Digital Engineering
- Digital Manufacturing
- Digital Twin Technology
- High Performance Computing
- Hypersonics
- Lasers and Directed Energy
- Machine Learning
- Modeling and Simulation
- Networked Data Environments
- Operational Meteorology
- Power and Energy Technologies
- Quantum Technology

HIGH LEVEL STEPS TO THE CRADA PROCESS



1. Explore the need for the CRADA using the CRADA guidelines.
2. Researcher contacts the Partnerships/Technology Transfer Office to assess and determine whether a CRADA is appropriate.
3. Develop Statement of Work (SOW) and negotiate CRADA provisions:
 - The researcher will work with the potential partner to draft a CRADA SOW provided by the Tech Transfer Office.
 - The Tech Transfer Office negotiates CRADA provisions with the potential partner as needed.
4. T2 Office, Legal, Security, Safety, Environmental, Principal Investigator Management Chain and Partner review of the CRADA.
5. CRADA approval and signatures by both DEVCOM Organization Senior Leader and Partner Organization equivalent.

GUIDANCE & FACTORS TO CONSIDER



- DoD laboratories may enter into CRADAs with non-Federal parties, including parties that are Federal contractors, grantees, cooperative agreement awardees, other transaction awardees, licensees of DoD or other Federal inventions, Small Business Innovation Research program awardees, etc.
- DoD laboratories give special consideration to small businesses.
- CRADAs are legally enforceable agreements, but do not include procurement contracts, grants, or other types of cooperative agreements made under the authority of any other legislation.
- CRADAs contain provisions covering the DoD's laboratory's interests in data rights, patents and patent applications, computer software, licensing rights, and the allocation of rights for future inventions, proprietary interests, and IP.

GUIDANCE & FACTORS TO CONSIDER (CONT)



- DoD laboratories may provide appropriate protections against dissemination of certain information that has commercial value resulting from work under a CRADA from public access for up to 5 years.
- DoD laboratories may receive funds from a non-Federal party up to the actual cost incurred by the laboratory, including direct and indirect costs.
- CRADAs may be used to co-sponsor a conference, seminar, or similar event – subject to Army Conference Policy.
- DEVCOM Centers/ARL have delegated authority to execute their own CRADAs; DEVCOM HQ establishes MASTER CRADAs so that multiple Centers/ARL can pursue different Joint Work Statements with one partner.
- Patent License Agreements and CRADAs can work together and be leveraged!



THANK YOU.

