

NATIONAL CANCER INSTITUTE (NCI) START-UP 3.0 LICENSE APPLICATION

Thank you for your interest in technology transfer activities at the NCI. A completed application is required before any action can be taken towards negotiating a license. Your answers to the following questions will provide the sole foundation for licensing decisions, so provide complete and thorough responses. Failure to complete all sections of the license application in a satisfactory manner may result in delays in processing your application, the refusal of your application as being incomplete, or the failure of your application to survive an objection to the grant of a license. If you have questions about the completion of the application, contact the appropriate Technology Transfer Manager (TTM).

In order to apply for a license, please email a signed PDF of the completed license application to the appropriate TTM whose name and email address can be found toward the bottom of the technology “Abstract” or if the information was received from another source, please email the signed application to ncitechtransfer@mail.nih.gov.

- 1) start-up licenses are considered on a case-by-case basis, pending review of applicant’s qualifications; and**
- 2) some technologies are not available for start-up licenses.**

I. IDENTIFICATION OF INVENTIONS(S) FOR WHICH LICENSE IS SOUGHT

- A.** NIH Reference Number(s) - E# (E-XXX-XXXX-X):
- B.** U.S. Patent Application(s) Serial Number(s), Filing Date(s), and/or Patent Number(s) (if issued): _____
- C.** Title of Patent Application(s) (if the same name is listed on multiple patents, it only needs to be listed once): _____
- D.** Biological Material(s) Requested, if any (**PLEASE BE SPECIFIC IN NAME AND QUANTITY**):
- E.** Inventor(s):
- F.** Source from which you learned of availability of a license to the present invention(s):

II. BASIC INFORMATION ABOUT APPLICANT

- A.** Name & Address of “Company” (Must be the organization with Signatory Authority for any license resulting from this Application):
- B.** Name, title, address, phone and email, of Applicant's licensing representative (only one contact is permitted):

- C. Name, title, address, phone and email for Applicant's representative who should receive official notices for any agreement (only one contact is permitted):
- D. Name, title, address, phone and email for Applicant's representative who should receive invoices for any agreement (only one contact is permitted):
- E. Name, title, address, phone and email for Applicant's representative who should receive any materials (only one contact is permitted):
- F. Preferred shipping carrier and account number (if Materials are requested): _____
- G. Is Applicant a U.S. Corporation? _____ Yes _____ No
- 1) If yes, state of incorporation: _____
- 2) If no, state country of origin: _____
- H. Will applicant accept PDF execution copy of the agreement? _____ Yes _____ No
- I. Will applicant accept a Digital Signature of the execution copy of the agreement? _____ Yes _____ No
- J. Does applicant have an SBIR/STTR grant? _____ Yes _____ No
- K. Applicant Tax ID # _____ (must provide before license is executed)

III. ELIGIBILITY FOR START-UP 3.0 LICENSE

- 1) To be eligible for a Start-Up 3.0 License, applicants must meet the following criteria:
- a. Company must have raised fifteen million dollars (\$15,000,000.00) or less in funds at the time of application submission. Non-dilutive grant funding is excluded from consideration.
- i. Funds: _____; and
- b. Company must have been incorporated for seven (7) years or less at the time of application submission;
- i. Date of incorporation: _____

IV. PROPOSED FIELD(S) OF USE (please provide a desired Licensed Field of Use)

V. DESCRIPTION OF APPLICANT

Describe the nature and type of applicant's business, including:

- 1) A statement about employees with relevant technical expertise for the development of technology; _____
- 2) A statement regarding key managerial employees including their relevant technical experience and capabilities regarding the development of technology;

- 3) A statement regarding research and development facilities and capabilities, with supporting evidence for the information;

- 4) A statement regarding manufacturing capabilities, including infrastructure and/or working relationships with contractors, with supporting evidence for the information; and
- 5) A statement regarding financial resources and capabilities, with supporting evidence for the information.

VI. OTHER LICENSES TO NIH INVENTIONS

Identify any licenses previously granted to the Applicant under federally owned inventions (L-XXX-XXXX-X):

VII. START-UP 3.0 LICENSE TERMS

[Model Agreement](#). Notable features include:

- 1) \$5,000.00 execution royalty, due within 30 days of the effective date;
- 2) Cost sharing of ongoing patent prosecution expenses, as negotiated by the parties, and an opportunity for the Licensee to consult on patent prosecution strategy;
- 3) 24-month initial term with a predefined option (i.e., a "Term Extension Amendment") to extend through the expiry of the Licensed Patent Rights. Acceptance of the Term Extension Amendment is conditioned upon the Licensee's:
 - a. Satisfactory achievement of the initial performance milestones; and
 - b. Submission of a complete Commercial Development Plan that supports further commercial advancement of the technology toward practical application.

VIII. OTHER INFORMATION WHICH YOU BELIEVE WILL SUPPORT A DETERMINATION TO GRANT THE REQUESTED LICENSE

Include relevant intellectual property, working agreements, access to technical expertise, or other arrangements that may provide the applicant with the best opportunity to bring the technology to practical application for the benefit of public health.

Submit a “Commercial Evaluation Plan”: a written description for initial development of a licensed product or a licensed process within the scope of the licensed patent rights in the proposed licensed field(s) of use and strategies to secure funding for the planned development during the term of the license.

I certify, to the best of my knowledge, that all of the information provided on this application and on attachments to this application is true and accurate.

Signature of Applicant or Authorized Representative

Date

Print Name

Title

The commercial and financial responses in this application will be treated as privileged and confidential information as provided in [35 U.S.C. 209\(f\)](#); and, to the extent permitted by law, will not be accessible under the Freedom of Information Act.