Non-Exclusive License Agreements

There are several non-exclusive license agreement templates to meet a company's needs for access to NIH technologies.

**Internal Commercial Use Licenses** grant to the licensee nonexclusive right to make and use, but not sell, the technology for the purpose of internal use by the licensee. These licenses allow the licensee to use the technology as a tool in its commercial development activities.

**Commercial Evaluation Licenses** grant to the licensee the nonexclusive right to make and use, but not sell, the technology for the purpose of evaluating its commercial potential. The license is for a limited number of months, and companies are required to obtain a commercial patent license from the NCI Technology Transfer Center for further use and/or development of the technology.

**Non-Exclusive Patent Licenses** grant to the licensee the nonexclusive right to make, use, and sell the technology for commercial purposes. The license is for the life of the last-to-expire patent rights and allows a company to commercialize a technology on a non-exclusive basis. Some companies find that an exclusive license agreement is not required to successfully develop and market technologies, such as diagnostic and prognostic technologies and imaging agents.

**Biological Materials Licenses** grant to the licensee the right to make, use and sell commercially useful biological materials that are not in the public domain and for which patent protection cannot or will not be obtained. This type of license typically is nonexclusive and facilitates the commercial development of biological materials developed in NIH laboratories.

**Software Internal Use Licenses** are available to companies to use software developed at the NIH for internal commercial purposes.

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URL: https://techtransfer.cancer.gov/partnering-with-nih/licensingagreements/non-exclusive-licenses