

System Name:

Invention, patent and licensing documents.

System Location(s):

Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Room 1265, Arlington, VA 22230.

Categories of Individuals Covered by the System:

Employees of the National Science Foundation or its grantees or contractors who made inventions while employed by the Foundation or while performing NSF-assisted research.

Categories of Records in the System:

The system contains invention disclosures, patents and patent applications, and licenses submitted to NSF by its employees, grantees, and contractors, including inventor(s) name(s), identification of grantee or contractor, title and description of the invention, inventor(s) address(es) (if rights were waived to the inventor(s), associated patent prosecution and licensing documents.

Authority for Maintenance of the System:

45 CFR part 650 Patents. Executive Order No. 9865, as amended, 35 U.S.C. 266 note, "Patent protection abroad of inventions resulting from research financed by the Government," describing the Government-wide policy for obtaining foreign patent protection for inventions resulting from research conducted or financed by the Government; and Executive Order No. 10096, as amended, 35 U.S.C. 266 note, "Uniform Government Patent Policy for Inventions by Government Employees," describing Government-wide policy pertaining to inventions made by Government employees.

Purpose(s):

Records in this system are used to administer governmental rights to inventions made by NSF employees or during NSF-assisted research.

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of such Uses:

Information from this system may be disclosed to:

1. The Department of Justice and the Office of Management and Budget for consultation in processing Freedom of Information or Privacy Act requests.
2. The Department of Justice, to the extent disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to litigation or anticipated litigation, in which one of the following is a party or has an interest: (a) NSF or any of its components; (b) an NSF employee in his/her official capacity; (c) an NSF employee in his/her individual capacity when the Department of Justice is representing or considering representing the employee; or (d) the United States, when NSF determines that litigation is likely to affect the Agency.
3. Federal Government contractors, grantees, consultants, volunteers, or other personal who have been engaged to assist the Government in the performance of a contract, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform the activity.
4. Appropriate Federal, State, local or foreign agencies responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation or order, where there is an indication of a violation or potential violation of the statute, rule, regulation or order and the information disclosed is relevant to the matter.
5. For the purpose of obtaining patent protection for NSF-owned inventions and granting licenses for these patents, to: (a) Scientific personnel, both in NSF and other Government agencies and in non-Governmental organizations such as universities, who possess the expertise to understand the invention and evaluate its importance as a scientific advance; (b) contract patent counsel and their employees and foreign contract personnel retained by the Foundation for patent searching and prosecution in both the United States and foreign patent offices; (c) all other Government agencies whom NSF contacts regarding the possible use, interest in, or ownership rights in NSF inventions; (d) prospective licensees or technology finders who may further make the invention available to the public through sale or use; (e) parties, such as supervisors of inventors, whom NSF contacts to determine ownership rights, and those parties contacting NSF to determine the Government's ownership; and (f) the United States and foreign patent offices involved in the filing of NSF patent applications.
6. Representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

Policies and Practice for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System:

Storage:

The records are stored in file folders, computer tapes, and computer discs.

Retrievability:

Records are retrieved by name of the inventor, invention-disclosure number, NSF program, and institution.

Safeguards:

Data on computer files is accessed by password known only to authorized users, who are NSF or contractor employees involved in patenting and licensing of NSF-owned inventions or administering rights to inventions made with NSF assistance to which grantees, contractors, or inventors have retained principal rights. Access to information is thus limited to those with a need to know. Records are stored in a locked room or in locking file cabinets in file folders. During normal business hours, Office of General Counsel personnel regulate availability of the files. During evening and weekend the offices are locked and the building is closed.

Retention and Disposal:

Records will be retained and disposed of under the authority of Foundation procedures currently under development.

System Manager(s) and Address(es):

Patent Assistant, Office of General Counsel, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230

Notification Procedure:

The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR part 613.

Record Access Procedures:

See "Notification Procedures" above.

Contesting Record Procedures:

See "Notification Procedures" above.

Record Source Categories:

Inventors and other collaborating persons, grantees, contractors; other Federal agencies; scientific experts from non-Government organizations; contract patent counsel and their employees and foreign contract personnel; United States and foreign patent offices; prospective licenses; and third parties whom NSF contacts to determine individual invention ownership or Government ownership.

Systems Exempted from Certain Provisions of the Act:

None.

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