Department of Veterans Affairs
Technology Transfer Program

John J. Kaplan, PhD, JD
Director, Technology Transfer Program

Bringing Research Advancements for Veterans to Everyone!
Technology Transfer

- The commercialization of inventions and discoveries made by Government and academic researchers
- Most often it involves licensing a patent to a company which will develop the invention into a product that benefits the public
- Could involve a collaboration with the inventor(s) through a license or a Cooperative Research And Development Agreement (CRADA)
Technology Transfer

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At the VA...

• The mission of the VA Technology Transfer Program (TTP) is to facilitate the commercialization of VA inventions to benefit Veterans and the American public
  • Manage Inventions of VA employees
  • Review Agreements
  • Consultations
  • Collaborate with partners

• Bringing Research Advancements for Veterans to Everyone (BRAVE)
TTP Org

• 1 - Director, Dr. John Kaplan PhD, JD, MBA, PE
• 5 - Technology Transfer Specialists (PhD, JD, MBA, MPP)
• 4 - Staff Assistants (JD, MBA)

• Support from Patent Law Firms
• Support from Business Consultant
Technology Transfer Specialists

• **Email Box:**
  VA Technology Transfer Invention Disclosures
  Mr. Ryan Davis
  vattid@va.gov
  202.632-7554

• **POC:**
  John Kaplan, PhD, JD, MBA
  Director, Technology Transfer Program
  john.kaplan@va.gov
  202.632.7271

  Benjamin Henry
  Technology Transfer Specialist
  benjamin.henry@va.gov
  202.443.5736

  Kalpana Reddy, JD
  Technology Transfer Specialist
  Kalpana.reddy3@va.gov
  202.443.5778

  Lee Sylvers, PhD
  Technology Transfer Specialist
  lee.sylvers@va.gov
  813.417.6327

  Chris Drabik, JD
  Technology Transfer Specialist
  christopher.drabik@va.gov
  202.443.5688

  Kerry Leonard, JD
  Technology Transfer Specialist
  kerry.leonard@va.gov
  202.443-5779

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VA Academic Affiliates

Bringing Research Advancements for Veterans to Everyone!
Disclosure

- 38 CFR 1.656
- VA Certification Form
- 1 per each VA affiliated inventor
  - Full-Time
  - Part-Time
  - Without Compensation
  - Inter-government Personnel Act
Determination of Rights

• Assessment of Government Rights
  • Assert Government ownership of the invention
  • Leave ownership of the invention with the inventor
  • Leave ownership of the invention with the inventor subject to the VA retaining a non-exclusive, Govt. use license

• VA Asserts Rights
  • Managed by VA; or
  • Obligations through Agreements if jointly owned
Assessment

• Brief Technical Description
• Brief Market Analysis
• Competitive Position
• Barriers to Entry
• Recommendations
Patent Protection

• **Provisional Patent Application**
  • VA contracted patent firm
  • Collaborative process between attorney and inventor(s)
  • Managed by Technology Transfer Specialist (TTS)
  • Active marketing during first year informs decision on conversion to a utility patent application

• **Utility Patent Application**
  • In the absence of a license or strong licensing prospect, only U.S. patent is sought
Marketing

• Passive
  • Posted to Web site
• Marketing Briefs
• Active Marketing
• Media Outlets
• Inventor Suggestions
Licensing

• To Further Commercialize
• Application Process is Codified (37 CFR 404)
  • Commercial Development Plan
• Negotiate an exclusive, partially exclusive, or nonexclusive license agreement
  • Fees
  • Royalties
  • Reimbursement of Costs

No Inventor Involvement During Financial Negotiations
Royalty Distribution

- First $2,000 to each inventor, then:
- 50% to inventor(s)
- 50% to VAMC where invention was made
- NOTE: Each inventor can receive up to $150,000 per year in royalty payments
Results/Accomplishments

- Outreach/Communication Effort and Revamping Invention Disclosure (ID) Processing has resulted in a large increase in IDs
Results/Accomplishments

• Striving to protect more VA research via patenting
Business process re-engineering successes

• Royalty dollars earned

• Number of submitted IDs

• Number of Site Visits

• Number of Technology Transfer Specialists
Business process re-engineering

• Time to disperse royalties

• Invention Disclosure Backlog

• Days to process a Determination of Rights

• Number of incomplete records
Site Visits Performed

• VA TTP considers outreach to its customers as a core value.

  • Site Visits in 2015: 0
  • Site Visits in 2016: 10
  • Site Visits in 2017: 32 with up to seven additional sites pending

  • A site visit generally includes: the medical center research office, the NPC office and the academic affiliates technology transfer office. When scheduling permits, the Medical Center leadership is also invited.
  • This is the forum where issues can be addressed, training occurs and partnerships are solidified.
• Rolled out by Employee Education Service onto TMS on May 20, 2017
• Loaded onto https://www.research.va.gov/programs/tech_transfer/default.cfm on May 23, 2017
• Public relations included posters at VHA and Cemetery locations nationwide, partnerships with VHA Public Affairs Officers nationwide and notifications on both Hey VA! Have you heard (7/5/2017) and The Weekly Educator (7/3/2017)
  • June 2017 Course Completions-44
  • July 2017 Course Completions-53
Helpful Links

• Intranet:  
  http://vaww.research.va.gov/programs/tech_transfer/

• Internet:  
  http://www.research.va.gov/programs/tech_transfer/

• VHA Directive 1200.18 on internet site

• eLearning Course: Basics of VA Technology Transfer  
  • VA’s Talent Management System (TMS) Course Number 33534  
  • Internet site under WHAT’S NEW
• Assist with partnership between VA TTP and Academic Affiliates
  • Advocate for cooperation/collaboration
  • Support the disclosures and certification to VA TTP
  • Help with changing from Cooperative Technology Administration Agreements (CTAAs) to Invention Management Agreements (IMAs)
Questions & Answers

Thank you!