CCC's Response to the [Request for Comments on NSF's Proposed Intellectual Property Options](#)

This response is prepared by the Computing Research Association (CRA)'s Computing Community Consortium (CCC). CRA is an association of over 270 North American computing research organizations, both academic and industrial, and partners from six professional computing societies.

The CCC's mission, a CRA subcommittee, is to enable the pursuit of innovative, high-impact computing research that aligns with pressing national and global challenges. Please note any opinions, findings, and conclusions or recommendations expressed in this material are those of the authors and do not necessarily reflect the views of the authors' affiliations, or of the National Science Foundation, which funds the CCC.

February 6, 2025

Written by: David Danks (University of California), Catherine Gill (Computing Community Consortium), Daniel Lopresti (Lehigh University), Brian Mosely (Computing Research Association), and Pamela Wisniewski (Vanderbilt University)

Questions for Public Comment

Overall Impact: How do you believe these proposed IP options will impact innovation, technology transfer, and economic growth?

Most Universities have tech transfer offices that assist faculty and students with IP related decisions. If NSF has not already done so, we recommend they facilitate discussions with tech transfer offices at a range of Universities to ensure these proposed IP options will be agreeable to Universities and the researchers employed by them. Many Universities have interest in commercialization, so it is important to include their input and concerns at the highest level.

Flexibility: What additional flexibility should be incorporated into the IP options to accommodate and incentivize a range of research initiatives?

It is unclear how the specified timeframes will be useful as different sectors have vastly different lifecycles and timelines for first mover advantage. We suggest that the proposed licenses be used as templates, but that the timeframes are adjusted to more accurately meet the needed IP rights for a given research project.

Adoption: What strategies could NSF employ to encourage widespread adoption of these IP options among potential partners?

Currently, NSF takes a relatively hands-off approach to helping partners negotiate terms over IP as well as in assisting with business development to overcoming hurdles to commercialization. In some cases, it may be helpful if NSF could provide more guidance and centralized resources to ensure successful engagements with NSF funds, especially for researchers who do not work in industry which is more likely to have access to dedicated legal teams. In addition to the I-Corps program, other mechanisms like SPRINT and APEX supplements provide additional support to researchers in delicate periods of tech transfer where researchers often need assistance the most.

Additionally, just as NSF proposals require data management plans and collaboration agreements, it may be beneficial to require an initial statement of how Intellectual Property considerations will be managed. This could serve as a proactive way to encourage academic-industry partners to address these complex issues early on.

Barriers: What potential barriers exist to implementing these IP options, and how might they be overcome?

The boundary between research use and commercial use is often unclear, so it is important to discuss the intended end use of a research project from the outset, rather than waiting until the transition phase to prevent potential conflicts. Too often, IP issues are overlooked until they become problematic. It would be helpful to encourage these discussions before selecting one of the three proposed options, to better assess how each engaged party intends to leverage the results of a given research project.