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**Subject:** Update to OTT Operating Guidance Memo No. 08-06: Non-Exclusive Royalty-Free Invention Rights (NERF) Pilot Program Update

On September 9, 2008 OTT issued Operating Guidance Memo No. 08-06 (Memo) authorizing the Non-Exclusive Royalty-Free Invention Rights Pilot Program (NERF Pilot Program) along with qualification criteria and guidance on its implementation. Under the NERF Pilot Program, University of California Contract and Grant Officers or others with authority to enter into sponsored research agreements on behalf of the Regents (C&G Officers) are authorized to grant a for-profit sponsor the first right to negotiate a royalty-free, non-exclusive license to the University's interests in patentable inventions conceived and first reduced to practice in the performance of a research project, in accordance with the guidance included in the Memo. This NERF Pilot Program authority was authorized through September 30, 2010.

Based upon the feedback received regarding the effectiveness of the NERF Pilot Program from campuses, the NERF Pilot Program has proven to be an effective tool in attracting and sustaining collaborative research opportunities with industry partners. We have concluded that its continued use is vital to the success of the various campus programs in maintaining and building their research and technology transfer relationships with industry. Thus, effective on October 1, 2010, with the concurrence of the Technology Transfer Advisory Committee (TTAC), the campus authority to operate within the Non-Exclusive Royalty-Free Invention Rights (NERF) Program as delineated in [OTT Operating Guidance Memo 08-06](#) – and now managed under the Research Policy Analysis & Coordination (RPAC) operating guidance memo structure – is extended indefinitely.

Each C&G Officer and campus licensing office is encouraged to review the program's qualification criteria and guidance discussed in the OTT Operating Guidance Memo referenced above. Please contact Janna Tom if you have any questions concerning this supplement or the NERF Pilot Program.

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Attachment: OTT Operating Guidance Memo 08-06