Executive Summary

The expertise and equipment resources of the U.S. Department of Energy (DOE) laboratories and facilities are available to help industry transform manufacturing processes, improve energy efficiency and reduce waste through new technologies and DOE's Industries of the Future (IOF) program. Established in 1995, the Laboratory Coordinating Council networks these capabilities to help create highly effective partnerships with the Industries of the Future to (1) stimulate and foster collaborations, (2) simplify access to laboratories and facilities, and (3) help industries meet goals of reducing energy use and waste.

The purpose of this document is to guide those interested in taking advantage of the laboratory resources and to answer questions about how the laboratories and DOE do business.

Three formal ways for the laboratories to collaborate with the private sector are shown in the table below. DOE adopted the modular Cooperative Research and Development Agreement (CRADA) to provide a consistent legal framework for all laboratories to offer their industrial partners. The modular CRADA represents DOE's full range of pre-approved terms and conditions. Because each government-owned and contractor-operated facility has its own prime contract with DOE and may be not-for-profit, nonprofit, or for-profit, there are minor differences in terms and conditions. Special provisions provide for intellectual property rights and patent waivers. Through another mechanism, directly sponsored laboratory work relating to DOE missions is performed through Work for Others agreements (WFO). Laboratories also offer user facilities that companies can use on a proprietary basis, for a fee, or a non-proprietary basis to access significant capabilities developed in the performance of DOE mission work in energy resources, national security, science, and environmental quality.

The Field Work Proposal (FWP) is a mechanism by which DOE authorizes funding to DOE laboratories and facilities. With DOE approval, laboratories can use funds provided by an FWP to participate in a CRADA with industry.

Agreement	Description	Information Protection	Intellectual Property
CRADA—Cooperative Research and Development Agreement	Establishes a partnership with industry for collaborative R&D activities. Either industry or a government agency may fund the laboratory efforts.	The parties may protect their CRADA data for up to 5 years. Typically, publishing party provides 30 days for review prior to intended publication. Other conditions may apply.	Each party retains title to its own inventions. An option for a royalty-bearing exclusive license is granted to the industry partner in a field of use for DOE laboratory inventions with reasonable compensation. Other conditions may apply.
Non-Federal WFO—Work for Others	Industry and non-profit institutions provide funding to a laboratory in order to access their unique facilities, equipment, and personnel.	Data rights negotiable, ranging from fully proprietary to all parties can use all data produced without restriction. Other conditions may apply.	Title to DOE laboratory inventions may go to the sponsor under a DOE class waiver, depending on work funded and type of funds.
User Agreement	Provides access to certain unique DOE laboratory experimental facilities for research, testing, and developing prototypes.	Negotiable. There are both proprietary and nonproprietary agreements.	A DOE class waiver provides that user inventions go to the user.

There are also many informal ways for industry to work with DOE national laboratories and facilities, such as through staff exchanges. Through its extensive network of technical expertise and industry interaction, the Laboratory Coordinating Council can play a facilitating role for creating new collaborations.