

Attachment 2

U.S. COMPETITIVENESS WORK SHEET

(For Use in Resolving Issues of U.S. Competitiveness Regarding
Prospective Technology Transfer Agreements and Partners at DOE Laboratories)

The Government, authorizing CRADAs, is seeking to transfer technology to companies with significant manufacturing and research facilities in the United States in a way which will provide short- and long-term benefits to the U.S. economy and the industrial competitiveness of such companies.

The preferred benefit to the U.S. economy is the creation and maintenance of manufacturing capabilities and jobs within the United States.

1. Will the Participant(s) agree, as part of the CRADA, to substantially manufacture any products, use any processes, or perform any services in the United States incorporating or resulting from inventions, copyrights, mask works, or protectable data arising from the CRADA work in which the Participant(s) has some commercial rights? Yes ___ No ___
2. If no, Participant(s) must furnish a description of specific economic or other benefits to the U.S. economy which are related to the commercial use by Participant(s) of the technology being funded under the CRADA and which are commensurate with the Government's contribution to the proposed work.
3. The above-described agreement and/or description of benefits will be provided by the laboratory to the operations office before submission of the Joint Work Statement.

Such benefits may include one or more of the following:

- Direct or indirect investment in U.S.-based plant and equipment.
- Creation of new and/or higher-quality U.S.-based jobs.
- Enhancement of the domestic skills base.
- Further domestic development of the technology.
- Significant reinvestment of profits in the domestic economy.
- Positive impact on the U.S. balance of payments in terms of product and service exports as well as foreign licensing royalties and receipts.

- Appropriate recognition of U.S. taxpayer support for the technology; e.g., a quid-pro-quo commensurate with the economic benefit that would be domestically derived by the U.S. taxpayer from U.S.-based manufacture.
- Cross-licensing, sublicensing, and reassignment provisions in licenses which seek to maximize the benefits to the U.S. taxpayer.