



Office of Sponsored Projects & Industry Partnerships Policy Manual

Cooperative Research & Development Agreements (CRADA) Overview

Office of Sponsored Projects & Industry Partnerships
One Cyclotron Road, MS46R0125 Berkeley, CA 94720 USA

October 23, 2009

COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS	2
(CRADAs) - <i>General Polices</i>	2
A. Policy and Overview	2
Cooperative Research and Development Agreement (CRADA) Policy	2
1. National Competitiveness Technology Partnering Act of 1989	2
2. Class Waiver - Patent Rights	3
3. DOE Order 483.1 - CRADA Agreements	3
4. DOE CRADA Manual 483.1-1	3
5. Cost Sharing of CRADAs	3
6. DOE/UC Contract DE-AC02-05CH11231	4
7. LBNL Policy re Use of Students in CRADAs	4

COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS

(CRADAs) - *General Policies*

A. Policy and Overview

CRADAs are with a non-Federal partner in specified research or development efforts that is consistent with the missions of the facility. The non-Federal party contribution must be more than financial and/or equipment or the development of a statement of work. The University of California (UC) and DOE contract establishes the rules under which UC will operate and manage the E.O. Lawrence Berkeley National Laboratory (LBNL). [Clauses](#) I.92 - 970.5227-3 TECHNOLOGY TRANSFER MISSION and Clause I.91 DEAR 970.5227-2 RIGHTS IN DATA" TECHNOLOGY TRANSFER ACTIVITIES are two of the primary clauses related to CRADAs.

The President of the University of California has delegated to the Laboratory Director the authority for Laboratory Contract and Grant Authority - To Solicit and Accept or Execute Certain Extramural Grants and Contracts which include CRADAs.

The Office of Sponsored Projects & Industry Partnerships (OSPIP) is the institutional organization responsible for submitting proposals and accepting awards from non-DOE sponsors. All proposals and awards for sponsored research must be processed through OSPIP. OSPIP's Contract Officers have been delegated authority from the Laboratory Director to submit proposals and negotiate awards in accordance with UC policy. The OSPIP Manager retains the authority to sign CRADAs.

Cooperative Research and Development Agreement (CRADA) Policy

1. [National Competitiveness Technology Transfer Act of 1989](#)

The law that created the CRADA mechanism for use by Government Owned Contractor Operated (GOCO's) Laboratories, such as LBNL.

It also provided the DOE approval requirements as well as some of the requirements needing to be addressed in the CRADA.

2. [Class Waiver - Patent Rights](#)

- *2/25/91 - DOE Letter*
- *Class Waiver of the Government's U.S. and Foreign Patent Rights in Inventions Made in the Performance of Cooperative Research and Development Agreements entered into by The Regents of the University of California Under Management and Operating Contract No. DE-AC02-05CH11231 between the Department of Energy and The Regents of the University of California [W(C)-91-001; SAN 587]*

Provides the waiver of the Government's rights in participant CRADA inventions. Usually, the waiver is to the participant but it may be negotiated subject to DOE approval.

3. [DOE Order 483.1 - CRADA Agreements](#)

- *01/12/2001- DOE O 483.1 Order*

To establish Department of Energy (DOE) policy, requirements, and responsibilities for the oversight, management, and administration of Cooperative Research and Development Agreement (CRADA) activities at DOE facilities.

4. [DOE CRADA Manual 483.1-1](#)

- *01/12/2001*
- *Supplements DOE O 483.1*

This Manual provides detailed requirements to supplement DOE O 483.1, DOE COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS, dated 1-12-01, which establishes requirements for the performance of technology transfer through the use of Cooperative Research and Development Agreements (CRADAs).

5. [Cost Sharing of CRADAs](#)

- *3/14/94 - DOE Memorandum*

Reiterates DOE policy that prior work cannot be counted as in-kind CRADA contributions.

6. [DOE/UC Contract DE-AC02-05CH11231](#)

The University of California (UC) and DOE contract establishing the rules under which UC will operate and manage the E.O. Lawrence Berkeley National Laboratory (LBNL).

[Clauses](#) 7.1 - 970.5204-40 TECHNOLOGY TRANSFER MISSION and Clause 7.2 "RIGHTS IN DATA" TECHNOLOGY TRANSFER ACTIVITIES are two of the primary clauses related to CRADAs.

7. [LBNL Policy re Use of Students in CRADAs](#)

Provides LBNL's policy regarding not allowing students to work on CRADA project unless special terms and conditions are negotiated.