# PART 1327 - PATENTS, DATA, AND COPYRIGHTS

Authority: 41 U.S.C. 414; 48 CFR 1.301-1.304.

Source: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.


Subpart 1327.2 - Patents and Copyrights

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**Parent topic:** SUBCHAPTER E - GENERAL CONTRACTING REQUIREMENTS


## Subpart 1327.2 - Patents and Copyrights

### 1327.201 Patent and copyright infringement liability.

### 1327.201-2 Contract clauses.

The designee authorized to approve the insertion of clause 52.227-5, *Waiver of Indemnity,* in solicitations and contracts is set forth in CAM 1301.70.

# Subpart 1327.3 - Patent Rights Under Government Contracts

## 1327.303 Contract clauses.

(a) The designee authorized to determine, at contract award, that it would be in the national interest to sublicense foreign governments or international organizations pursuant to any existing or future treaty or agreement is set forth in CAM 1301.70.

(b) The designee authorized to determine that restriction or elimination of the right to retain title to any subject invention will better promote the policy and objectives of chapter 18 of title 35 of the United States Code is set forth in CAM 1301.70.

(c) The designee authorized to determine, at contract award, that it would be in the national interest to sublicense foreign governments or international organizations pursuant to any existing or future treaty or agreement is set forth in CAM 1301.70.

## 1327.304 Procedures.

## 1327.304-4 Appeals.

The designee authorized to provide the contractor with a written statement of the basis for taking the actions described in FAR 27.304-5(a) is set forth in CAM 1301.70.

## 1327.305 Administration of patent rights clauses.

## 1327.305-2 Administration by the Government.

The contracting officer shall promptly furnish all invention disclosures, reports, confirmatory instruments, notices, requests, and other documents and information relating to patent rights clauses to the DOC Patent Attorney.

# Subpart 1327.4 - Rights in Data and Copyrights

## 1327.404 Basic rights in data clause.

## 1327.404-4 Contractor's release, publication, and use of data.

(a) Insert clause 1352.227-70, *Rights in Data, Assignment of Copyright,* in all solicitations and contracts if FAR Clause 52.227-17 has been used in the solicitation or contract and the contracting officer wants the contractor to assign copyright to the Government.

(b) In appropriate cases, the contracting officer may place limitations or restrictions on the

contractor's exercise of its rights in data first produced in the performance of the contract, including a requirement to assign copyright to the Government or another party.

## 1327.404-5 Unauthorized, omitted, or incorrect markings.

The designee authorized to concur with the contracting officer's determination that markings are not authorized is set forth in CAM 1301.70.