

## 27.202-3 Adjustment of royalties.

(a) If at any time the contracting officer believes that any royalties paid, or to be paid, under a contract or subcontract are inconsistent with Government rights, excessive, or otherwise improper, the contracting officer shall promptly report the facts to the office having cognizance of patent matters for the contracting activity concerned.

(b) In coordination with the cognizant office, the contracting officer shall promptly act to protect the Government against payment of royalties-

- (1) With respect to which the Government has a royalty-free license;
- (2) At a rate in excess of the rate at which the Government is licensed; or
- (3) When the royalties in whole or in part otherwise constitute an improper charge.

(c) In appropriate cases, the contracting officer in coordination with the cognizant office shall demand a refund pursuant to any refund of royalties clause in the contract (see [27.202-4](#)) or negotiate for a reduction of royalties.

(d) For guidance in evaluating information furnished pursuant to [27.202-1](#), see [31.205-37](#). See also [31.109](#) regarding advance understandings on particular cost items, including royalties.

**Parent topic:** [27.202 Royalties.](#)