



2014 Instructions and Definitions

Welcome to the 2014 AUTM Licensing Activity Survey. Please read these instructions about survey operation, the notes about questions and term definitions. Recent issues are resolved in the FAQ that are linked from the Respondent Menu.

New for 2014:

The body of the 2014 survey remains largely unchanged, with many of these questions originating in the 1990s. However, there are significant changes to supplementary questions for 2014:

- **Survey Question Changes**

After several years as supplementary questions, six (five for Canadians) questions have been moved into the main survey and will be available in STATT. Please make every effort to answer the following questions:

2013	Description	2014
S-1	Clinical trials research expenditures	8C1
S-2	Disclosures from federal grants	13A1
S-5	Disclosures returned	13E
S-6	Design patents	13C4
S-7A	Plant patents	13C5
S-8	SBIR/STTR companies (US institutions only)	14F

- **Supplemental Questions Remaining**

2014	Description
S-3	Net sales of products
S-7B	Plant certificates
S-7C	Plant patents issued
S-7D	Non-US plant certificates

- **New Supplemental Questions**

In the 2013 survey, we asked you to list the most impactful products and services resulting from technology licensing. This year, we are asking you to list past or current startup companies having the most impact. Please use any appropriate criteria to measure impact, like significant technology commercialized, number of jobs created, capitalization or value, etc.

Startup Company Mini Survey

Please note that the mini-survey for startup company information continues for a third year in 2014. Please access this survey from the respondent menu.

We are asking for demographic information on your start-up companies. This is part of an ongoing collaborative project between AUTM and the National Council of Entrepreneurial Tech Transfer (NECT2) organization to study on the economic impact of university spin-out companies. The data will be placed in a graphical database that will be searchable by state. In the future NCET2 plans to build on this data to extract complementary data from public sources. We believe this database will become an extremely valuable resource.

General Instructions

Instructions for Canadian Respondents

Currency amounts should be submitted in Canadian dollars (CAD). Data will be reported in Canadian dollars.

Research Expenditures: Federal Govt. Sources refers to research expenditures that were supported by Canadian (and U.S., if any) federal government sources; this amount does *not* include expenditures funded by provincial government sources. Total Patent Applications Filed refers to applications filed in the U.S. The U.S. Patents Issued refers to U.S. patents.

Survey Term

The survey will “open” for data collection for a specific period of time, announced on the survey web site at <http://www.autmsurvey.org> and by email message to survey contacts. Respondents may respond to the survey, updating or changing their information, as many times as needed during the response period. However, after the closing date of the survey, changes may only be made under special arrangements with the survey administrator (surveyadmin@autmsurvey.org).

Confidential Status:

Institution survey responses and aggregate data are published and widely disseminated. However, respondents who mark their survey **confidential** will not be published. Neither the institution name nor the specific data will be shown. However, confidential data are included within aggregate data and totals.

Reporting Period

The Survey requests data for a complete year regardless of your internal reporting or fiscal year. The 2014 reporting period may be any 12-month period ending in calendar year 2014, e.g., 7/2013-6/2014, 4/2013-3/2014, etc.

Questions and Data

Every question has been worded to attempt to reduce ambiguities. If you are not able to provide an exact response to a question, we would like you to provide your *best estimate* to the question, as opposed to providing no answer at all. Recognizing that misinterpretations may still occur, you are encouraged to contact the Survey Administrator for clarification.

Note: The value N means “no data” and is displayed when you do not wish to answer a question, or when the question fails automated verification. It does **NOT** mean 0 (zero).

Submitting and Updating

Unlike some surveys, where your data is final when submitted, ALAS lets you input and update your data multiple times, whenever it is convenient, until the close date. You may also need to correct problems with the data. There is no particular need to wait until all of your data has been collected to start the reporting process. Frequent updates also insures that your work is saved in the event of a computer problem, etc

Note: Save (UPDATE) your responses often. If you leave the survey unattended for more than **30 minutes**, then all data may be discarded, and you will see a “timeout error” message stating: “An error occurred while evaluating the expression: #session.id# ...” If you see this message, start over again by logging in at: <http://www.autmsurvey.org> .

Error Checking

ALAS checks your data for possible problems. There are three types of checking that may require your assistance.

On the Form

When you input your data to the survey form, there will be an immediate check for unanswered questions or incorrect responses. For example, if you put a comma into a number, you will see a warning like: “Q8A. *A numeric answer is required, no commas, or enter N if you do not wish to provide data.*” These form errors must be resolved before your UPDATE is processed for insertion into the database.

Verification and Validation

After your form is submitted by pressing the UPDATE button, additional checks are made on:(i) the size of the number, and (ii) whether the component parts to a question add up to the total or aggregate.

If you responded last year, and if the number you input is too large or too small compared to last year, an error will be displayed. The system assumes that a mistake has been made. Your answer will be replaced with an N in the database. If you input the same number twice (double entry), then the system will ignore the “out of range” problem and actually save the new response. Additional information is provided on-screen after the form submittal.

Similarly, if the component parts of a question do not sum correctly to the total, then the PARTS will be set to N. For example, total licenses must be equal to non-exclusive licenses plus exclusive licenses. If the parts do not add correctly to the total, then the total will be retained but the parts will be set to N. You may update the component parts to sum properly if you wish.

Discussion of the Survey Questions

A discussion of selected questions follows to aid responders in an accurate interpretation of the data requested.

Question 2 (Reporting Period)

The survey would like to know what month your reporting period ends. For example, if your fiscal year starts on July 1, then it would normally end on June 30. If your 12-month reporting period coincides with your fiscal year, then select JUNE for Question 2A. If your reporting period does not coincide with your fiscal year, then select the appropriate ending month.

Question 6 (Program start date)

If you have not already done so in an earlier Survey response, enter the year in which your institution assigned at least 0.5 PROFESSIONAL FTE in support of TECHNOLOGY TRANSFER ACTIVITIES. This year will be used as the start of TECHNOLOGY TRANSFER ACTIVITY at your institution. The individual assigned to TECHNOLOGY TRANSFER ACTIVITIES may or may not have had a formal tech transfer job title and may or may not have been in an organizational unit with "technology transfer" in its title, i.e., technology transfer/licensing office.

Question 7 (Licensing and other FTEs)

See definitions for LICENSING FTE and OTHER FTE when responding to this question. Please report the FTEs in your Technology Transfer Office by full or fractional FTEs for licensing (as defined in LICENSING FTE) and other (as defined in OTHER FTE).

Question 8 (Research Expenditures)

This question asks for research expenditures in 2014. Refer to the relevant definitions when responding to this question. Also note that we do not request state government and foundation funding, so Question 8A should be bigger than the sum of Questions 8B and 8C.

Question 9 (License/Option Agreements)

This question has several parts, all which ask about licenses, options and disclosures. There are new questions and changes.

9A asks for total number of licenses and options, separated. Note these questions separate licenses from options. We will add these numbers together to reach the total figure of licenses and options reported in the past.

(9A1) How many LICENSES (TOTAL) did your institution execute in 2014? **(9A2)** How many OPTIONS (TOTAL) did your institution execute in 2014?
Please count data access agreements as noted in the definitions below.

9A3, identify the total number of disclosures included in the licenses and options. Where an invention disclosure is licensed non-exclusively, you will count it more than once.

(9A3) How many different DISCLOSURES are included in the LICENSES/ OPTIONS EXECUTED reported in (9A1) and (9A2). (LCINVDIS)

9A4 and 9A5 count only LICENSES and not OPTIONS.

(9A4) How many of these LICENSES executed in 2014 reported above were EXCLUSIVE? (LCEXEC)

(9A5) How many of these LICENSES executed in 2014 reported above were NON-EXCLUSIVE?

In responding to Question 9, note that the counts of licenses to START-UP COMPANIES and SMALL COMPANIES are mutually exclusive in the Survey, even though a START-UP COMPANY will certainly have fewer than 500 employees and will therefore also be a SMALL COMPANY. Do not report licenses to START-UP COMPANIES in the SMALL COMPANIES as well.

Question **9G** asks for the number of "OTHER NEW COMPANIES" that received any support, financial or otherwise, from you institution. Please see the definitions below.

Question 10

This question has been removed from the survey.

Question 11 (License Income)

Please include data access revenues as noted in the definitions below.

In **(11A1)**, enter the number of licenses/options that yielded the amount of RUNNING ROYALTIES reported.

In **(11A2)**, enter how many LICENSES/OPTIONS YIELDING INCOME in generated more than \$1 million in that year.

In **(11B)**, the sum of LICENSE INCOME RECEIVED apportioned to RUNNING ROYALTIES, CASHED-IN EQUITY, and all other types must equal LICENSE INCOME RECEIVED.

In **(11C)**, the definition of PAID TO OTHER INSTITUTIONS has been changed slightly to limit the institutions to those which you anticipate will be reporting to the Survey. This change has been made since the objective of the question is to eliminate double counting of royalty income. Please reread the definition before responding to this question.

Question 12 (Legal Fees Expended and Reimbursed)

Please provide the amount of costs/reimbursements for external legal fees and reimbursements (see definitions below for LEGAL FEES EXPENDITURES and LEGAL FEES REIMBURSEMENTS). To answer this question, you should consider and omit your significant litigation expenses. Legal fees are defined to include patent and copyright prosecution, maintenance, and interference costs, as well as minor litigation expenses that are included in everyday office expenditures (an example of a minor litigation expense might be the cost of an initial letter to a potential infringer written by counsel), and to exclude significant litigation expense, e.g., any individual litigation expense that exceeds 5% of total LEGAL FEES EXPENDITURES. In earlier years, legal fees were defined to include all components—prosecution, maintenance, interference, and litigation costs—with no threshold in reporting of litigation expense. The refinement to litigation expense occurred in 1999 and is intended to eliminate skews in the data as a result of significant litigation. It is also expected to yield more meaningful results in copyright and patent maintenance and prosecution costs as well as more useful comparisons of these data across institutions.

Question 13 (IP Related Activity)

Question **13** asks for the annual data for DISCLOSURES, U.S. PATENTS ISSUED, TOTAL U.S. PATENT APPLICATIONS FILED and NEW PATENT APPLICATIONS FILED. See related definitions for TOTAL U.S. PATENT APPLICATIONS FILED and NEW PATENT APPLICATIONS FILED to respond to this portion of the question.

Questions **13C1**, **13C2** and **13C3** seek information on the type of patent application that is used for NEW PATENT APPLICATIONS FILED. Question 13C3 asks for NON-US PATENT APPLICATIONS FILED. You should respond under Question 13C3 **ONLY** if the **INITIAL** filing of a patent application is with a patent office other than the USPTO. It does **NOT** ask for information about all foreign patent applications filed by institutions. It is anticipated that Canadian respondents will be the primary respondents to this question, although some U.S. institutions may file initial applications outside the U.S. in the course of collaborations with non-U.S. companies or academic institutions.

Question 14 (Start-up Companies)

This question asks for information for START-UP COMPANIES in the reporting period. The first portion of this question, (14A), is the same question asked in previous Surveys and is self-explanatory.

Question (**14B**) asks for the number of START-UP COMPANIES initiated in that have their primary place of business operating in your home state. Question (14C) asks how many START-UP COMPANIES became NON-OPERATIONAL in the reporting period. Question (14D) asks how many START-UP COMPANIES, including those reported in were OPERATIONAL as of the last day of the surveyed year. When responding to (14C) and (14D), it may be useful to ask yourself if the LICENSE/OPTION with the START-UP is still in force. (See also definition, OPERATIONAL.) Finally, question (14E) asks in how many of your START-UP companies formed in which your institution holds EQUITY.

Question 15 (Post-Licensing Activity)

This question asks for LICENSED TECHNOLOGIES made AVAILABLE in and will be used to identify public benefits derived in the Survey year. To answer this question, review your LICENSES/OPTIONS that are ACTIVE through (9c) and determine the LICENSED TECHNOLOGIES that became AVAILABLE during the reporting period. (See related definitions for LICENSED TECHNOLOGIES and AVAILABLE). You will likely have started to receive RUNNING ROYALTIES (11B1) for many of the LICENSED TECHNOLOGIES made AVAILABLE in 2014.

Important Definitions (listed in alphabetical order)

0.5 PROFESSIONAL FTE: 0.5 PROFESSIONAL FTE means a professional position whose duties included support of TECHNOLOGY TRANSFER ACTIVITIES at least 50% of the time. This person may or may not have been located in a formally established TECHNOLOGY TRANSFER OFFICE at that time. (See Question 6)

ACTIONABLE DISCLOSURES: means DISCLOSURES which the institution either acts on by filing for statutory intellectual property protection during the twelve months following disclosure, brings intellectual property rights under institutional management, or otherwise remains active because future action is expected within one year of receipt of the DISCLOSURE.

ACTIONABLE DISCLOSURES are not DISCLOSURES which have been closed by the institution, or have had no action by the institution within twelve months of receipt. (See Questions 13A7 through 13A9)

ACTIVE LICENSES/OPTIONS: The cumulative number of LICENSES/OPTIONS, over all years, that had not terminated by the end of the Survey's year requested. (See Question 9C)

AVAILABLE: LICENSED TECHNOLOGIES (see definition on page 4 of 6) that are sold as a product to the public or are placed into commercial use by a company, for example, as part of a manufacturing process. (See Question 12.) A LICENSED TECHNOLOGY is considered AVAILABLE in if the TECHNOLOGY was placed into use during that year, i.e., evidenced by royalties generated for the first time or licensee diligence reporting. (See Question 15)

CASHED-IN EQUITY: This includes the amount received from cashing in equity holdings, resulting in a cash transfer to the institution. *The amount reported should be reduced by the cost basis, if any, at which the equity was acquired.* Excluded from this amount is any type of analysis or process whereby a value for the equity holdings is determined but a cash transaction does not take place through the sale of these holdings. An internal sale (e.g., to the endowment) will constitute cashing-in if the transaction results in cash being made available for internal distribution. (See Question 11B2)

DATA ACCESS AGREEMENTS: A dataset associated with an invention disclosure, and made commercially available through an "access agreement," may be counted as a license or option. In addition, the revenue derived from that agreement may be counted as license income received. (See Questions 9A1, 9A1, 11B with sub-parts)

DISCLOSURES: DISCLOSURES include the number of disclosures, no matter how comprehensive, that are submitted during the survey year requested and are counted as received by the institution. (See Question 13A)

EQUITY: EQUITY, for the purposes of this Survey, is defined as an institution acquiring an ownership interest in a company (e.g., stock or the right to receive stock), or an element of license compensation which is economically equivalent to stock, such as debt convertible into stock, an option or warrant to acquire stock, a membership interest in an LLC, an exit fee or change of control fee whereby the licensor receives a percentage of the proceeds from the sale of the company or the value of its public listing. (See Questions 9B, 11B2, and 14E)

ESTIMATED SALES OF LICENSED PRODUCTS: Sales of licensed products can be estimated by dividing the RUNNING ROYALTIES for a particular license agreement by the negotiated royalty rate (e.g., if the negotiated royalty rate for license A were 5% and it generated \$500,000 in RUNNING ROYALTIES then the ESTIMATED SALES OF LICENSED PRODUCT for that LICENSED TECHNOLOGY would be $\$500,000/0.05 = \$10,000,000$). Repeat for each license agreement generating RUNNING ROYALTIES and sum to get the total ESTIMATES SALES OF LICENSED PRODUCTS.) . (See Question S-3)

EXCLUSIVE LICENSE: The reporting of a license as exclusive or non-exclusive should follow the terms of the license agreement. If a license is designated as exclusive in the license agreement, it should be reported as an exclusive licenses to this Survey. Exclusive licenses include licenses that are designated as exclusive by field of use, territory, or otherwise but excludes co-exclusive licenses, which are reported as NON-EXCLUSIVE LICENSES. (See Questions 9A1, 9D1, 9E1 and 9F1)

FTE (Full-Time Equivalent): See LICENSING FTEs and OTHER FTEs.

LARGE COMPANIES: Companies that had more than 500 employees at the time the license/option was signed. (See Question 9F1 and 9F2)

LEGAL FEES EXPENDITURES: LEGAL FEES EXPENDITURES include the amount spent by an institution in external legal fees for patents and/or copyrights. These costs include patent and copyright prosecution, maintenance, and interference costs, as well as minor litigation expenses that are included in everyday office expenditures (an example of a minor litigation expense might be the cost of an initial letter to a potential infringer written by counsel). Excluded from these fees is significant litigation expense, e.g., any individual litigation expense that exceeds 5% of total **LEGAL FEES EXPENDITURES**. They also do not include direct payment of any of these costs by licensees. (See Question 12)

LEGAL FEES REIMBURSEMENTS: LEGAL FEES REIMBURSEMENTS include the amount reimbursed by licensees to the institution for LEGAL FEES EXPENDITURES (see definition for LEGAL FEES EXPENDITURES). (Question 12) Include in this category both LEGAL FEES REIMBURSEMENTS paid via lump sum payments of costs incurred in prior years when a new license is signed AND regular reimbursements of new costs incurred after the license is signed. Do not include amounts deducted from LICENSE INCOME prior to internal distribution because LEGAL FEES EXPENDITURES have not been previously been reimbursed (e.g., technologies licensed non-exclusively).

LICENSE INCOME PAID TO OTHER INSTITUTIONS: LICENSE INCOME PAID TO OTHER INSTITUTIONS is the amount paid to other institutions under inter-institutional agreements. (See Question (11C). The Survey subtracts it from the TOTAL LICENSE INCOME of your institution to avoid double-counting LICENSE INCOME when the receiving institution reports it to the Survey.

LICENSE INCOME RECEIVED: LICENSE INCOME RECEIVED includes: license issue fees, payments under options, annual minimums, running royalties, termination payments, the amount of equity received when cashed-in, and software and biological material end-user license fees equal to \$1,000 or more, but not research funding, patent expense reimbursement, a valuation of equity not cashed-in, software and biological material end-user license fees less than \$1,000, or trademark licensing royalties from university insignia. License Income also does not include income received in support of the cost to make and transfer materials under Material Transfer Agreements. (See Questions 11B)

LICENSED TECHNOLOGIES: Refers to licensed technologies that became a product that was sold either to the public or to industry. It also refers to a licensed technology that is a process that was put into commercial use as opposed to developmental use by a company. A licensed technology may be considered AVAILABLE if it is bundled with other technologies when made available to the end-user. (See Question 15)

LICENSES/OPTIONS: Count the number of LICENSE or OPTION AGREEMENTS that were executed in the year indicated for all technologies. Each agreement, exclusive or non-exclusive, should be counted separately. Licenses to software or biological material end-users of \$1,000 or more may be counted per license, or as 1 license, or 1/each for each major software or biological material product (at manager's discretion) if the total number of end-user licenses would unreasonably skew the institution's data. Licenses for technology protected under U.S. plant patents (US PP) or plant variety protection certificates (U.S. PVPC) may be counted in a similar manner to software or biological material products as described above, at manager's discretion. Material Transfer Agreements are not to be counted as Licenses/Options in this Survey. (See Questions 9 and 11)

LICENSE/OPTION AGREEMENTS: A LICENSE AGREEMENT formalizes the transfer of TECHNOLOGY between two parties, where the owner of the TECHNOLOGY (licensor) permits the other party (licensee) to share the rights to use the TECHNOLOGY. An OPTION AGREEMENT grants the potential licensee a time period during which it may evaluate the TECHNOLOGY and negotiate the terms of a LICENSE AGREEMENT. An OPTION AGREEMENT is *not* constituted by an Option clause in a research agreement that grants rights to future inventions, until an actual invention has occurred that is subject to that Option. (See Questions 9 and 11)

LICENSES/OPTIONS EXECUTED WITH EQUITY: The number of LICENSES/OPTIONS that were executed in the year surveyed that included EQUITY, where EQUITY is defined as an institution acquiring an ownership interest in a company. (See Question 9B and 11B2)

LICENSES/OPTIONS YIELDING LICENSE INCOME: The number of LICENSES/OPTIONS that generated LICENSE INCOME RECEIVED in the year requested. (See Question 11A)

LICENSES/OPTIONS YIELDING RUNNING ROYALTIES: The number of LICENSES/OPTIONS that generated RUNNING ROYALTIES in the year requested. (See Question 11B1)

LICENSING FTE: Person(s) employed in the TECHNOLOGY TRANSFER OFFICE whose duties are specifically involved with the licensing *and* patenting processes as either full or fractional FTE allocations. Licensing examples include licensee solicitation, technology valuation, marketing of technology, license agreement drafting and negotiation, and start-up activity efforts. (See Question 7A)

NEW PATENT APPLICATIONS FILED: NEW PATENT APPLICATIONS FILED are the first filing of the patentable subject matter. NEW PATENT APPLICATIONS FILED do not include continuations, divisionals, or reissues, and typically do not include CIPs. A U.S. PROVISIONAL APPLICATION filed in will be counted as new unless it is a refiling of an expiring U.S. PROVISIONAL APPLICATION. If a U.S. PROVISIONAL APPLICATION is converted in to a U.S. UTILITY APPLICATION, then that corresponding U.S. UTILITY APPLICATION filed in should not be counted as new. (See Question 13B)

NON-EXCLUSIVE LICENSE: The reporting of a license as exclusive or non-exclusive should adhere to the terms of the license agreement. If a license is designated as non-exclusive or co- exclusive in the license agreement, it should be reported under non-exclusive licenses to this Survey. (See Question 9A2, 9D2, 9E2 and 9F2)

NON-OPERATIONAL: A company that no longer possesses sufficient financial resources and expends these resources to make progress toward stated business goals. The license to a company that is NON-OPERATIONAL will most likely have been terminated. A company may have terminated its license and still be OPERATIONAL because it has changed its business focus; however, it may be difficult to determine if such a company is still OPERATIONAL. (See Questions 14C). A company that has been acquired and no longer operates independently should be counted as NON-OPERATIONAL if the license has been terminated.

NEW NON-US PATENT APPLICATIONS: NEW NON-US PATENT APPLICATIONS include any initial patent filing of an INVENTION DISCLOSURE made outside of the U.S. during , including PCT applications, utility applications filed in patent offices other than the USPTO and provisional applications filed outside of the US such as UK or New Zealand provisional applications and incomplete applications in Canada.

OPERATIONAL: A company that possesses sufficient financial resources and expends these resources to make progress toward stated business goals. The company must also be diligent in its efforts to achieve these goals. (See Questions 14D) A company that has been acquired and no longer operates independently should still be counted as OPERATIONAL if the license is still active and in compliance.

OTHER FTE: Person(s) employed in the TECHNOLOGY TRANSFER OFFICE as either full or fractional FTE allocations whose duties and responsibilities are to provide professional, administrative, or staff support of TECHNOLOGY TRANSFER ACTIVITIES that are not otherwise included in LICENSING FTE. Such duties might include management, compliance reporting, license maintenance, negotiation of research agreements, contract management, accounting, MTA activity, and general office activity. General secretarial/administrative assistance to the TECHNOLOGY TRANSFER OFFICE may also be included in this category. (See Question 7B)

OTHER NEW COMPANIES: These are student or faculty companies (other than faculty consulting companies) **that are affiliated with your institution**, registered with the Secretary of State (i.e., incorporated) and received assistance from the university in the form of entrepreneurial training or education (e.g., how to write business plan), legal advice (e.g., how to incorporate, information about patent and other intellectual property), marketing help or services, (e.g., access to our business databases), help in securing financing (e.g., SBA loans, SBIR grants, angel money, etc.), accounting assistance (e.g., how to keep books), subsidized office space in business incubator, R&D assistance (e.g., gap funding or innovation grants), or other support (e.g., business plan competition awards) (See Question 9G)

PROGRAM START DATE: PROGRAM START DATE refers to the year in which 0.5 PROFESSIONAL FTE was devoted toward TECHNOLOGY TRANSFER ACTIVITIES. (See Question 6)

RESEARCH EXPENDITURES: FEDERAL GOVT. SOURCES: FEDERAL GOVT. SOURCES include expenditures made in by the institution in support of its research activities that are funded by the federal government. Expenditures by State and Local Governments should be excluded. (See Question 8A)

RESEARCH EXPENDITURES: INDUSTRIAL SOURCES: INDUSTRIAL SOURCES include expenditures made in by the institution in support of its research activities that are funded by for-profit *corporations*, but not expenditures supported by other sources such as foundations and other nonprofit organizations. (See Question 8C)

RUNNING ROYALTIES: For the purposes of this Survey, RUNNING ROYALTIES are defined as royalties earned on and tied to the sale of products. Excluded from this number are license issue fees, payments under options, termination payments, and the amount of annual minimums not supported by sales. Also excluded from this amount is CASHED-IN EQUITY, which should be reported separately. (See Question 11B1)

SBIR/STTR COMPANY: An SBIR/STTR COMPANY is one that was formed by a researcher specifically to apply for an SBIR or STTR grant and that has not licensed a technology from the institution. A company which is formed to license a technology and which simultaneously or subsequently applies for an SBIR or STTR grant to develop the technology should be reported as a START-UP COMPANY.

SMALL COMPANIES: Companies that had 500 or fewer employees at the time the license/option was signed, but, for the purposes of this Survey, not including START-UP COMPANIES initiated by your institution. (See Questions 9E1 and 9E2)

START-UP COMPANIES: As used in this Survey, START-UP COMPANIES are new companies that were dependent on licensing your institution's technology for their formation. If a technology was licensed to an existing start-up company, that was formed to develop a different technology, this company should be counted as a SMALL COMPANY when responding to Question 6C., **not** a START-UP COMPANY. START-UP COMPANIES, as used in this Survey, refer **only** to those companies that were formed specifically to develop the technology being licensed. A START-UP COMPANY may be formed well in advance of when the actual license is signed, while the founders research and write the company's business plan and explore the feasibility of securing investors or grants. A company should be reported as a START-UP COMPANY irrespective of whether the company was formed by the licensing institution OR by an entrepreneur, investor, the professor, a graduate student or a post- doctoral fellow. The key question is: "Was the company that licensed a technology formed specifically to license and develop the technology being licensed.. (See Questions 9D1, 9D2 and 14A – 14E)

TECHNOLOGY OR TECHNOLOGIES: A TECHNOLOGY is the embodiment of an idea that results from the creative work performed by faculty, students or staff during research or teaching. Multiple TECHNOLOGIES can arise from a single DISCLOSURE or a single TECHNOLOGY can be the result from a combination of DISCLOSURES. A TECHNOLOGY can also take many forms, the most common are compositions of matter, processes, methods, devices, asexually reproduced plants and designs. Also common are works of expression such as software, photos and drawings. A TECHNOLOGY is a single innovative idea, no matter how many patents, copyrights, or disclosures may be included in the TECHNOLOGY. (See Question 13A10)

TECHNOLOGY TRANSFER ACTIVITIES: TECHNOLOGY TRANSFER ACTIVITIES include those activities associated with the identification, documentation, evaluation, protection, marketing, and licensing of technology (including trademarks but not university's insignia) and intellectual property management, in general. It encompasses all other activities also associated with the day-to-day operations of a TECHNOLOGY TRANSFER OFFICE, including assisting with the negotiation of research agreements, MTAs, reporting of inventions to sponsors, and all other duties performed by the office. (See Question 6)

TECHNOLOGY TRANSFER OFFICE: The office(s) that manages and performs the TECHNOLOGY TRANSFER ACTIVITIES. Also referred to as a technology licensing office. (See Question 7)

TOTAL RESEARCH EXPENDITURES: TOTAL RESEARCH EXPENDITURES include expenditures (not new awards) made by the institution in support of its research activities that are funded by all sources including the federal government, local government, industry, foundations, voluntary health organizations (i.e., AHA, ACS, etc.), and other nonprofit organizations. (See Question 5) Indirect costs should be included. The answer to Question (8A) will exceed the sum of (8B) + (8C).

TOTAL U.S. PATENT APPLICATIONS FILED: TOTAL U.S. PATENT APPLICATIONS FILED includes any filing made in the U.S. during the survey year, including provisional applications, provisional applications that are converted to regular applications, new filings, CIPs, continuations, divisionals, reissues, and plant patents. Applications for certificates of plant variety protection should also be included. TOTAL U.S. PATENT APPLICATIONS FILED should also include PCT applications where the PCT application is the **first non-provisional filing** where the U.S. is designated. If a US utility application is filed by entering the national phase of a PCT Application in the U.S., that should also be included in TOTAL U.S. PATENT APPLICATIONS FILED. However, a PCT application that does not designate the U.S. (e.g., because it follows a previous U.S. utility application or is filed at the same time as a U.S. utility application) would **not** be included. (See Question 13B)

U.S. PATENTS ISSUED: U.S. PATENTS ISSUED includes the number of U.S. patents issued or reissued to your institution in the year requested. Certificates of plant variety protection issued by the U.S.D.A. should also be included. (See Question 10)

US PROVISIONAL APPLICATION: U.S. PROVISIONAL APPLICATION became available June 8, 1995 as a new type of US patent application that can be used to obtain a filing date, and is less formal than a “regular” application. It may be filed without claims or named inventors. The U.S. PROVISIONAL APPLICATION will be accepted as a priority document both in the US and in most treaty countries of the world. A U.S. PROVISIONAL APPLICATION is not itself examined by the USPTO but has a one-year term, at or before which point a formal application must be filed in both the US and foreign countries to preserve the filing date. U.S. PROVISIONAL APPLICATIONS have a U.S. Serial Number of format 61/XXX,XXX or 62/XXX,XXX.

US UTILITY PATENT APPLICATIONS: US UTILITY PATENT APPLICATION is the “regular”, non-provisional, U.S. patent application filed during the survey year for new, useful and nonobvious machines, manufactures, compositions of matter, processes or any new or useful improvements of the above. US UTILITY PATENT APPLICATIONS filed in would have had a U.S. Serial Number of format 14/XXX,XXX.