

Intellectual Property & Non-FAR Transactions Course

Enrollment Information:

Course Number: 5F-F103

Course Name: Advanced Contract Law Course: Intellectual Property and Non-Far Transactions

*** Please see the course description on page 2 to see if this course is right for you**

Course Dates: 15-19 March 2004 (class should end around noon on Friday)

Course Location: The U.S. Army Judge Advocate General's School (School # 181), 600 Massie Road, Charlottesville, VA 22903 (School Website: www.jagcnet.army.mil/TJAGLCS/)

Course Costs: There's no tuition cost charged. The only cost will be your travel and per diem costs (which your local office will have to pick up since this is not a centrally funded course).

Agency Registration POCs:

Army Personnel Desiring To Enroll: please contact your training office/ATRRS agent.

Navy Legal Personnel Desiring To Enroll: please contact Ms. Deborah Day at deborah.day@navy.mil

Navy Non-Legal Personnel Desiring To Enroll: please contact Ms. Barbara Whitlock at:
barbara.whitlock@navy.mil

Marine Corps Personnel Desiring To Enroll: please contact SGT Philbrook at:
philbrooknj@hqmc.usmc.mil

Air Force JAG Corps Personnel Desiring To Enroll: please submit nominations via the Course Nomination System (CNS) [https://aflsa.jag.af.mil/flite/training/jaguar/course/course_home.php]

All Other Personnel including Air Force Non-JAG Corps Personnel Desiring To Enroll: Please contact your "training officer" or "training coordinator" for your organization. They will be able to register you in ATRRS.

Charlottesville, Virginia Lodging Information:

The JAG School has a limited number of temporary lodging facilities available. The lodging office's phone number is: 434-972-6400 or 434-972-6450. Their website is at:

<http://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/TJAGSAWeb.nsf/2f6492bc1b3d12478525693f0055f2ab/7fc06ab4c3c09b8285256acb0051e649?OpenDocument>

You can also see a listing of local Charlottesville hotels at:

http://www.cvillechamber.org/visitors_info/lodging.htm

The “**Intellectual Property & Non-FAR Transactions Course**” would be of benefit to both attorneys and other members of the acquisition workforce who deal with intellectual property (IP) issues. You do not have to have any prior training in IP matters. In fact, the course is designed to be an entry-level to intermediate course on IP.

Because we have only limited quotas for this course, however, we ask that attendees be only those individuals who will actually put to use the training that will be provided in this course. If you are not currently (or have not in the past few years been) engaged in issues involving IP (i.e. technical data rights, proprietary information, patents, copyrights), then this course will probably not be of much benefit to you. Approximately two-thirds of the course will be devoted to IP topics; the other one-third will cover Non-FAR Transactions and Tech Transfer, but even this one-third will deal to some degree with IP issues.

Rather than creating a new ATRRS (that stands for Army Training Requirements and Resources System) course to cover IP, we decided to devote the upcoming Advanced Contract Law Course to these topics instead. The normal prerequisites for attending the Advanced Contract Law Course are: 1) being an attorney with the federal government; 2) having completed our Contract Attorneys Course; and 3) having 2+ years of government contract experience. Obviously, members of the acquisition workforce (a subset of our target audience) won't meet these prerequisites. If your agency POC who handles submissions into our ATRRS database refuses to enter you because you don't meet these requirements, please send me an email (gregg.sharp@hqda.army.mil).

Planned Course Topics:

Technical Data Rights: what rights does the government acquire in data related to items funded by the government; what must the contractor do to obtain protection of its data and what happens if the contractor does not take such steps; what legends must be used on data and what can the government do if the contractor's legends are incorrect; what may the government do with the data in which it has rights; what is the government's ability to acquire previously created data (data not developed pursuant to a government contract)

Computer Software & Data Bases: how and why do we treat software and data bases differently than ordinary data; special considerations when acquiring or licensing software; issues associated with using open source software.

Proprietary Information: how do you know what is proprietary information; how is the government supposed to treat such information when it comes in pursuant to: 1) a solicited proposal; 2) an unsolicited proposal; or 3) through some other means.

Patents: how the government obtains patents on inventions developed by government personnel; making payments to government personnel who have obtained a patent; licensing government-held patents to others; the government's licensing of patents from others; government rights in patents developed by contractor personnel under a government contract; remedies available to a party if the government or one of its contractors infringes their patent; and the government's ability to block issuance of a patent if deemed necessary.

Copyrights: prerequisites to obtaining a copyright on an original work; when are government personnel able to assert a copyright on works they create; the government's acquisition of rights or ownership over a copyrighted work created by another; remedies available to a party if the government or one of its contractors infringes their copyrighted work.

Non-FAR Based Agreements and Technology Transfer: specific instruments to be discussed are as follows: Grants, Cooperative Agreements, Cooperative Research and Development Agreements, Other Transactions, Patent Licensing Agreements, Education Partnership Agreements, among others; topics associated with this area will be: what is the history behind Congress giving us these authorities; what do they enable (or force) us to do; what are the regulatory and statutory provisions that still must be followed; how do you negotiate terms and conditions for these sorts of agreements; and what conflicts of interest potentially exist in dealing with each of these sorts of agreements.

Export Control: issues dealing with data such as the restrictions on turning data over to foreign countries or contractors or foreign citizens working for American contractors.