U. S. Public Health Service
Division of Research Grants
Bethesda 14, Maryland

PPO #52
POLICY
October 15, 1962

SUBJECT : Statement on Commitments or Obligations Which Would Be In Conflict With Public Health Service Patent Policy

APPLICABILITY: Public Health Service Grants and Awards

In order for the Public Health Service to carry out its responsibility under Department of Health, Education, and Welfare patent regulations (45 C.F.R., Parts 6 and 8), it is essential that the Service be advised prior to the award of Government funds of any commitments or obligations made by the institution or by the professional personnel to be associated with the proposed project, which would be in conflict with the invention agreement in applications for Public Health Service support.

Until such time as an appropriate statement can be included in revised application forms, the attached "Flyer" has been prepared for insertion in all application folders before they are mailed into the field, and for use by each sponsoring Institute and Division of the Service in obtaining the statement before issuance of Award Statements for grants and awards to be activated* on or after March 1, 1963.

A letter providing either (1) a statement that no previous commitments or obligations have been made, or (2) a detailed explanation of commitments or obligations where they do exist, must have been received before issuance of Award Statements on all types of grants and awards (new, continuation, and renewal) to be activated on or after March 1, 1963. This letter is to be signed by the individuals who are authorized to sign an application.

It is recognized that many applications will be received without the required letter, and that many grants and awards are now awaiting payment. The sponsoring Institute or Division of the Service will be responsible for obtaining the letter and for withholding issuance of Award Statements for all grants and awards until such time as the letter has been received. In the event the information submitted indicates the existence of prior commitments or obligations, the matter must be satisfactorily resolved before issuance of Award Statements. Processing of applications will not be delayed pending resolution of problems presented.

The Division of Research Facilities and Resources will have complete responsibility for general research support grants, and must obtain such a statement in connection with a specific research project identified by the grantee institution as being supported from a General Research Support Grant.

*Activated - For research and training grants, the beginning date of the grant. For fellowships, the activation date of the award.