



Department of Energy

Washington, DC 20585

Date: March 22, 2007

Re: Closing language for patent waiver grant cases, IPI

Three versions of closing language for the three types of waivers are set forth below. The language should appear right above the signature blocks for program and the Assistant General Counsel for Technology Transfer and Intellectual Property. It is recognized that with waiver denials or in other special situations it may be necessary to modify these clauses. Additionally, the last sentence in the closing language for advance waivers will need to be changed to reflect whether the waiver involves a contract, grant or cooperative agreement.

For identified waivers:


Based on the foregoing Statement of Considerations and representations in the attached waiver petition, it is determined that the interests of the United States and the general public will best be served by a waiver of patent rights of the scope determined above, and, therefore, the waiver is granted.

For advance waivers:

Based on the foregoing Statement of Considerations and representations in the attached waiver petition, it is determined that the interests of the United States and the general public will best be served by a waiver of patent rights of the scope determined above, and, therefore, the waiver is granted. This waiver shall not apply to any modification or extension of this contract/agreement/grant, where through such modification or extension, the purpose, scope, or cost of the contract/agreement/grant has been substantially altered.

For class waivers:

Based upon the foregoing Statement of Considerations, it is determined that the interests of the United States and the general public will best be served by a waiver of patent rights of the scope determined above, and, therefore, the waiver is granted. This waiver shall not affect any waiver previously granted.


Paul A. Gottlieb
Assistant General Counsel
for Technology Transfer
and Intellectual Property

