

AUTM Licensing Activity Survey



This guide will help address common questions regarding this year's Survey.

- What's new in this year's Survey
- Instructions for completing the Survey
- How to interpret Survey questions
- Definitions of Survey terms

Still have questions after reviewing this document? Contact Jordana Bieze Foster, JBiezeFoster@autm.net.

FY2022 Survey Publication Timeline

- **February 16, 2023** – Survey Opens
- **May 12, 2023** – Survey Closes
- **July 2023** – Survey Report Published

Respondents may edit their information as many times as needed during the Survey open period.

After the Survey Report is published, updates to an institution's data may be made to the STATT Database, but not necessarily to the published Survey Report.

What's New

Changes in Questions

- Core Questions (see **Instructions** section below) now include questions related to PATENTS ISSUED and RUNNING ROYALTIES.
- **(Q1)** Respondents now have the option to include contact information for a senior-level contact and an alternate contact.
- Questions related to Intellectual Property Activity have been moved from **Q7** to **Q4**, and **Q5-Q7** have been renumbered accordingly.
- Questions related to Licenses now refer specifically to PATENT LICENSES, COPYRIGHT LICENSES, or OTHER NON-OPEN SOURCE LICENSES.
 - **(Q5.1)** How many TOTAL PATENT LICENSES did your institution execute?
 - **(Q5.3)** How many of your executed patent licenses were EXCLUSIVE PATENT LICENSES?
 - **(Q5.4)** How many of your executed patent licenses were NON-EXCLUSIVE PATENT LICENSES?
 - **(Q5.5)** How many TOTAL COPYRIGHT LICENSES did your institution execute?
 - **(Q5.5b)** How many TOTAL OTHER NON-OPEN SOURCE LICENSES did your institution execute?
 - **(Q5.6)** How many of your executed copyright licenses were EXCLUSIVE COPYRIGHT LICENSES?
 - **(Q5.6b)** How many of your executed other non-open source licenses were EXCLUSIVE OTHER NON-OPEN SOURCE LICENSES?
 - **(Q5.7)** How many of your executed copyright licenses were NON-EXCLUSIVE COPYRIGHT LICENSES?
 - **(Q5.7b)** How many of your executed other non-open source licenses were NON-EXCLUSIVE OTHER NON-OPEN SOURCE LICENSES?
- Two questions from the 2021 Survey were removed:
 - **(Former Q4.3)** How many different DISCLOSURES were included in your TOTAL LICENSES and TOTAL OPTIONS executed in 2021?
 - **(Former Q6.3)** What amount of the external LEGAL FEES for patents and/or copyrights was billed directly from legal service providers to startups in 2021?
- Supplemental questions from the 2021 Survey that are now incorporated into other sections:
 - **(Q5.8)** How many OPEN SOURCE LICENSES did your institution make available?
 - **(Q6.8)** How many INTER-INSTITUTIONAL AGREEMENTS did your institution execute?

- o **(Q10.3)** How many PATENT COOPERATION TREATY applications did your institution file?
- Supplemental questions* added at the end of this year's survey:
 - o **(Q10.1)** With regard to disclosures, beyond tracking binary gender data (male/female), does your office track data on whether inventors identify as transgender or non-binary gender?
 - o **(Q10.2)** With regard to disclosures, does your office collect data on inventors' race / ethnicity?
 - o **(Q10.3)** With regard to patent applications, beyond tracking binary gender data (male/female), does your office track data on whether inventors identify as transgender or non-binary gender?
 - o **(Q10.3)** With regard to patent applications, does your office collect data on inventors' race / ethnicity?

*The individual responses to Supplemental Questions will remain confidential and will only be evaluated in aggregate.

Instructions

General Instructions

- Before starting the survey, review this Instructions and Definitions document.
- Login to update your survey responses as often as you wish until the Survey close date.
- Last year's responses, if available, will be shown underneath each question.
- Answer each question if possible. If you do not have the data available, do not answer the question.
- If your answer to a question is zero, enter the number 0. Do not leave blank.
- Currency amounts should be rounded to the nearest dollar. Do not include commas, cents, or dollar signs.
- Responses will be checked against last year's responses, if available.

Canadian Respondents

- Currency amounts should be submitted in Canadian dollars (CAD). Data will be reported in Canadian dollars.
- **(Q3.2)** Research expenditures from FEDERAL GOVERNMENT 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.
- **(Q4.3)** TOTAL US PATENT APPLICATIONS FILED refers to applications filed in the U.S.
- **(Q4.10)** US PATENTS ISSUED refers to only U.S. patents.

Core Questions

We encourage you to answer all the questions. The highlighted questions listed below **must** be answered (even if the answer is N/A) in order to submit your survey.

- **(Q3.1) What were your TOTAL RESEARCH EXPENDITURES?**
- **(Q4.1) How many DISCLOSURES were received?**
- **(Q4.4) How many NEW PATENT APPLICATIONS were filed?**
- **(Q4.10) How many US PATENTS ISSUED in 2022?**
- **(Q5.1) How many TOTAL PATENT LICENSES did your institution execute?**
- **(Q5.2) How many TOTAL OPTIONS did your institution execute?**
- **(Q6.4) What was the TOTAL LICENSE INCOME received at your institution?**
- **(Q6.5) How much of the license income received was attributed to RUNNING ROYALTIES?**
- **(Q8.1) How many STARTUPS were formed that were dependent upon the licensing of your institution's technology for their initiation?**

Discussion of Survey Questions

This section clarifies selected questions to help respondents accurately interpret the type of data being requested.

(Q1) Institution and Contact Information

(Q1.1) Institution survey responses and aggregate data are published and widely disseminated. If an institution requests that their survey be CONFIDENTIAL, neither the institution name nor the specific data will be published. However, confidential data will still be included in published aggregate data and totals.

(Q1.4) The Survey requests data for a complete year regardless of your internal reporting or fiscal year. The 2022 Reporting Period may be any 12-month period ending in calendar year 2022, for example:

- April 2021 – March 2022
- July 2021 – June 2022
- October 2021 – September 2022
- January 2022 – December 2022

The Reporting Period end date should be entered in the format MM/DD/YYYY. For example, if your institution's Reporting Period ends June 30, 2022, the entry should be 06/30/2022.

(Q1.14 - Q1.18) Contact information for an Alternate Contact should be provided if the Senior-Level Contact is not the person who submits the survey data.

(Q2) Institution Staffing

Question **(Q2.1)** asks for your institution's PROGRAM START DATE. Enter the year in which your institution assigned at least 0.5 PROFESSIONAL FTEs 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.

(Q2.2 and Q2.3) See **definitions** for LICENSING FTE and OTHER FTE when responding to this question. Please report the Full-Time Equivalents (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).

(Q3) Research Expenditures

Question **(Q3)** asks for RESEARCH EXPENDITURES in 2022. Refer to the relevant **definitions** when responding to this question. Also note that we do not request state/provincial government and foundation funding, so Question (Q3.1) should be bigger than the sum of Questions (Q3.2) and (Q3.3).

(Q4) Intellectual Property Activity

Question **(Q4)** 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 **(Q4.4)**, **(Q4.5)**, **(Q4.6)** and **(Q4.7)** gather information on the type of patent application that is used for NEW PATENT APPLICATIONS FILED.

Question **(Q4.7)** asks for NON-US PATENT APPLICATIONS FILED. You should respond 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.

(Q5) License/Option Agreements

Question **(Q5)** asks for total numbers of patent licenses, copyright licenses, open source licenses and options, separated. If an option is executed and converted to a license within the reporting period, it should be counted as both an option and a license. If a license includes both a patent and a copyright, you may count it once for **(Q5.1)** and once for **(Q5.5)**.

(Q5.1) How many PATENT LICENSES (TOTAL) did your institution execute in 2022? This number should not include COPYRIGHT LICENSES. **(Q5.2)** How many OPTIONS (TOTAL) did your institution execute in 2022? Please count data access agreements as noted in the **definitions** below.

(Q5.5) COPYRIGHT LICENSES refers to licenses for copyrightable materials, data licenses and similar agreements. It does not include open source software licenses, which are counted in Q5.8.

(Q5.5b) OTHER NON-OPEN SOURCE LICENSES refers to any non-open source licenses that do not fall under the patent license or copyright license categories. This includes research material licenses, biological material licenses, and seed licenses.

(Q5.8) OPEN SOURCE LICENSES should be counted when actual software is downloaded or provided via electronic means to a licensee. Open source licenses should be counted in the aggregate (eg, if 10 downloads occur for one piece of software it is counted as one license). Only count open source licenses if there are active downloads for that reporting year.

(Q5.10 and Q 5.11) Note that the counts of licenses to STARTUP COMPANIES and SMALL COMPANIES are mutually exclusive in the Survey, even though a STARTUP COMPANY will certainly have fewer than 500 employees and will therefore also be a SMALL COMPANY. Do not report licenses to STARTUP COMPANIES for the SMALL COMPANIES question as well.

(Q5.13) asks for the number of OTHER NEW COMPANIES that received any support, financial or otherwise, from your institution. Please see the **definitions** below.

(Q6) License Income

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

(Q6.1) Total number of LICENSES/OPTIONS yielding LICENSE INCOME -

For question **(Q6.2)**, enter the number of licenses/options that yielded the amount of RUNNING ROYALTIES reported.

For **(Q6.3)**, enter how many LICENSES/OPTIONS YIELDING INCOME generated more than \$1 million in that year.

(Q6.4) The sum of LICENSE INCOME RECEIVED apportioned to RUNNING ROYALTIES, CASHED-IN EQUITY, and all other types must equal LICENSE INCOME RECEIVED.

(Q6.8) PAID TO OTHER INSTITUTIONS is designed to eliminate double counting of royalty income. Please review the **definition** before responding to this question.

(Q7) Legal Fees

For question **(Q7)**, provide the 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. (Note: In earlier Surveys, 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.)

(Q8) Startup Companies

Question **(Q8)** asks for information for STARTUP COMPANIES in the reporting period.

Question **(Q8.2)** asks for the number of STARTUP COMPANIES initiated in 2022 that have their primary place of business operating in your home state or province.

(Q8.3) How many STARTUP COMPANIES were OPERATIONAL as of the last day of the surveyed

year. When responding to (Q8.3) and (Q8.4), it may be useful to ask yourself if the LICENSE/OPTION with the STARTUP is still in force. (See also **definition** of OPERATIONAL.)

(Q8.4) asks how many STARTUP COMPANIES became NON-OPERATIONAL in the reporting period.

(Q8.5) How many of your STARTUP companies formed in which your institution holds EQUITY.

(Q9) Licensed Technologies, Post-License Activity

Question **(Q9)** 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 — see your response to **(Q5.13)** — 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 — see your response to **(Q6.2)** — for many of the LICENSED TECHNOLOGIES made AVAILABLE.

AUTM Licensing Survey Definitions

0.5 Professional FTE

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 **(Q2) Institution Staffing**.

Actionable Disclosures

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 **(Q4) Intellectual Property Activity**.

Active Licenses/Options

The cumulative number of LICENSES/OPTIONS, across all years, that had not terminated by the end of the Survey's year requested. See question **(Q5.13)**.

Adjusted Gross Income

For the purposes of the Survey, ADJUSTED GROSS INCOME is defined as GROSS LICENSE INCOME RECEIVED less LICENSE INCOME PAID TO OTHER INSTITUTIONS.

Available

LICENSED TECHNOLOGIES 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. A LICENSED TECHNOLOGY is considered available 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 **(Q9) Licensed Technologies, Post-License Activity**.

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 (eg, to the endowment) will constitute cashing-in if

the transaction results in cash being made available for internal distribution. See question **(Q6.6)**.

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 **(Q5) License/Option Agreements**.

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 **(Q4.1)**.

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 **(Q5.9)**, **(Q6.6)** and **(Q8.5)**.

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 license to this Survey. Exclusive licenses include licenses that are designated as exclusive by field of use, territory, or otherwise but exclude co-exclusive licenses, which are reported as NON-EXCLUSIVE LICENSES. See **(Q5) License/Option Agreements**.

FTE (Full-Time Equivalent)

See LICENSING FTEs and OTHER FTEs. See **(Q2) Institution Staffing**.

Large Companies

Companies that had more than 500 employees at the time the license/option was signed. See question **(Q5.12)**.

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. See **(Q7) Legal Fees**.

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). 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). See **(Q7) Legal Fees**.

License Income Paid to Other Institutions

LICENSE INCOME PAID TO OTHER INSTITUTIONS is the amount paid to other institutions under INTER-INSTITUTIONAL AGREEMENTS. 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. See questions **(Q6.8) and (Q6.9)**. If there is a lag between when your institution earmarks income to be paid to another institution and when that other institution receives the income, you should report that dollar amount in the year that it is received by the other institution.

For the purposes of the Survey, ADJUSTED GROSS INCOME is defined as GROSS LICENSE INCOME RECEIVED less LICENSE INCOME PAID TO OTHER INSTITUTIONS.

License Income Received

LICENSE INCOME includes license issue fees, payments under options, evaluation license fees, 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 **(Q6) License Income**.

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 **(Q9) Licensed Technologies, Post-License Activity**.

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. Patent licenses and copyright licenses also should be counted separately. Material Transfer Agreements are not to be counted as Licenses/Options in this Survey.

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 US plant patents (US PP) or plant variety protection certificates (US PVPC) may be counted in a similar manner to software or biological material products as described above, at manager's discretion.

See **(Q5) License/Option Agreements** and **(Q6) License Income**.

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 or EVALUATION LICENSE 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. (eg, If an option has been granted to IP in a research agreement, the option can only be counted once the IP has been disclosed to the TTO and provided to the company per the agreement terms. This may happen during or after the research contract has ended). See **(Q5) License/Option Agreements** and **(Q6) License Income**.

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 questions **(Q5.9)**, **(Q6.6)** and **(Q8.5)**.

LICENSES/OPTIONS YIELDING LICENSE INCOME: The number of LICENSES/OPTIONS that generated LICENSE INCOME RECEIVED in the year requested. See **(Q6) License Income**.

Licenses/Options Yielding Running Royalties

The number of LICENSES/OPTIONS that generated RUNNING ROYALTIES in the year requested. See questions **(Q6.2)** and **(Q6.5)**.

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 **(Q2.2)**.

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 US PROVISIONAL APPLICATION filed in will be counted as new unless it is a refiling of an expiring US PROVISIONAL APPLICATION. If a US PROVISIONAL APPLICATION is converted into a US UTILITY APPLICATION, then that corresponding US UTILITY APPLICATION filed in should not be counted as new. See question **(Q4.4)**.

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 **(Q5) License/Option Agreements**.

Non-Operational

A NON-OPERATIONAL company is one that no longer possesses sufficient financial resources or expends these resources to make progress toward stated business goals. A license to a company that is NON-OPERATIONAL will most likely have been terminated. A company that has been acquired and no longer operates independently should be counted as NON-OPERATIONAL if the license has been terminated. See question **(Q8.4)**.

Note: 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 question **(Q8.3)**.

New Non-US Patent Applications

NEW NON-US PATENT APPLICATIONS include any initial patent filing of an INVENTION DISCLOSURE made outside of the US, 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. See question **(Q4.7)**.

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. 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. See question **(Q8.3)**.

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 and who are not otherwise included in LICENSING FTE **(Q2.2)**. Such duties might include management, compliance reporting, license maintenance, negotiation of research agreements, contract management, accounting, material transfer agreement activity, and general office activity. General secretarial/administrative assistance to the technology transfer office may also be included in this category. See question **(Q2.3)**.

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 (eg, how to write business plan), legal advice (eg, 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 (eg, SBA loans, SBIR grants, angel money, etc.), accounting assistance (e.g., how to keep books), subsidized office space in a business incubator, R&D assistance (eg, gap funding or innovation grants), or other support (eg, business plan competition awards). See question **(Q5.13)**.

Program Start Date

PROGRAM START DATE refers to the year in which 0.5 PROFESSIONAL FTE was devoted toward technology transfer activities. See question **(Q2.1)**.

Research Expenditures: Federal Government Sources

Research expenditures from FEDERAL GOVERNMENT SOURCES include expenditures made by the institution in support of its research activities that are funded by the federal government. Expenditures by state, local or provincial governments should be excluded. See question **(Q3.2)**.

Research Expenditures: Industrial Sources

Research expenditures from INDUSTRIAL SOURCES include expenditures made 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 **(Q3.3)**.

Research Expenditures: Non-Classified Sources

This category can include funding sources such as grants from nonprofit organizations or state and city grants.

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 the licensing income attributed to RUNNING ROYALTIES are license issue fees, payments under options, termination payments, and annual minimums not supported by sales. Also excluded from this amount is CASHED-IN EQUITY, which should be reported separately. See questions **(Q6.2)** and **(Q6.5)**.

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 STARTUP 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 STARTUP COMPANIES initiated by your institution. See question **(Q5.11)**.

Startup Companies

As used in this Survey, STARTUP COMPANIES are new companies that were dependent on licensing your institution's technology for their formation. If a technology was licensed to an existing startup company that was formed to develop a different technology, this company should be counted as a SMALL COMPANY [see question **(Q5.11)**], not a STARTUP COMPANY. STARTUP COMPANIES, as used in this Survey, refer only to those companies that were formed

specifically to develop the technology being licensed. A STARTUP 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 STARTUP 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 **(Q5.10)** and **(Q8) Startup Companies**.

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 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 associated with the technology. See **(Q9) Licensed Technologies, Post-License Activity**.

Technology Transfer Activities

Technology transfer activities include those associated with the identification, documentation, evaluation, protection, marketing, and licensing of technology (including trademarks but not a 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, material transfer agreements, reporting of inventions to sponsors, and all other duties performed by the office. See **(Q2) Institution Staffing**.

Technology Transfer Office

The office(s) that manages and performs the technology transfer activities. Also referred to as a technology licensing office. See **(Q2) Institution Staffing**.

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. Indirect costs should be included. The

answer to question (Q3.1) will equal or exceed the sum of (Q3.2) and (Q3.3). See **(Q3) Research Expenditures**.

Total US Patent Applications Filed

TOTAL US PATENT APPLICATIONS FILED includes any filing made in the US 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 US PATENT APPLICATIONS FILED should also include PCT applications when the PCT application is the first non-provisional filing where the US is designated. If a US utility application is filed by entering the national phase of a PCT application in the US, that should also be included in TOTAL US PATENT APPLICATIONS FILED. However, a PCT application that does not designate the US (eg, because it follows a previous US utility application or is filed at the same time as a US utility application) would not be included. See question **(Q4.3)**.