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 in a formally established TECHNOLOGY TRANSFER OFFICE at that time.

Actionable Disclosures

DISCLOSURE 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.

Active Licenses/Options

The cumulative number of LICENSES/OPTIONS, over all years, that had not been terminated by the end of the Survey's year.

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, that is, evidenced by royalties generated for the first time or licensee diligence reporting.

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.

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.

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.

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.

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.).

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 excludes co-exclusive licenses, which are reported as NON-EXCLUSIVE LICENSES.

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.

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 Reimbursements
LEGAL FEES REIMBURSEMENTS include the amount reimbursed by licensees to the institution for LEGAL FEES EXPENDITURES (see definition for LEGAL FEES EXPENDITURES).

Included in this category are 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 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.

License Income Received
LICENSE INCOME RECEIVED includes license issue fees, payments under options, annual minimums, and running LICENSE INCOME PAID TO OTHER INSTITUTIONS.

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.

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 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.

Material Transfer Agreements are not to be counted as Licenses/Options in this Survey.

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 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.

Licenses/Options Executed with Equity

The number of LICENSES/OPTIONS that were executed in the year surveyed included EQUITY, where EQUITY is defined as an institution acquiring an ownership interest in a company.

LICENSES/OPTIONS YIELDING LICENSE INCOME: The number of LICENSES/OPTIONS that generated LICENSE INCOME RECEIVED in the year requested.

Licenses/Options Yielding Running Royalties

The number of LICENSES/OPTIONS that generated RUNNING ROYALTIES in the year requested.

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 startup activity efforts.

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 refilling 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.

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.

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.

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 US 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. 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.

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).

Program Start Date

PROGRAM START DATE refers to the year in which 0.5 PROFESSIONAL FTE was devoted toward TECHNOLOGY TRANSFER ACTIVITIES.

Research Expenditures: Federal Government Sources

FEDERAL GOVT. SOURCES include expenditures made 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.

Research Expenditures: Industrial Sources

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.

Research Expenditures: Non-Classified Sources

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

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.

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.

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 when responding to Question 6C, 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.

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 of 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.

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.

Technology Transfer Office

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

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.

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 where 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 the TOTAL US PATENT APPLICATIONS FILED.

However, a PCT application that does not designate the US (e.g., because it follows a previous US utility application or is filed at the same time as a US utility application) would not be included.

AUTM STATT Database Fields

AUTM's Statistics Access for Technology Transfer (STATT) Database is an online tool that can be used to sift through data on licensing activity and income, startups, funding, staff size, legal fees, patent applications filed, royalties earned and more. You can retrieve and display all licensing survey data and export it to a spreadsheet for further review.

Data Field	Description
PROGYR	Year TTO had at least .5 FTE staff
LICFTE	Licensing FTEs in TTO
OTHFTE	Other FTEs employed in TTO
TOTEXP	Total research expenditures
FEDEXP	Research expenditures Federal Govt.
INDEXP	Research expenditures from Industrial Sources
LCTOTLIC	Count Total Licenses executed
LCTOTOPT	Count Total Licenses + Options
LCINVDIS	Count Disclosures in Total Licenses/Options (since 2004 survey)
LCEXCL	Count Licenses/Options: Exclusive
LCNEX	Licenses/Options: Non-Exclusive
LCEXEQ	Count Licenses/Options: with Equity
ACTLIC	Cumulative Active Licenses
LCEXSU	Count Licenses/Options: with Startups
LCEXSM	Count Licenses/Options: with Small Companies
LCEXLG	Count Licenses/Options: with Large Companies
NEWCOMPSUPP	OTHER NEW COMPANIES receiving support (since 2010 survey)
LCGNLI	Count Licenses/Options: Generating License Income

LCGNRR	Count Licenses/Options: Running Royalties
LC1M	Count Licenses/Options:> $1 Million Income (since 2001 survey)
LIRECD	Gross License Income received
LIRUNR	License Income: Running Royalties
CAINEQ	License Income: Cashed-In Equity
LIOTHR	License Income: Other Sources
LIPDIN	License Income: Paid to Other Institutions
EXPLGF	Legal Fees: Expended
REIMLG	Legal Fees: Reimbursed
INVDIS	Count Disclosures: Received
TPTAPP	Count Total Patent Applications Filed
NPTAPP	Count Patent Applications: Newly Filed
NPTAPPNUS	Count Patent Applications: Not US
NPTAPPPR	Count Patent Applications: Provisional
NPTAPPUT	Count Patent Applications: Utility
USPTIS	Count US Patents Issued
STRTUP	Count New Startups: Initiated
STRTHS	Count Startups in Home State
STRNOP	Count Startups: Non-Operational in This Year
STOPCM	Count Startups: Operational end of Year
STUPEQ	Count Startups: Equity
LTAV	Count new Licensed Technologies: This Year