



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.

FY2023 Survey Publication Timeline

- **February 12, 2024** – Survey Opens
- **April 19, 2024** – Survey Closes
- **August 2024** – 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

US and Canadian participants will no longer be working from a single questionnaire. Sections **Q1, Q4, Q5** and **Q8** include new questions or questions that are phrased differently for the version of the Survey that Canadian participants will see. Scroll down to see the new Canada-specific questions.

Key Changes in Questions for both US and Canada

- Questions related to COPYRIGHT LICENSES have been re-numbered. These are now **Q5.5, Q5.6** and **Q5.7**
- Questions related to OTHER LICENSES have been renumbered; these are now **Q5.8, Q5.9** and **Q.10**. For Q5.8, options have been provided to better characterize the types of OTHER LICENSES being executed.
 - **(Q5.8b)** Of the TOTAL OTHER LICENSES your institution executed in 2023, how many were:
 - Plant/Seed Licenses
 - Research Materials or Biological Materials
 - Other (please specify)
- One question related to STARTUPS was added.
 - (Q8.4)** Of all of your institution's startups that were operational in 2023, how many have raised **INSTITUTIONAL EQUITY FUNDING** since being launched?
- Two questions from the 2022 Survey were removed:
 - **(Former Q5.10)** How many licenses/options were with STARTUPS in 2022? [Now covered by Q8.1.]
 - **(Former Q5.13)** How many OTHER NEW COMPANIES receive support from your institution in 2022?
- Two supplemental questions* were added at the end of this year's survey:
 - **(Q10.1)** How many of your executed licenses/options with startups in 2023 included special terms for faculty inventors from your institution who became startup founders?
 - **(Q10.2)** Which service provider does your office use for managing your licensing and IP data?
- Two supplemental questions* have been re-worded for consistency with the AUTM Salary Survey:
 - **(Q10.3)** 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?
 - **(Q10.5)** 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?

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

New Questions for Canada only

- **(Q4.5)** How many **TOTAL CANADIAN PATENT APPLICATIONS** were filed in 2023?
- **(Q4.9)** Of the new patent applications filed in 2023, how were filed as **CANADIAN PROVISIONAL APPLICATIONS**?
- **(Q4.11)** Of the new patent applications filed in 2023, how were filed as **CANADIAN UTILITY APPLICATIONS**?
- **(Q4.16)** How many **CANADIAN PATENTS ISSUED** in 2023?
- **(Q5.13)** For your licenses/options with small companies in 2023, where were the licensee companies located?
- **(Q5.15)** For your licenses/options with small companies in 2023, where were the licensee companies located?

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 US, 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 US.

- **(Q4.10)** US PATENTS ISSUED refers to only US 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. Please note that the core question numbers in section Q4 are different for the US and Canadian Surveys.

- (Q3.1) What were your **TOTAL RESEARCH EXPENDITURES?**
- (Q4.1) How many **DISCLOSURES** were received?
- (Q4.6 for US, Q4.7 for Canada) How many **NEW PATENT APPLICATIONS** were filed?
- (Q4.13 for US, Q4.17 for Canada) 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 2023 Reporting Period may be any 12-month period ending in calendar year 2022, for example:

- April 2022 – March 2023
- July 2022 – June 2023
- October 2022 – September 2023
- January 2023 – December 2023

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 also the **definitions** (in the section that follows) for LICENSING FTE and OTHER FTE. These questions pertain to those individuals your office directly supports/funds. Support provided by the Office of General Counsel that is not directly paid by your office is an example of an FTE that should not be included. 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 the Survey year. Refer to the relevant **definitions** (in the section that follows) when responding to this question. Also note that we do not request state/provincial government and foundation funding, so Question (Q3.1) should be equal to or larger than the sum of Questions (Q3.2) and (Q3.3).

(Q4) Intellectual Property Activity

Question **(Q4)** asks for the annual data for DISCLOSURES, US PATENTS ISSUED, TOTAL US PATENT APPLICATIONS FILED and NEW PATENT APPLICATIONS FILED. See related **definitions** for DISCLOSURES, TOTAL US PATENT APPLICATIONS FILED and NEW PATENT APPLICATIONS FILED to respond to this portion of the question.

Questions **Q4.5 - Q4.11 [Q4.5 - Q4.14 for Canadian participants]** gather information on the type of patent application that is used for NEW PATENT APPLICATIONS FILED.

Question **Q4.11 for US participants** 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 refer to all foreign patent applications filed by institutions.

For Canadian participants, question **Q4.14** now asks for PATENT APPLICATIONS FILED outside of Canada and the US. TOTAL CANADIAN PATENT APPLICATIONS are reported separately in **(Q4.5)**.

(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)** or once for **(Q5.5)**. Do not count it twice. For clarity, an Amendment to a license should not count as a new License agreement, even if new technology is added to an existing license.

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

(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 Q5.11.

(Q5.8) OTHER 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.

(Q5.11) 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.

(Q5.13) Note that numbers 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). Licenses to SMALL COMPANIES that are not startups should be reported in **(Q5.13)**. Licenses to STARTUP COMPANIES should be reported separately in **(Q8.1)**. See the **definitions** section that follows for definitions of Startups and Small Companies.

(Q6) License Income

(Q6.1) Total number of LICENSES/OPTIONS yielding LICENSE INCOME - Please include data access revenues (involving datasets licensed for a fee). See also **Data Access Agreements** in the **definitions** section that follows.

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.

(Q6.9) INCOME PAID TO OTHER INSTITUTIONS is directly related to INSTITUTIONAL AGREEMENTS and is designed to eliminate double counting of royalty income. Please review the **definition** in the section that follows 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 for 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 2023 that have their primary place of business operating in your home state or province.

(Q8.3) Of the startups formed in 2023 (see Q8.1), in how many does your institution hold EQUITY? (See also the **definition** of EQUITY in the section that follows.)

(Q8.4) Of all startups formed based on your institution's technology (cumulative through this reporting period), how many were OPERATIONAL as of the last day of the 2023 reporting period? This question is not about how many of your institution's startups are still doing business. It is about how many of those startups are still doing business that is based at least in part on the original license of your institution's technology. This implies that your institution's license/option with the startup is still in force. Do not count startups with which your institution had a foundational license that has been discontinued. However, if a license has expired due to patent rights expiring and the company is still doing business based on the original licensed technology, it may be counted. (See also the **definition** of OPERATIONAL in the section that follows.)

(Q8.5) Of all your institution's startups that were operational, how many have raised INSTITUTIONAL EQUITY FUNDING since being launched? This question is not about "SBIR mills" accumulating grant funds without advancing their business operations. In answering this question, include startups that have received dilutive funding, typically

from venture capital firms, in exchange for stock via a priced funding round. Do not include companies whose external funding came only from the federal government like SBIR's (or from a provincial government in Canada), or from other non-dilutive funding from the institution or foundations, or other types of grants that were non-dilutive. (See also the **definition** of INSTITUTIONAL EQUITY in the section that follows.)

(Q8.6) Of all startups formed based on your institution's technology (cumulative through this reporting period), how many became NON-OPERATIONAL during the 2023 reporting period? Include only companies for which the licensing of your institution's technology was foundational AND which no longer have any business operations based on the original license. This includes startups with which your institution had a foundational license that has been discontinued. (See also the **definition** of NON_OPERATIONAL in the section that follows.)

(Q9) Licensed Technologies, Post-License Activity

Question **(Q9)** asks for LICENSED TECHNOLOGIES made AVAILABLE in the Survey year, and will be used to quantify public benefits derived in the Survey year. To answer this question, review your LICENSES/OPTIONS that are ACTIVE — see your response to **(Q5.15)** — 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.

(Q10) Supplemental Questions

Question **(Q10.1)** asks for the number of licenses/options with startups in the Survey year that included SPECIAL TERMS for faculty inventors from your institution who became startup founders. This number should not exceed the number of licenses/options with STARTUPS reported in question **Q8.1**. (See related **definitions** for SPECIAL TERMS and STARTUPS in the section that follows).

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**.

Active Licenses/Options

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

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 for a fee 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. If the agreement is not associated with royalties but the dataset is available to anyone at no cost, it may be counted as an OPEN SOURCE LICENSE. 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. Material Transfer Agreements or Non-Disclosure/Confidentiality Agreements should not be considered disclosures. 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 that 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. If a license to a startup includes an equity obligation based on a triggering capital raise, the company should not be counted as a startup in which the institution holds EQUITY until after the equity has been triggered. See questions **(Q5.12)**, **(Q6.6)** and **(Q8.3)** See also **Institutional Equity**.

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**.

Institutional Equity

For the purposes of this Survey, Institutional Equity refers to dilutive funding, typically from venture capital firms, received by a startup company in exchange for stock via a priced funding round. See question **(Q8.5)**.

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 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. (See **Adjusted Gross Income**.)

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. It does NOT include 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 a licensed technology 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 Survey reporting year. 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 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 should not be counted as new. See question **(Q4.6)**.

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

For the purposes of this Licensing Survey, the definition of NON-OPERATIONAL is less about whether a company is still in business and more about whether its current business is based (at least in part) on the original license for your institution's technology. 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 **(Q8.6)**.

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. See question **(Q4.11)**.

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. Similarly, if a license has expired due to patent rights expiring but the company is still doing business based on the original licensed technology, that startup may be counted as operational. See question **(Q8.4)**.

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)**.

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. Do not include funding received as part of a federal fellowship grant. 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)**.

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; this type of company should not be counted as a startup in this Survey. A company that is formed to license a technology, and 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. If a technology was licensed to an existing startup company that was formed to develop a different technology, that company should be counted as a SMALL COMPANY, not a startup company. See question **(Q5.13)**.

Special Terms

In this Survey, SPECIAL TERMS refer to terms of a license or option agreement that are more favorable for startups founded by faculty from your institution than for non-faculty startups. Examples of SPECIAL TERMS might include express licenses, deferred licensing fees or a larger than normal equity share taken by the institution in exchange for a lower royalty rate. See supplemental question **(Q10.1)**.

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 **Q5.13**), not a STARTUP COMPANY. STARTUP COMPANIES, in this Survey, refer only to those companies that were formed specifically to develop the technology being licensed or optioned in the Survey reporting year. The company need not have been created during the Survey reporting year; 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, professor, 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 **(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 (e.g., 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 **(Q4.5)** for US Survey, **(Q4.6)** for Canadian Survey.

