iEdison Policy-Related RFI Responses

RFI Response - General

- Received over 50 responses to the RFI
  - Universities
  - Research Institutions
  - Software Providers
  - Government agencies or contractors
  - Professional Organizations
  - Non-Profits
  - Consultants
  - Individuals
- All comments have been reviewed, categorized, consolidated, etc.
  - Pros, Cons, and Improvements
  - Policy & Development
  - Type & Sub-Type
RFI Policy-Related Responses

- 159 comments designated as “policy-related”
- What do we mean by Policy-Related responses?
  - Fall outside of iEdison development OR
  - Require agency agreement before being implemented within iEdison

Top Policy-Related Responses

1. Require all agencies to use iEdison
   - 30 Comments
   - NIST cannot currently mandate that all agencies utilize iEdison.
   - What we CAN currently do:
     - We are making substantial steps to bring certain agencies not currently using iEdison under the iEdison umbrella.

POLL QUESTION: What federal agencies would like to see join or re-join iEdison?
2. Rejection Reasons are Unclear
   • 25 Comments
   • The only way to control agency rejections is to have them choose from a dropdown, which would provide even less detail.
   • What we CAN do:
     • We will be working with the agencies to increase training on document rejection and how to explain to users what is needed.

3. Update Point of Contacts for Agencies
   • 20 Comments
   • Agencies will be able to update their own contact information via their user profile
   • Additionally, the iEdison system intends to require agencies to confirm contact information no less than annually

4. Consistency within agency and between agencies
   • 15 Comments
   • NIST cannot currently mandate that agencies use certain forms or criteria or mandate internal agency policies
   • What we CAN do:
     • We are working to determine some uniform guidelines and agreed upon forms, where possible.
5. Improve Help Resources and Help Desk
   • 8 Comments
   • Bethany’s sole role once the new system is launched will be to help and educate contractor and agency users.
     • We will expand this team as necessary to accommodate changing workload
   • Also, because the NIST core-system will be internally managed, we will have a team of IT support to help with any technical issues.
   • Finally, agency-specific requests will be able to be documented within the iEdison system (via the Communications section)

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7. Ideas for Help Resources Features

1. Updated User Guides
   a. Including ability to jump to topic
2. FAQs
3. Bayh-Dole timelines and flow charts
4. Field Definitions (also included within records via a clickable ?)
5. Invention Disclosure Acceptance Guidelines
6. Grant Number Formatting list – perhaps with a live formatting “check” possible
7. Government Support Clause Generator
8. Forms Section – to provide blank forms for CLs, EPAS, 3rd Party/Inventor Assignment, Domestic Manufacture Waiver, etc.
9. Agency Comparison chart explaining where they differ on certain topics, such as 2018 Bayh-Dole Dates & instructions on how to clear GSCs on abandoned applications
10. System Updates & Upcoming Trainings Page

ANY OTHER IDEAS?
6. Increased iEdison Training

- 7 Comments
- Increased training is planned for institution and agency users
- We plan to have a variety of training and education resources available

POLL QUESTION: How, if at all, have you been trained on Bayh-Dole regulations and iEdison reporting?

POLL QUESTION: Would you be interested in an iEdison Certification Program?

Idea for Training Materials

1. Online Videos
   a) Broken down by various skill level including "New to iEdison" videos to explain the basics
2. Interactive training module
3. In-person training at various locations
4. Regular live online training with Q&A sessions including
   a) Topic Specific
   b) Go over updates & changes
   c) Would like to include periodic "Ask an Agency" series
5. Continued participation with AUTM Compliance Conferences
6. Bayh-Dole and iEdison educational videos for non-users (such as other members of your tech transfer office, your grants office, & faculty members)

ANY OTHER IDEAS?
**Other Policy-Related Responses**

- Have all agencies use EPAS
- Standardize waiver process
  - Waivers will now be able to be processed within iEdison
- Have Funding Agency make 1980/2018 BD determination
  - Contractors will still make 1980/2018 BD determination (there will be a field for this), but agencies will be able to change if they disagree (and you will receive a notice of this change)
- Guidelines for calculating income within URs
  - Will work to get guidelines to put in help/training resources
- Make iEdison reporting information more easily available to the public
  - Due to confidentiality requirements much of the data cannot be made available to the public – however, we are seeking to increase reporting on Bayh-Dole, such as inventions, patents, and other data collected by iEdison
- Have to report inventions too early
  - This will become less and less of a problem under 2018 Bayh-Dole

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**Corollary: Planned Rulemaking**

- Seven NIST ROI Green Paper findings noted that regulatory changes to 37 CFR 401 or 404 could provide increased clarity and transparency for contractors and partners
- NIST has led an extensive informal interagency process over the last 8 months to develop proposed streamlining and clarifying edits to the regulations and hopes to publish an NPRM in the Federal Register this summer
- Looking forward to public comment and additional stakeholder engagement on the NPRM in the coming months, some of which may further assist in the iEdison development process
Get Bayh-Dole Regulation Updates

- Email list-serve coming shortly
- Register for Bayh-Dole updates on the Federal Register
  - Go to [https://www.federalregister.gov](https://www.federalregister.gov)
  - Create an account
  - Search for “Bayh-Dole” in Search Bar
  - Click “Subscribe”

Let Us Know . . .

- What other ideas for training or help resources do you think would be useful?
- What ways do you think it would be useful to notify the public of federally-funded inventions in the public domain?

E-mail us your thoughts at:
iedison@nist.gov