

103^D CONGRESS
1ST SESSION

H. R. 523

To amend the Stevenson-Wydler Technology Innovation Act of 1980 to enhance technology transfer for works prepared under certain cooperative research and development agreements.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mrs. MORELLA introduced the following bill; which was referred jointly to the Committees on Science, Space, and Technology and the Judiciary

A BILL

To amend the Stevenson-Wydler Technology Innovation Act of 1980 to enhance technology transfer for works prepared under certain cooperative research and development agreements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Technology Transfer
5 Improvements Act of 1993”.

1 **SEC. 2. COPYRIGHT FOR SOFTWARE.**

2 (a) Section 12 of the Stevenson-Wydler Technology
3 Innovation Act of 1980 (15 U.S.C. 3710a) is amended by
4 adding at the end the following new subsection:

5 “(h) COPYRIGHT OF COMPUTER SOFTWARE.—Each
6 Federal agency may secure copyright on behalf of the
7 United States as author or proprietor in any computer
8 software prepared in whole or in part by employees of the
9 United States Government in the course of work under
10 a cooperative research and development agreement entered
11 into under the authority of subsection (a)(1) of this sec-
12 tion, or under any other equivalent authority, notwith-
13 standing the limitations contained in section 105 of title
14 17, United States Code; and may grant or agree to grant
15 in advance to a collaborating party, licenses or assign-
16 ments for such copyrights, or options thereto, retaining
17 a nonexclusive, nontransferable, irrevocable, paid-up li-
18 cense to reproduce, adapt, translate, distribute, and pub-
19 licly perform or display the computer software throughout
20 the world by or on behalf of the Government and such
21 other rights as the Federal agency deems appropriate.”.

22 (b) Section 4 of the Stevenson-Wydler Technology In-
23 novation Act of 1980 (15 U.S.C. 3703) is amended by
24 adding at the end the following new paragraph:

25 “(14) ‘Computer software’ means a computer
26 program, as defined in section 101 of title 17, Unit-

1 ed States Code, and any associated documentation,
2 supporting materials, or user instructions.”.

3 **SEC. 3. ROYALTY PAYMENTS TO AUTHORS.**

4 SEC. 3. (a) Section 14(a) (1)(A), (2), and (3) of the
5 Stevenson-Wydler Technology Innovation Act of 1980 (15
6 U.S.C. 3710c(a) (1)(A), (2), and (3)) is amended—

7 (1) by inserting “or computer software” after
8 “inventions” each place it appears;

9 (2) by inserting “or computer software” after
10 “invention” each place it appears;

11 (3) by inserting “or author” after “inventor”
12 each place it appears;

13 (4) by inserting “or co-author” after “co-inven-
14 tor” each place it appears;

15 (5) by inserting “or authors” after “inventors”
16 each place it appears;

17 (6) by inserting “or co-authors” after “co-in-
18 ventors” each place it appears; and

19 (7) by inserting “or author’s” after “inven-
20 tor’s” each place it appears.

21 (b) Section 14(a)(1)(B) of the Stevenson-Wydler
22 Technology Innovation Act of 1980 (15 U.S.C.
23 3710c(a)(1)(B)) is amended—

24 (1) by inserting “or computer software” after
25 “income from any invention”;

1 (2) by inserting “or computer software was de-
2 veloped” after “the invention occurred”;

3 (3) by inserting “or computer software” after
4 “licensing of inventions” in clause (i);

5 (4) by inserting “or computer software which
6 was developed” after “with respect to inventions” in
7 clause (i); and

8 (5) by inserting “or computer software” after
9 “organizations for invention” in clause (i).

10 (c) Section 14(c) of the Stevenson-Wydler Technology
11 Innovation Act of 1980 (15 U.S.C. 3710c(c)) is amended
12 by inserting “or author” after “including inventor”.

13 **SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.**

14 Section 12(c) of the Stevenson-Wydler Technology
15 Innovation Act of 1980 (15 U.S.C. 3710a(c)), is amended
16 by inserting “or computer software” after “inventions”
17 each place it appears.

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