

The background of the slide features a blurred image of stacked stones, with a small stack of three stones in the upper right and a larger stack of three stones in the lower right. The stones are dark and smooth, set against a soft-focus green and blue background.

DAU



***Intellectual Property:
Striking the Balance Between
Data Rights and Value***

Mar. 10, 2021

1:00 – 3:00 p.m. (Eastern)

Intellectual Property – Data Rights/Pricing



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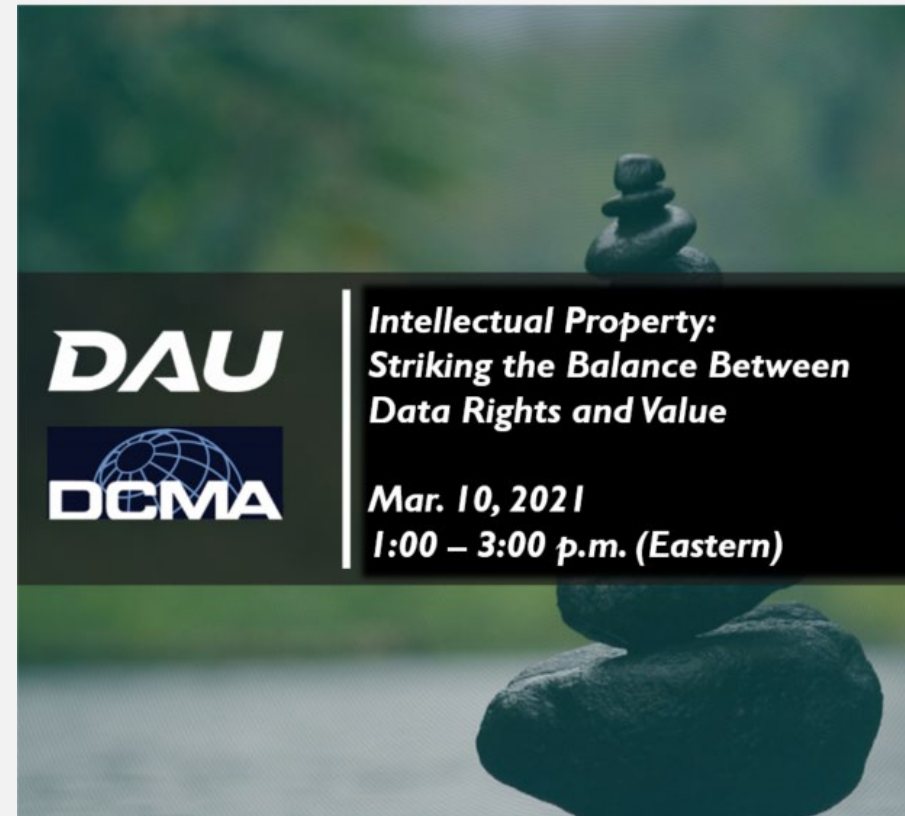
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Chief Product and
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Moderation and Discussion by: Michelle Currier, DAU; Ryan Connell DCMA CIG;
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- Disclaimer
- Expectations from today
- Problem Statement
- Buying Decision
- Price Analysis
 - Cost
 - Market
 - Income
 - Other



This brief is intended to promote pricing ideas, collaboration, and to increase communication. The slides and discussion are not official Agency Policy, or the policy of the Department of Defense or USG.

- What today is **NOT**
 - Direction how to/when to buy data rights
 - A panel with official policies, direction, or requirements
- What today **is**
 - A collaborative discussion on how balance buying data rights, with getting the right price; how to value IP
- Discussion:
 - “I have another way to value IP...”
 - “The Government tends to _____, Commercial businesses tend to _____”
 - “I have another story or idea I want to share....”

Hypothesis / Problem Statement

- Much of the generated IP tend to be the result of a commercial or non FAR-based effort; lean more heavily on commercial vendors to solve problems
 - Other Transactions – focus on price analysis
 - FAR 12/13 – focus on price analysis
- DOD Cadre of IP experts – Section 801
- DCMA Commercial Item Group (CIG)
 - <https://www.dcma.mil/Commercial-Item-Group/>
- **Hypothesis:** There is a continued challenge in attempting to determine the data-buying decision, as well as determining what price to pay for data

Buying Data Rights

- When would you do it?
- When wouldn't you do it?

- How do you balance offeror's willingness to bid?
- What if the offeror is unwilling to sell IP?
- Ethics of reverse engineering

IP - Cost-Type Valuation

- What is a Cost-Type Valuation
- Pros
- Cons
- The reality of it...



Photo: Pivot Point Security

IP – Market -Type Valuation

- What is a Market-Type Valuation
- Pros
- Cons
- The reality of it...



Photo: MonsterInsights

IP – Income-Type Valuation

- What is a Income-Type Valuation
- Pros
- Cons
- The reality of it...



Photo: The Business Journals

- Cost Sharing Agreements
- Escrow Accounts
- Value – Pricing Approach
- Relief from Royalty Pricing Approach



Photo: Dreamstime.com

Closing Remarks



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BACKUP