

# **PART 327—PATENTS, DATA, AND COPYRIGHTS**

Authority: 5 U.S.C. 301; 40 U.S.C. 121(c)(2).

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## Subpart 327.3—Patent Rights Under Government Contracts

327.303 Solicitation provision and contract clause.

## Subpart 327.4—Rights in Data and Copyrights

327.404-70 Solicitation provision and contract clause.

327.409 Solicitation provision and contract clause.

**Parent topic:** SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

## **Subpart 327.3—Patent Rights Under Government Contracts**

### **327.303 Solicitation provision and contract clause.**

The contracting officer shall insert the clause at 352.227-11, Patent Rights—Exceptional Circumstances and any appropriate alternates in lieu of Federal Acquisition Regulation (FAR) 52.227-11 whenever a Determination of Exceptional Circumstances (DEC) involving the provision of materials that has been executed in accordance with Agency policy and procedures calls for its use and the clause at 352.227-11, Patent Rights—Exceptional Circumstances, appropriately covers the circumstances. The contracting officer should reference the DEC in the solicitation and shall attach a copy of the executed DEC to the contract.

## **Subpart 327.4—Rights in Data and Copyrights**

### **327.404-70 Solicitation provision and contract clause.**

The contracting officer shall insert the clause at 352.227-70, Publications and Publicity, in solicitations, contracts, and orders that involve requirements which could lead to the contractor's publishing the results of its work under the contract.

### **327.409 Solicitation provision and contract clause.**

The contracting officer shall insert the clause at 352.227-14, Rights in Data—Exceptional Circumstances, and any appropriate alternates in lieu of the FAR clause at 52.227-14, Rights in Data-General, whenever a DEC executed in accordance with Agency policy and procedures calls for

its use. Prior to using this clause, a DEC must be executed in accordance with Agency policy and procedures. The contracting officer should reference the DEC in the solicitation and shall attach a copy of the executed DEC to the contract.