



# HHSAR Part 327—Patents, Data, and Copyrights

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## **Part 327—Patents, Data, and Copyrights**

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

### **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 Basic rights in data 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.

