

come”, “offset payments to inventors” for “offset the payment of royalties to inventors”, and “clause (iv) of paragraph (1)(B)” for “clause (i) of paragraph (1)(B)” and, in second sentence, substituted “other payments” for “other income”, substituted “offsetting the payments to inventors” for “payment of the royalties”, and struck out “clauses (i) through (iv) of” before “paragraph (1)(B)”.

Subsec. (b)(1). Pub. L. 104-113, §5(5), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “by a contractor, grantee, or participant in a cooperative agreement with the agency, or”.

1989—Subsec. (a)(1). Pub. L. 101-189, §3133(c)(1), in introductory provisions, inserted “by Government-operated Federal laboratories” after “entered into” and made technical amendment to reference to section 3710a of this title to correct reference to corresponding section of original Act, requiring no change in text.

Subsec. (a)(1)(B)(ii). Pub. L. 101-189, §3133(c)(2), inserted “, including payments to inventors and developers of sensitive or classified technology, regardless of whether the technology has commercial applications” after “that laboratory”.

Subsec. (a)(1)(B)(iv). Pub. L. 101-189, §3133(c)(3), substituted “technology of the laboratories” for “technology of the Government-operated laboratories”.

1988—Subsec. (a)(1)(A)(i). Pub. L. 100-519, §303(a)(1), substituted “has assigned his or her rights in the invention to the United States” for “was an employee of the agency at the time the invention was made”.

Subsec. (a)(1)(A)(ii). Pub. L. 100-519, §303(a)(2), substituted “under clause (i)” for “who were employed by the agency at the time the invention was made and whose names appear on licensed inventions”.

Subsec. (a)(4). Pub. L. 100-418, §5162(a), substituted “may” for “shall” and “any invention of the other agency” for “such invention performed at the request of the other agency or laboratory” in first sentence.

1986—Subsec. (a)(1). Pub. L. 99-502, §9(e)(3), in introductory par. made technical amendment to reference to section 3710a of this title to reflect renumbering of corresponding section of original act.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-519, title III, §303(b), Oct. 24, 1988, 102 Stat. 2597, provided that: “This section [amending this section] shall be effective as of October 20, 1986.”

### § 3710d. Employee activities

#### (a) In general

If a Federal agency which has ownership of or the right of ownership to an invention made by a Federal employee does not intend to file for a patent application or otherwise to promote commercialization of such invention, the agency shall allow the inventor, if the inventor is a Government employee or former employee who made the invention during the course of employment with the Government, to obtain or retain title to the invention (subject to reservation by the Government of a nonexclusive, nontransferable, irrevocable, paid-up license to practice the invention or have the invention practiced throughout the world by or on behalf of the Government). In addition, the agency may condition the inventor’s right to title on the timely filing of a patent application in cases when the Government determines that it has or may have a need to practice the invention.

#### (b) “Special Government employees” defined

For purposes of this section, Federal employees include “special Government employees” as defined in section 202 of title 18.

#### (c) Relationship to other laws

Nothing in this section is intended to limit or diminish existing authorities of any agency.

(Pub. L. 96-480, §15, as added and renumbered §14, Pub. L. 99-502, §§8, 9(e)(1), Oct. 20, 1986, 100 Stat. 1794, 1797; renumbered §15, Pub. L. 100-418, title V, §5122(a)(1), Aug. 23, 1988, 102 Stat. 1438; amended Pub. L. 104-113, §6, Mar. 7, 1996, 110 Stat. 779.)

#### AMENDMENTS

1996—Subsec. (a). Pub. L. 104-113 substituted “ownership of or the right of ownership to an invention made by a Federal employee” for “the right of ownership to an invention under this chapter” and inserted “obtain or” before “retain title to the invention”.

### § 3711. National Technology and Innovation Medal

#### (a) Establishment

There is hereby established a National Technology and Innovation Medal, which shall be of such design and materials and bear such inscriptions as the President, on the basis of recommendations submitted by the Office of Science and Technology Policy, may prescribe.

#### (b) Award

The President shall periodically award the medal, on the basis of recommendations received from the Secretary or on the basis of such other information and evidence as he deems appropriate, to individuals or companies, which in his judgment are deserving of special recognition by reason of their outstanding contributions to the promotion of technology or technological manpower for the improvement of the economic, environmental, or social well-being of the United States.

#### (c) Presentation

The presentation of the award shall be made by the President with such ceremonies as he may deem proper.

(Pub. L. 96-480, §16, formerly §12, Oct. 21, 1980, 94 Stat. 2319; renumbered §16, Pub. L. 99-502, §2, Oct. 20, 1986, 100 Stat. 1785; renumbered §15, Pub. L. 99-502, §9(e)(1), Oct. 20, 1986, 100 Stat. 1797; renumbered §16, Pub. L. 100-418, title V, §5122(a)(1), Aug. 23, 1988, 102 Stat. 1438; Pub. L. 110-69, title I, §1003, Aug. 9, 2007, 121 Stat. 576.)

#### AMENDMENTS

2007—Pub. L. 110-69, §1003(1), which directed substitution of “National Technology and Innovation Medal” for “National Medal” in section catchline, was executed by making the substitution for “National Technology Medal” to reflect the probable intent of Congress.

Subsec. (a). Pub. L. 110-69, §1003(2), substituted “Technology and Innovation Medal” for “Technology Medal”.

#### NATIONAL TECHNOLOGY MEDAL FOR ENVIRONMENTAL TECHNOLOGY

Pub. L. 105-309, §10, Oct. 30, 1998, 112 Stat. 2939, provided that: “In the administration of section 16 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711), Environmental Technology shall be established as a separate nomination category with appropriate unique criteria for that category.”

### § 3711a. Malcolm Baldrige National Quality Award

#### (a) Establishment

There is hereby established the Malcolm Baldrige National Quality Award, which shall be