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| **Northrop Grumman Systems Corporation** |  |

# PATENT AND DATA RIGHTS CLAUSES--SUBCONTRACTS AND PURCHASE ORDERS

## General Instructions

The General Preamble set forth in the Northrop Grumman Systems Corporation form which elsewhere has been made part of this order (Northrop Grumman Systems Corporation form 2625, 2630, 3331, or 3392 – whichever one applies) also applies to this System 1C-A form. Each patent rights clause and data rights clause shown below are incorporated herein by reference at the effective version found in Buyer’s Prime Contract, or higher-tier subcontract under which this Order is a subcontract (i) only as specifically made part of this order by express language therein, (ii) then only to any extent provided for by any specific “scoping provision” relating thereto (see such General Preamble), and (iii) in addition to any other patent rights clause and/or data rights clause that may appear in such other Northrop Grumman Systems Corporation form of this order. See the definitions in such other Northrop Grumman Systems Corporation form of this order. If any patent or data rights clause not cited in a Northrop Grumman Systems Corporation form (including this Systems 1C-A form), is to apply, such clause is to be cited elsewhere within this order by its FAR or FAR Supplement citation and title.

# SECTION 1

## Patent Rights Clauses

*Applicability of specific clause (subject to any “scoping provision” following the title or within the text)  
is determined only by an express provision to that effect elsewhere within this order. Specific Northrop Grumman  
Systems Corporation Patent Rights clause number headings are hereinafter known as “NG No.”*

### 1. Federal Acquisition Regulation (FAR)

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| NG No. | Reference | Description |
| PR-01F | 52.227-1 | Authorization and Consent (Dec 2007) (Clause is applicable in place of clause of such other Northrop Grumman Systems Corporation form of this order as applies [see General Instructions hereinabove]—if clause appears therein. Clause is applicable to this order only (i) if this order will exceed the simplified acquisition threshold; and (ii) performance or delivery is in part within the United States, its possessions, or Puerto Rico.) |
| PR-01FI | 52.227-1 | Alternate I (Apr 1984) |
| PR-01FII | 52.227-1 | Alternate II (Apr 1984) |
| PR-02F | 52.227-2 | Notice and Assistance Regarding Patent and Copyright Infringement (Dec 2007) (Clause is applicable in place of clause of such other Northrop Grumman Systems Corporation form of this order as applies [see General Instructions hereinabove]—if clause appears therein. Clause is applicable only if this order will exceed the simplified acquisition threshold.) |
| PR-02FI | 52.227-2 | Notice and Assistance Regarding Patent and Copyright Infringement (Dec 2007) (Clause is applicable in place of clause of such other Northrop Grumman Systems Corporation form of this order as applies [see General Instructions hereinabove]—if clause appears therein. Clause is applicable only if this order will exceed the simplified acquisition threshold.) |
| PR-03F | 52.227-3 | Patent Indemnity (Apr 1984) (Clause is applicable only if: (i) clause at 52.227-1 with its Alternate I is determined not to be applicable to this order, and (ii) this order is for supplies or services (or such with relatively minor modifications) that clearly are or have been sold or offered for sale by Seller to public in commercial open market, and (iii) both performance and delivery are to be within United States, its possessions, or Puerto Rico, or order indicates are ultimately to be shipped into one of those areas, and (iv) order will not exceed the simplified acquisition threshold. Items to be excluded from such patent indemnity, if any, are provided for elsewhere within this order.) |
| PR-06F | 52.227-6 | Royalty Information (Apr 1984) (Clause is applicable only if (i) Seller submitted cost or pricing data per FAR 15.804 in connection with award of this order, and (ii) price of this order contains costs or charges for royalties totaling more than $250.) |
| PR-09F | 52.227-9 | Refund of Royalties (Apr 1984) (Clause is applicable only if Royalty Information clause at FAR 52.227-6 is determined to apply to this order.) |
| PR-10F | 52.227-10 | Filing of Patent Applications—Classified Subject Matter (Dec 2007) (Clause is applicable in place of clause of such other Northrop Grumman Systems Corporation form of this order as applies [see General Instructions hereinabove] if clause appears therein. Clause is applicable only if this order covers classified subject matter. Seller shall require clause inclusion in order at any tier covering classified subject matter.) |
| PR-11F | 52.227-11 | Patent Rights—Ownership by the Contractor (Short Form) (Dec 2007) (Clause is applicable only if this order (i) is for experimental, developmental, or research work; and (ii) (a) stems from DoD, DoE, or NASA prime contract and Seller is small business concern or nonprofit organization, or (b) stems from non-DoD, non-DoE, or non-NASA prime contract.) |
| PR-11FI | 52.227-11 | Patent Rights—Ownership by the Contractor (Short Form) (Dec 2007) (Clause is applicable only if this order (i) is for experimental, developmental, or research work; and (ii) (a) stems from DoD, DoE, or NASA prime contract and Seller is small business concern or nonprofit organization, or (b) stems from non-DoD, non-DoE, or non-NASA prime contract.) |
| PR-11FII | 52.227-11 | Alternate I (Apr 1989) (Treaties or international agreements are as identified elsewhere within this order.) |
| PR-11FIII | 52.227-11 | Alternate II (Dec 2007) |
| PR-11FIV | 52.227-11 | Alternate III (Jun 1989) |
| PR-11FV | 52.227-11 | Alternate IV (Jun 1989) |
| PR-12F | 52.227-12 | Reserved |
| PR-12FI | 52.227-12 | Reserved |
| PR-12FII | 52.227-12 | Reserved |
| PR-12FIII | 52.227-12 | Reserved |
| PR-12FIV | 52.227-12 | Reserved |
| PR-13F | 52.227-13 | Patent Rights—Ownership by the Government (Dec 2007) (Clause is applicable only if this order (i) is for experimental, developmental, or research work; and (ii) is with other than small business concern, nonprofit organization, or domestic concern. Clause then applies only to any work of this order to be performed outside U.S., its possessions, or Puerto Rico.) |
| PR-13FI | 52.227-13 | Patent Rights—Ownership by the Government (Dec 2007) (Clause is applicable only if this order (i) is for experimental, developmental, or research work; and (ii) is with other than small business concern, nonprofit organization, or domestic concern. Clause then applies only to any work of this order to be performed outside U.S., its possessions, or Puerto Rico.) |
| PR-13FII | 52.227-13 | Alternate I (Jun 1989) (Treaties or international agreements are as identified elsewhere within this order.) |
| PR-13FIII | 52.227-13 | Alternate II (Dec 2007) |

### 2. DoD FAR Supplement (DFARS)

| NG No. | Reference | Description |
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| PR-34D | 252.227-7034 | Reserved |
| PR-39D | 252.227-7039 | Patents—Reporting of Subject Inventions (Apr 1990) (Clause is applicable only if Patent Rights—Retention by Contractor (Short Form) clause at FAR 52.227-11 is determined to apply to this order.) |

### 3. NASA FAR Supplement (NFS)

| NG No. | Reference | Description |
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| PR-11N | 1852.227-11 | Patent Rights—Retention by the Contractor (Short Form) [NFS Modification] (Clause is applicable only if this order incorporates clause at FAR 52.227-11.) |
| PR-14N | 1852.227-14 | Rights in Data—General [NFS Modification] |
| PR-17N | 1852.227-17 | Rights in Data—Special Works [NFS Modification] |
| PR-19N | 1852.227-19 | Commercial Computer Software—Restricted Rights [NFS Modification] |
| PR-70N | 1852.227-70 | New Technology (May 2002) (Clause is applicable only if this order (i) is with other than small business concern or nonprofit organization; (ii) is to be performed in U.S., its possessions, or Puerto Rico; and (iii) has as a purpose experimental, developmental, research, design, or engineering work.) |
| PR-71N | 1852.227-71 | Request for Waiver of Rights to Inventions (Apr 1984) (Clause is applicable only if this order contains New Technology clause at NFS 1852.227-70.) |
| PR-72N | 1852.227-72 | Designation of New Technology Representative and Patent Representative (Jul 1997) (Clause is applicable only if this order contains New Technology clause at NFS 1852.227-70 or Patent Rights—Retention by Contractor (Short Form) clause at NFS 18521.227-11. Representative identification is shown elsewhere within this order.) |
| PR-72NI | 1852.227-72 | Designation of New Technology Representative and Patent Representative (Apr 1984) (Clause is applicable only if this order contains New Technology clause at NFS 1852.227-70 or Patent Rights—Retention by Contractor (Short Form) clause at NFS 18521.227-11. Representative identification is shown elsewhere within this order.) |
| PR-84N | 1852.227-84 | Patent Rights Clauses (Dec 1989) |
| PR-85N | 1852.227-85 | Invention Reporting and Rights—Foreign (Apr 1986) (Clause is applicable only if this order is to be performed (i) outside U.S., its possessions, or Puerto Rico; and (ii) Seller is not a domestic firm.) |

## SECTION 2 Data Rights Clauses

Applicability of specific clause (subject to any “scoping provision” following the title or within the text)  
 is determined only by an express provision to that effect elsewhere within this order. Specific Northrop Grumman Systems Corporation Data Rights clause number headings are hereinafter known as “NG No.”

### 1. Federal Acquisition Regulation (FAR)

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| NG No. | Reference | Description |
| DR-14F | 52.227-14 | Rights in Data—General (Dec 2007)—Alternate I, II, III, IV, V [self-adjusting] (Dec 2007) (Clause is applicable only if data is to be produced, furnished, or acquired under this order. Provisions of clause shall not apply to (i) special works [FAR 27.405(a)]; (ii) existing data works [FAR 27.405(b)]; (iii) work performed outside U.S., its possessions, or Puerto Rico; (iv) small business innovation research [FAR 27.409(a)]; and (v) other exempted effort [FAR 27.409(a)].) |
| DR-15F | 52.227-15 | Representations of Limited Rights Data and Restricted Computer Software (Dec 2007) (Insertion data, if any, is provided elsewhere within this order.) |
| DR-16F | 52.227-16 | Additional Data Requirements (Jun 1987) (Clause is applicable only if this order includes Rights in Data—General clause at FAR 52.227-14.) |
| DR-17F | 52.227-17 | Rights in Data—Special Works (Dec 2007) |
| DR-18F | 52.227-18 | Rights in Data—Existing Works (Dec 2007) |
| DR-19F | 52.227-19 | Commercial Computer Software—Restricted Rights (Dec 2007) |
| DR-20F | 52.227-20 | Rights in Data—SBIR Program (Dec 2007) (Clause is applicable only if this order has been awarded under Small Business Innovation Research Program per Public Law 97-219.) |
| DR-21F | 52.227-21 | Technical Data Declaration, Revision, and Withholding of Payment—Major Systems  (Dec 2007) (Applicable technical data provided for elsewhere within this order.) |
| DR-21FI | 52.227-21 | Technical Data Declaration, Revision, and Withholding of Payment—Major Systems  (Dec 2007) (Applicable technical data provided for elsewhere within this order.) |
| DR-22F | 52.227-22 | Major System—Minimum Rights (Jun 1987) |
| DR-23F | 52.227-23 | Rights to Proposal Data (Technical) (Jun 1987) (In first line of clause, insert “(None unless any pages are expressly identified as applicable elsewhere within this order),” and substitute “proposal as finally submitted” for “proposal dated \_\_\_\_\_\_\_\_\_.”) |

### 2. DoD FAR Supplement (DFARS)

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| NG No. | Reference | Description |
| DR-13D | 252.227-7013 | Rights in Technical Data—Noncommercial Items (Nov 1995) (Clause is applicable only if this order requires delivery of technical data, except when the only deliverable items are (i) computer software or computer software documentation, (ii) commercial items, (iii) existing works, (iv) or when contracting under the Small Business Innovation Research Program. Insertion data, if any, is provided elsewhere within this order.) |
| DR-13DI | 252.227-7013 | Alternate I (Jun 1995) |
| DR-14D | 252.227-7014 | Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (Jun 1995) (Clause is applicable only if this order requires delivery of noncommercial computer software or noncommercial computer software documentation. Insertion data, if any, is provided elsewhere within this order.) |
| DR-14DI | 252.227-7014 | Alternate I (Jun 1995) (Applicable only if expressly authorized in writing by U. S. Government Contracting Officer, with copy provided to Seller.) |
| DR-15D | 252.227-7015 | Technical Data—Commercial Items (Nov 1995) (Clause is applicable only if this order requires Buyer and/or U. S. Government to report to Seller extent of any use of Seller licensed subject matter and to make required payments.) |
| DR-16D | 252.227-7016 | Rights in Bid or Proposal Information (Jan 2011) (Clause is applicable only if clause at DFARS 252.227-7013, 252.227-7014, or 252.227-7018, is determined to be applicable to this order.) |
| DR-17D | 252.227-7017 | Identification and Assertion of Use, Release, or Disclosure Restrictions (Jan 2011) (Clause is applicable only if clause at DFARS 252.227-7013, 252.227-7014, or 252.227-7018, is determined to be applicable to this order. Insertion data, if any, is provided elsewhere within this order.) |
| DR-18D | 252.227-7018 | Rights in Noncommercial Technical Data and Computer Software—Small Business Innovation Research (SBIR Program) (Jan 2011) (Clause is applicable only if technical data or computer software is to be generated under this order during performance under SBIR program. Insertion data, if any, is provided elsewhere within this order.) |
| DR-19D | 225.227-7019 | Validation of Asserted Restrictions—Computer Software (Jun 1995) (Clause is applicable only if clause at DFARS 252.227-7014 or 252.227-7018 is determined to be applicable to this order.) |
| DR-20D | 252.227-7020 | Rights in Special Works (Jun 1995) (If (i) clause at DFARS 252.227-7013 is also determined to be applicable to this order, or (ii) specific restriction or license agreement is involved, such as set forth elsewhere within this order.) |
| DR-21D | 252.227-7021 | Rights in Data—Existing Works (Mar 1979) (Clause is applicable only if existing works, without modification, are to be delivered under this order.) |
| DR-22D | 252.227-7022 | Government Rights (Unlimited) (Mar 1979) |
| DR-23D | 252.227-7023 | Drawings and Other Data to Become Property of Government (Mar 1979) |
| DR-24D | 252.227-7024 | Notice and Approval of Restricted Designs (Apr 1984) |
| DR-25D | 252.227-7025 | Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends (Jan 2011) (Clause is applicable only (i) if under this order Buyer or U.S. Government is to provide Seller for its performance, with technical data, computer software, or computer software documentation, marked with another contractor’s restrictive legend(s), or (ii) clause at DFARS 252.227-7018 is determined to be applicable to this order.) |
| DR-26D | 252.227-7026 | Deferred Delivery of Technical Data or Computer Software (Apr 1988) (Clause is applicable only if this order (i) requires delivery of technical data or computer software, and (ii) does not contain a specific time for delivery.) |
| DR-27D | 252.227-7027 | Deferred Ordering of Technical Data or Computer Software (Apr 1988) (Clause is applicable only if this order does not already establish a firm requirement for technical data or computer software.) |
| DR-28D | 252.227-7028 | Technical Data or Computer Software Previously Delivered to the Government (Jun 1995) (Clause is applicable only (i) if this order requires delivery of technical data, computer software, or computer software documentation, or (ii) clause at DFARS 252.227-7018 is determined to be applicable to this order.) |
| DR-30D | 252.227-7030 | Technical Data—Withholding of Payment (Mar 2000) (Clause is applicable only if clause at DFARS 252.227-7013 or 252.227-7018 is determined to be applicable to this order.) |
| DR-32D | 252.227-7032 | Rights in Technical Data and Computer Software (Foreign) (Jun 1975) (Clause is applicable only if (i) Seller is foreign contractor—other than Canadian, and (ii) work is to be performed overseas; and (iii) deliverable data is not for existing or special works.) |
| DR-36D | 252.227-7036 | Reserved. |
| DR-37D | 252.227-7037 | Validation of Restrictive Markings on Technical Data (Sep 1999) (Clause is applicable only if clause at DFARS 252.227-7013, 252.227-7014, or 252.227-7018 is determined to be applicable to this order. Clause is not to be flowed-down to suppliers to furnish commercial items or commercial components.) |
| DR-01D | 252.246-7001 | Warranty of Data (Dec 1991)-Alternate I applies if this order is fixed-price incentive type—Alternate II applies if this order is firm-fixed-price type.) |

### 3. NASA FAR Supplement (NFS)

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| NG No. | Reference | Description | |
| DR-14N | 1852.227-14 | Rights in Data—General [NFS Modification] (Oct 1995) (Clause at FAR 52.227-14 is hereby included in this order, modified by NFS 1852.227-14, except if this order is for basic or applied research with university or college.) | |
| DR-17N | 1852.227-17 | Rights in Data—Special Works (May 1996) (Clause at FAR 52.227-17 is hereby included in this order, modified by NFS 1852.227-17.) | |
| DR-19N | 1852.227-19 | | Commercial Computer Software—Restricted Rights (Oct 1990) (Clause at FAR 52.227-19, is hereby included in this order, modified by NFS 1852.227-19(a) and (b) [self-adjusting].) |
| DR-86N | 1852.227-86 | Commercial Computer Software—Licensing (Dec 1987) | |
| DR-87N | 1852.227-87 | Transfer of Technical Data Under Space Station International Agreements (Apr 1989) | |