# SECTION 1

# FAR and FAR Supplement Contract Clauses

In the event that the Buyer shall have entered into a definitive prime contract or higher-tier subcontract with its customer prior to the effective date of this supporting purchase order, and unless otherwise expressly stated elsewhere in this purchase order, the date of each undated clause identified herein below (i) shall be the same date as any equivalent clause of such definitive prime contract or subcontract; or (ii) if there is no equivalent clause, shall be the regulatory date in effect therefore as of the effective date of this solicitation preceding this supporting purchase order. In the event that the Buyer shall not have entered into a definitive prime contract or higher-tier subcontract with its customer prior to the effective date of this supporting purchase order, and unless otherwise expressly stated elsewhere in this purchase order, the date of each undated clause identified herein below shall be the regulatory date in effect therefore as of the effective date of the solicitation preceding this supporting purchase order.

# SECTION 2

## **Patent Rights Clauses**

### 1. Federal Acquisition Regulation (FAR)

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| Applicable | Reference | Description |
|  | 52.227-1 | Authorization and Consent (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 $150,000; and (ii) performance and delivery are inside the United States.) |
|  | 52.227-1 | Alternate I |
|  | 52.227-1 | Alternate II |
|  | 52.227-2 | Notice and Assistance Regarding Patent and Copyright Infringement (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 if (i) Clause at 52.227-1 is determined to apply to this order; and (ii) this order will exceed $150,000.) |
|  | 52.227-3 | Patent Indemnity (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, and (iv) order will not exceed $150,000. Items to be excluded from such patent indemnity, if any, are provided for elsewhere within this order.) |
|  | 52.227-3 | Alternate I |
|  | 52.227-3 | Alternate II |
|  | 52.227-3 | Alternate III |
|  | 52.227-6 | Royalty Information (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.) |
|  | 52.227-9 | Refund of Royalties (Clause is applicable only if Royalty Information clause at FAR 52.227-6 is determined to apply to this order.) |
|  | 52.227-10 | Filing of Patent Applications—Classified Subject Matter (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.) |
|  | 52.227-11 | Patent Rights—Ownership by the Contractor (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.) |
|  | 52.227-11 | Alternate I (Treaties or international agreements are as identified elsewhere within this order.) |
|  | 52.227-11 | Alternate II |
|  | 52.227-11 | Alternate III |
|  | 52.227-11 | Alternate IV |
|  | 52.227-11 | Alternate V |
|  | 52.227-13 | Patent Rights—Ownership by Government (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.) |
|  | 52.227-13 | Alternate I (Treaties or international agreements are as identified elsewhere within this order.) |
|  | 52.227-13 | Alternate II |

### 2. DoD FAR Supplement (DFARS)

| Applicable | Reference | Description |
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|  | 252.227-7038 | Patent Rights – Ownership by the Contractor (Large Business) |
|  | 252.227-7038 | Alternate I – (Treaties or international agreements as are identified elsewhere within this order.) |
|  | 252.227-7038 | Alternate II - (Treaties or international agreements as are identified elsewhere within this order.) |
|  | 252.227-7039 | Patents—Reporting of Subject Inventions (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)

| Applicable | Reference | Description |
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|  | 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.) |
|  | 1852.227-70 | New Technology (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.) |
|  | 1852.227-71 | Request for Waiver of Rights to Inventions (Clause is applicable only if this order contains New Technology clause at NFS 1852.227-70.) |
|  | 1852.227-72 | Designation of New Technology Representative and Patent Representative (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.) |
|  | 1852.227-84 | Patent Rights Clauses |
|  | 1852.227-85 | Invention Reporting and Rights—Foreign (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 3 Data Rights Clauses**

### 1. Federal Acquisition Regulation (FAR)

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| Applicable | Reference | Description |
|  | 52.227-14 | Rights in Data—General —Alternate I, II, III, IV, V [self-adjusting] (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.; (iv) small business innovation research [FAR 27.409(a)]; and (v) other exempted effort [FAR 27.409(a)].) |
|  | 52.227-15 | Representations of Limited Rights Data and Restricted Computer Software (Insertion data, if any, is provided elsewhere within this order.) |
|  | 52.227-16 | Additional Data Requirements (Clause is applicable only if this order includes Rights in Data—General clause at FAR 52.227-14.) |
|  | 52.227-17 | Rights in Data—Special Works |
|  | 52.227-18 | Rights in Data—Existing Works |
|  | 52.227-19 | Commercial Computer Software License |
|  | 52.227-20 | Rights in Data—SBIR Program (Clause is applicable only if this order has been awarded under Small Business Innovation Research Program per Public Law 97-219.) |
|  | 52.227-21 | Technical Data Declaration, Revision, and Withholding of Payment—Major Systems   (Applicable technical data provided for elsewhere within this order.) |
|  | 52.227-22 | Major System—Minimum Rights |
|  | 52.227-23 | Rights to Proposal Data (Technical) (In first line of clause, insert “Except for data contained on pages \_\_\_\_\_, it is agreed that as a condition of award of this contract, and notwithstanding the conditions of any notice appearing thereon, the Government shall have unlimited rights (as defined in the “Rights in Data -- General” clause contained in this contract) in and to the technical data contained in the proposal dated \_\_\_\_\_\_\_\_\_\_\_\_, upon which this contract is based.”) |

### 2. DoD FAR Supplement (DFARS)

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| Applicable | Reference | Description |
|  | 252.227-7013 | Rights in Technical Data—Noncommercial Items (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 as defined in , (iv) or when contracting under the Small Business Innovation Research Program. Insertion data, if any, is provided elsewhere within this order.) |
|  | 252.227-7013 | Alternate I |
|  | 252.227-7014 | Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (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.) |
|  | 252.227-7014 | Alternate I (Applicable only if expressly authorized in writing by U. S. Government Contracting Officer, with copy provided to Seller.) |
|  | 252.227-7015 | Technical Data—Commercial Items (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.) |
|  | 252.227-7016 | Rights in Bid or Proposal Information (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.) |
|  | 252.227-7017 | Identification and Assertion of Use, Release, or Disclosure Restrictions (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.) |
|  | 252.227-7018 | Rights in Noncommercial Technical Data and Computer Software—Small Business Innovation Research (SBIR Program) (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.) |
|  | 225.227-7019 | Validation of Asserted Restrictions—Computer Software (Clause is applicable only if clause at DFARS 252.227-7014 or 252.227-7018 is determined to be applicable to this order.) |
|  | 252.227-7020 | Rights in Special Works (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.) |
|  | 252.227-7021 | Rights in Data—Existing Works (Clause is applicable only if existing works, without modification, are to be delivered under this order.) |
|  | 252.227-7022 | Government Rights (Unlimited) |
|  | 252.227-7023 | Drawings and Other Data to Become Property of Government |
|  | 252.227-7024 | Notice and Approval of Restricted Designs |
|  | 252.227-7025 | Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends (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.) |
|  | 252.227-7026 | Deferred Delivery of Technical Data or Computer Software (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.) |
|  | 252.227-7027 | Deferred Ordering of Technical Data or Computer Software (Clause is applicable only if this order does not already establish a firm requirement for technical data or computer software.) |
|  | 252.227-7028 | Technical Data or Computer Software Previously Delivered to the Government (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.) |
|  | 252.227-7030 | Technical Data—Withholding of Payment (Clause is applicable only if clause at DFARS 252.227-7013 or 252.227-7018 is determined to be applicable to this order.) |
|  | 252.227-7032 | Rights in Technical Data and Computer Software (Foreign) (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.) |
|  | 252.227-7037 | Validation of Restrictive Markings on Technical Data (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.) |
|  | 252.246-7001 | Warranty of Data -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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| Applicable | Reference | Description | |
|  | 1852.227-14 | Rights in Data—General [NFS Modification] (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.) | |
|  | 1852.227-17 | Rights in Data—Special Works (Clause at FAR 52.227-17 is hereby included in this order, modified by NFS 1852.227-17.) | |
|  | 1852.227-19 | | Commercial Computer Software—Restricted Rights (Clause at FAR 52.227-19, is hereby included in this order, modified by NFS 1852.227-19(a) and (b) [self-adjusting].) |
|  | 1852.227-86 | Commercial Computer Software—Licensing | |