

	CRADA	TIA	GRANTS and COOPERATIVE AGREEMENTS under the Bayh-Dole Act
Government Contribution	Government does not provide funding, but make other resources available, including personnel, services, facilities, equipment and intellectual property.	Government provides funding.	Government provides funding.
Contract Terms	Bayh-Dole does not apply (but see "Intellectual Property Grants to Government" below).	While contract terms are often based on Bayh-Dole Act contracting terms, the government has greater flexibility to negotiate different terms.	Grant would be subject to standardized Bayh-Dole Act contract terms, some of which are non-negotiable.
Intellectual Property Ownership	Patent licenses <i>or assignments</i> to laboratory's rights in CRADA inventions (or options to licenses or assignments) may be obtained by collaborating party. Licenses (or options to licenses) to pre-existing federally owned inventions related to CRADA subject matter also available.	May be obtained by research partner. Government may seek same Bayh-Dole Act requirements applicable to Bayh-Dole governed grants and cooperative agreements.	May be obtained by grant recipient only if procedures are followed and waivers are obtained. However, the Bayh-Dole Act places restrictions on the ability of a grant recipient to obtain ownership of inventions for work performed by sub-contractors.
Intellectual Property Grants to Government	Non-exclusive rights retained by Government in CRADA inventions assigned or exclusively licensed to collaborator. Bayh-Dole-like March-In rights also required for these CRADA inventions.	Non-exclusive rights retained by Government. March-in rights not required, though Government typically would seek.	Non-exclusive rights retained by Government. Government retains march-in rights.
Procedural Obligations	Negotiable.	Negotiable.	Express disclosure, reporting, and filing requirements. These are negotiable.
Manufacturing	U.S. based manufacturing a consideration in determining whether to enter into a CRADA.	U.S. based manufacturing likely to be a consideration determining whether to enter into a TIA. Government likely to seek Bayh-Dole domestic-manufacturing requirement.	Products embodying a subject invention must be manufactured substantially in the United States.