

STATEMENT OF CONSIDERATIONS

REQUEST BY WILLIAM BRIAN HAYNES (INVENTOR) FOR THE WAIVER OF DOMESTIC AND FOREIGN RIGHTS TO AN IDENTIFIED INVENTION ENTITLED “Method for Wide-Band, High-Frequency, RF Matching for Out-of-Plane RF Printed Circuit Board Connections” DEVELOPED UNDER DOE CONTRACT NO. 89233218CNA000001; DOE INVENTION DISCLOSURE NO. S-133,977; DOE WAIVER NO. W(I) 2023-002

The Petitioner, William Brian Haynes (Inventor), has requested a waiver of the Government’s domestic and foreign patent rights in an invention entitled “Method for Wide-Band, High-Frequency, RF Matching for Out-of-Plane RF Printed Circuit Board Connections.” The subject invention was conceived by the Inventor (an employee of TRIAD, LLC). TRIAD, LLC is the M&O Contractor for the Los Alamos National Laboratory (LANL), a government-owned, contractor-operated (GOCO) facility, subject to DOE Contract Number 89233218CNA000001 at the time the invention was conceived. TRIAD employed the Inventor at the time of the development and creation of the invention at issue.

The subject invention relates to the field of out-of-plane RF connections. The invention is a technique for making out-of-plane connections to PC boards by decreasing the overall local capacitance and maintaining the signal’s trace impedance to create a good, wide-bandwidth match. TRIAD has supported, in writing, Inventor’s request for title of this invention.

The Petitioner has agreed to expend such sums as may be required to obtain and maintain the necessary patent protection over the subject invention. Petitioner has committed to investing his own funds for initial development and believes that he possesses adequate technical expertise and financial resources to reduce the subject invention to practice should title be granted. The Petitioner expects to have the subject invention manufactured and marketed under contract or to license the subject invention for manufacture and sale by others.

Petitioner is not aware of any requirement for a license for export. Furthermore, the technology does not apply directly to the Naval Nuclear Propulsion Program or to the nuclear weapons programs or other nuclear or atomic energy defense activities of DOE/NNSA. Petitioner has agreed to abide by 35 U.S.C. §§ 202, 203 and 204. Petitioner, as part of the petition, has agreed to the provisions of the U.S. Competitiveness Clause, which reads as follows: “The Petitioner agrees that any product embodying any waived invention or produced through the use of any waived invention will be manufactured substantially in the United States, unless Petitioner can show to the satisfaction of DOE that it is not commercially feasible to do so. In the event DOE agrees to foreign manufacture, there will be a requirement that the Government’s support of the technology be recognized in some appropriate manner, e.g., recoupment of Government investment, etc.” Furthermore, Petitioner has agreed to make this condition binding on any assignee or licensee. Petitioner will also abide by the Export Control laws and will require its licensees, if any, to do the same.

Granting the waiver is the only way to promote prompt commercial utilization of this invention. There is currently no DOE programmatic interest in funding this invention any further and TRIAD

also does not wish to expend more funds to promote the invention. The Inventor's interest in obtaining title and actively seeking commercialization sufficiently satisfies DOE/NNSA's technology transfer mission without the need to expend governmental funds.

As such, upon evaluation of the Waiver Petition in view of the objectives and considerations set forth in 10 CFR 784, all of which have been considered, it is recommended that the requested waiver be granted.



Arthur N. Trausch
Patent Attorney, NNSA

Date: 1/19/2024

Based on the foregoing Statement of Considerations and the representations of the attached Waiver Petition, it is determined that the interests of the United States and the public will best be served by a waiver of patent rights of the scope described above and, therefore, the waiver is granted.

CONCURRENCE:



Doug Cotter
Senior Program Manager SNDD
DOE NNSA Defense Nuclear
Nonploliferation R&D
NA-22

Date: 2/2/2024

APPROVAL:



Brian Lally
Assistant General Counsel for
Technology Transfer and
Intellectual Property (GC-62)

Date: _____