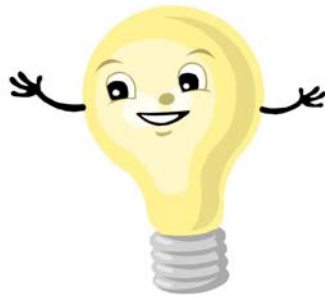


“SBIR Sally Says”



5 Year SBIR Data Rights

Most people know that recipients of DoD SBIRs retain data rights for five years, but did you realize that the five year period is measured from the end of the *last* SBIR contract received related to a particular technology?

Rest of the Story: This includes Phase I, Phase II, *and Phase III contracts*. According to the SBA SBIR Policy Directive, “SBIR Phase III refers to work that derives from, extends, or logically concludes effort(s) performed under prior SBIR funding agreements, but is funded by sources other than the SBIR Program.” It’s the responsibility of the small business to ensure that their SBIR data is properly identified in any future Phase III effort so make sure you know the rules so that your data is properly protected.