

Emerging Technologies and Nontraditional Contracting

The U.S. government understands that to meet today's challenges, it must embrace new technologies and the nontraditional contractors that provide them, or it will be left behind. By partnering with and providing sophisticated, global solutions to the government, technology innovators can help keep our nation safe and advance public welfare.

Partnering with the government, however, can be daunting. We help new entrants to the government marketplace understand how the government buys goods and services so that they can pursue opportunities in the public sector. From applying for a CAGE Code to negotiating sophisticated intellectual property protections, we help new entrants understand what doing business with the government entails.

We are one of few firms with extensive experience helping government contractors defend, manage, and enforce their intellectual property rights. As the government increasingly seeks to claim broader rights to its contractors' intellectual property, we help clients protect their innovations, recoup their investments, and thrive in the unique space where intellectual property law and government procurement intersect.

Increasingly, the government is turning to nontraditional contracting vehicles to speed the acquisition of new technologies and innovative services from both nontraditional contractors and those who more routinely sell to the government. Other Transaction Agreements (OTAs) for research and development or prototyping can be awarded faster under streamlined, negotiated terms, and with fewer regulatory burdens.

Our Government Contracts attorneys have a wide range of experience including:

- Counseling innovators, in the traditional procurement space, offering their products and services through GSA Schedules and Government-Wide Acquisition Contracts, as commercial items and services, under other traditional procurement vehicles, and as partners with other contractors in joint ventures, teaming arrangements, or subcontracting relationships.
- Advising new entrants on the unique obligations that arise under traditional government contracts so that they can best protect their interests and avoid missteps.
- Advising clients on issues related to nontraditional vehicles, including with the negotiation, formation, and performance of OTAs, Cooperative Research and Development Agreements (CRADAs), Technology Investment Agreements (TIAs), Space Act Agreements (SAA), Small Business Innovation Research (SBIR)

and Small Business Technology Transfer (STTR) awards, grants, and cooperative agreements.

- Counseling clients on craft licenses, intellectual property agreements, dispute resolution provisions, and other terms that protect our clients' interests while opening the door to participation in the government market. In sum, we assist our clients, cradle to grave, in seeking entry to the public sector and in navigating evolving government procurement vehicles.