

**Maine Technology Asset Fund**  
**Round Four**  
**Questions and Answers for Applicants**  
Rev: 11.17.14

The following questions were asked during Rounds One, Two and Three workshops and via email. MTI offers these answers in an effort to provide a general interpretation of the Request for Applications (RFA) for Round Four. MTI cannot guarantee that the general responses will apply in the case of each individual project; when there is a contradiction the RFA will rule. Please refer back to the Q&A periodically as MTI will be updating the answers and adding additional questions and answers until January 8, 2015.

Topic Areas:

- Notice of Intent
- Eligibility
- Matching Funds
- Interviews
- Application and Review Process
- Application
- Contract Administration
- RFA Interpretation

**Notice of Intent Questions**

**1. Is there a weeding out process at the Notice of Intent stage?**

No, the Notice of Intent will only be used to help MTI and the American Association for the Advancement of Science (AAAS) secure reviewers as well as to help MTI plan for the administration of the remainder of the review process. However, MTI staff members will contact applicants whose projects appear ineligible for more information.

**2. The Notice of Intent guideline requests information with respect to collaborators on the projects. Must all collaborators be listed on the Notice of Intent or may some be added to the final application that were not listed on the Notice of Intent?**

All collaborators do not have to have been identified by the Notice of Intent deadline, but may be included in the final application.

**3. May I choose more than one technology sector on the notice of intent form?**

For the purposes of the Notice of Intent form, we ask you to select one primary technology sector. You are welcome to include other applicable technology areas in the scientific discipline field.

**4. We are debating between two technology sectors. Can we still change from what we said in the Notice of Intent?**

The Notice of Intent information is used to help guide the reviewer selection process in anticipation of the application. Any changes to the technology description should be adequately described in the application.

**5. What is the significance of choosing a technology sector? Does the technology sector chosen affect the review?**

The technology sectors are broad categories for the purpose of securing reviewers in appropriate disciplines. Many projects could easily fit into more than one technology area and the area chosen does not affect the review. For example, whether a forest bioproducts development project is listed as a forestry and agriculture technology project or an environmental technology project does not affect its review outcome.

**6. What defines a “conflict of interest” for suggested reviewers? If a suggested reviewer is unaffiliated with our organization now, but was on our Board of Directors five years ago, does that qualify, for example?**

While the candidate reviewer may not technically have a conflict, there may be an appearance of a conflict. MTI and AAAS will not choose reviewers with either an appearance of conflict or a direct conflict of interest with the applicant.

**7. Will anyone outside of the MTI staff see the content of the Notice of Intent?**

The Notices of Intent are considered public information. The Notices of Intent will be posted on the MTI website.

**8. In the final application, can we exceed the amount of funding we said we thought we would pursue in the notice of intent or is the number in the notice of intent binding?**

The amount requested in the Notice of Intent is not binding. The application, however, should indicate the actual amount requested.

**9. Will Notices of Intent be posted on the MTI website, and if so, when?**

Yes, Notices of Intent will be posted on the MTI website by December 29, 2014.

**10. Can an entity apply without filing a Notice of Intent?**

No. The Notice of Intent must be filed by noon on December 19, 2014 and is a mandatory first step in the application process. Applications will not be accepted if a Notice of Intent was not filed by the deadline.

**11. What if we do not want to disclose identity of all partners in the Notice of Intent for competitive reasons?**

If an applicant does not want to publicly identify a Collaborator on the Notice of Intent form, they should either list the collaborator in general terms or not include it in the Notice of Intent. Collaborators should be identified in the submitted application.

### **Eligibility-Related Questions**

**12. Would a collaborative project between a non-profit organization with strengths in grant and project administration, and multiple companies with interests in similar technologies fulfill the requirements of collaboration?**

Although the above example would serve to show organizational administrative abilities and clearly serve as a collaboration, the applicant would still need to demonstrate the

strong scientific and technical merit of the project and the scientific and technical expertise of the team.

**13. Can a shared capacity on a computing cloud be funded? For example, can an applicant purchase a guaranteed level of computing capacity over a specific time frame, rather than purchasing, installing and maintaining its own computer servers?**

No. Shared capacity on a computing cloud is not considered an eligible capital expense.

**14. The lowest award so far is \$96,000. Can you apply for less? Are smaller projects disadvantaged?**

There is no minimum amount that an applicant can request, though applicants will want to weigh the time and costs of applying for an MTAF award alongside other relevant MTI and non-MTI funding programs. All applications are evaluated on the same criteria.

**15. For the value of collaboration...do collaborators need to be on board and identified as part of application?**

Collaborators do need to be identified as part of the application, and level of commitment does need to be discussed in the body of the application. All details of collaborative agreements do not need to be in place at the time of application, but will need to be agreed to as part of the award contract negotiation.

**16. May the “research institution” be out of state (the commercialization and assets will be in Maine)?**

Yes, a collaborating research institution may be out of state, but the applicant must be within the State, or have plans to establish a presence within the State before signing an award contract, and any award-funded assets must remain in Maine.

**17. Can an applicant be a foreign-based company?**

As stated in the RFA:

"The following Maine-based entities are eligible to apply for awards from the Maine Technology Asset Fund: Maine institutions of higher education (public and private), Maine non-profit institutions, and for-profit businesses operating in Maine.

To be considered a Maine-based business, the business must have a significant place of business in the State of Maine, be registered with the State to do business in Maine, and maintain physical operations in Maine managed by a full-time senior representative of the organization or business. All applicants must demonstrate a long-term commitment to the State of Maine.

Out-of-state businesses that can demonstrate a relocation or establishment of a primary place of business in Maine at the time of award decisions are eligible to apply for funding. Out-of-state businesses must have a significant operational presence in Maine at the time of signing an award contract agreement (which must be signed within 6 months of award decision by the MTI Board.

**18. What has to be new and innovative? It seems like the money is for capital assets.**

The MTAF program funds capital expenditures supporting research, development and commercialization projects that lead to significant economic benefits in Maine. The investment must be associated with a technology project that can be evaluated for its science and engineering merit and feasibility.

**19. Is the scoring of the application weighted more heavily towards commercialization projects, than traditional R&D projects?**

Projects that move discoveries farthest along the continuum from research to development to commercialization will be most competitive. Each application should make a strong case for the economic impact of the project.

**20. Does the MTAF cover software and hardware?**

Computer equipment with a useful life of a year or more is an eligible use of program funds.

**21. Can a company submit multiple applications if we are building in several different areas?**

Yes, a company may submit multiple applications. Those doing so will need a letter from the institution addressing how the project fits within the overall institution's strategic research and development plan, and verifying its ability to manage multiple projects simultaneously.

**22. How much R&D do you have to be doing?**

Projects do not have to involve original or basic research, but must involve the application of new knowledge to solve a problem. Similarly, applications that request assets that don't support a specific scientific project or program will not be competitive. Please see pages 5 and 6 of the RFA for more information.

**23. What is the difference between the Maine Technology Asset Fund, a Cluster Award and a Development Award?**

A cluster award is for an industry-led project that ultimately benefits many Maine companies in a particular sector, and the funds can be used to cover both capital and operating expenses. A development award is for research and development leading to commercialization of a new product, service or process improvement by one company. It can be used for both capital and operating expenses and has an upper limit of \$500k.

**24. Can the R&D technology come from out of state, but be developed here in Maine?**

Yes.

**25. Do all the "legal dealings" between collaborators (for IP ownership, etc.) have to be completed before application is due?**

No. All legal relationships between collaborators do not have to be completed before the application is due, but would need to be resolved before an award contract is executed. Potentially, completion of all legal agreements could be made a condition of award.

**26. Does MTI accept/expect re-submittals?**

Yes, this round of the MTAF program allows for resubmissions from the first, second or

third rounds. Applicants are encouraged to address the reviewers concerns and questions from earlier rounds in the re-application.

**27. Is collaboration between for-profit and non-profit companies acceptable?**

Applicants are encouraged to collaborate with other entities to produce the strongest application to promote linkages between research, development and commercialization.

**28. What components of IT infrastructure are considered as capital expense? (IT infrastructure may include servers, software purchase, custom software development, and graphic user interface development)**

Computer equipment with a useful life of a year or more is an eligible use of MTAF program funds. Custom software purchase/development integral to the project would also be eligible.

**29. What is the definition of a capital expenditure? Is software, that will be licensed, an eligible capital expenditure?**

Please refer to pages 7 and 8 of the RFA.

**30. Can a quasi-municipal entity be the lead applicant?**

No, the RFA details the eligible applicants as for-profit businesses operating in the State of Maine, Maine non-profit institutions, and Maine institutions of higher education. However, the quasi-municipal entity may be a collaborator in an application.

### **Matching Fund Questions**

**31. How do we handle difficulties such as not being able to get a commitment out of a government office?**

Applicants have six months from the award approval date to secure and document all sources of matching funds. Applicants may have matching sources identified but not yet committed at the time of application.

**32. Can venture capital be used as match? What if they pull out or others get in?**

Venture capital can be indicated as match on the application in the budget and as evidenced in letters of interest or intent, as described in the RFA. Changes in matching fund sources that develop during the life of the project will be governed by the award agreement contract and dealt with on a case-by-case basis.

**33. If existing equipment is going to be transferred to the project, can its value be counted as matching fund? Similarly, can the value of an existing laboratory used for the project be counted as matching funds?**

Because the intent of the bond is to leverage new dollars, existing equipment or laboratory space would not be eligible as match.

**34. Does all of the matching contribution have to be in cash?**

The RFA addresses matching funds issues on pages 8, 9, 33 and 34. Matching funds must be cash. Cash includes the time of employees of award recipients and collaborative

partners, since when employees are paid money changes hands. These amounts must be consistent with the underlying salary and obligations of the employees. Matching fund contributions can only be considered as cash if the contribution appears on the balance sheet of the recipient at fair market value.

**35. How closely related to the project do outside sources of matching funds have to be?**

Matching funds should relate directly to the proposed project. Applicants should not use grants for other non-related projects as matching funds.

**36. A project period may extend up to five years. Do match funds have to be spent concurrently with awarded funds or may they be spent primarily in later years, for example as operating support, if ultimately we do meet the 50/50 match requirement?**

Matching funds do not have to be spent concurrently with awarded funds, but must be verified as spent by the end of the agreed upon award period.

**37. Is the matching funds requirement over entire company or overall project?**

Matching fund basis is for the actual project for which funds are requested, not the entire company.

**38. Do matching funds have the same restrictions as bond funds?**

No. Matching funds do not have to be for capital expenditures, but can be for operating expenses related to the project. Expenses directly attributable to the proposed project may be counted as matching funds. Matching funds may be used to fund project activities as well as a portion of the capital expenditures enable by the award. See the RFA page 8, 9, 33, and 34 for further clarification.

**39. Can state funds be used as matching funds?**

No. Other MTI or Maine state government funds, except for state funds appropriated to higher education institutions' operating funds, are not eligible as matching funds for the MTAF awards.

**40. Can matching funds be retroactive for a period of time? For example, if a company has already invested time and expenses for R&D can these be used as matching funds?**

Qualifying expenses relating to the proposed project may be incurred anytime after the date of application submission and be used as matching funds. Likewise, funds in hand, but unspent at the time of application submission, may be used as matching funds if subsequently used for a project-related purpose as per the approved project budget. Pre-award expenditures are made at the applicant's risk.

**41. Can a State agency contribute federal funding they receive towards the project and count it as match?**

An applicant may use federal funds, such as Community Development Block Grants (CDGB), for matching funds as applicable to the project.

**42. What percent of in-kind can you use as a match?**

Matching funds must be cash. The time of employees of award recipients and collaborative partners is considered cash (since when employees are paid, money changes hands), but the proposed cash match must be consistent with the underlying salary and obligations. See pages 8, 9, 33 and 34 of RFA for specifics of documenting matching contributions.

**43. Is the match for non-profits the same as for-profits?**

The 1:1 matching funds requirement is the same for all applicants.

**44. How is the quality of match assessed?**

Quality of match will be evaluated as part of two of the criteria, Team and Institutional Commitment and Merit, and Collaboration. Reviewers will consider elements such as whether match is new or re-directed existing funding. Collaborations with cash match contributed by collaborating partners will score higher as the cash match typically indicates a stronger collaboration.

**45. Can Federal CRADAs be used as match, especially with researchers outside the state of Maine?**

CRADAs may be used as match per the RFA Matching Funds Guidelines, page 33 and 34.

**46. Can the costs associated with the operation of the pilot processing plant in support of an MTAF project be used as matching funds?**

Yes, as long as the costs can be documented per the RFA Matching Fund Requirement Guidelines.

**47. What is the time frame for spending matching funds?**

The matching funds must be spent by the end of the agreed upon award period. The maximum award project time frame is 5 years.

**48. Can supplies and raw materials be used as matching funds?**

Yes, per the RFA, page 27 under "Other Direct Costs".

**49. If matching funds identified in the last, funded MTAF application exceeded the required 1:1 matching requirement, can the difference in matching funds be used in a subsequent application? If this difference can be "rolled over", how do we identify/clarify which funds were unnecessarily identified in the earlier application?**

The MTAF awards are based, in part, on the amount and commitment of matching funds, and are agreed to in the award contract. Any change to the original budget must be requested in writing by the award recipient and approved by MTI. Per the RFA, MTAF award recipients have 6 months from the award date to secure matching funds.

**50. If the MTAF funds will be used for the construction of a new building to build a prototype product, can the expenses associated with building the first prototype be counted as match?**

Yes, expenses related to building the prototype may be counted as matching funds.

## Interview Questions

**51. Are the discussions with the interview panel open to the public?**

No.

**52. Is there a list of who the interview panelists will be?**

Panelists will be selected once the applications have been received. Background information for review panelists will be available the day of the scheduled interview.

**53. Who will be able to participate in the interview, just one individual representing a company or organization, or several people?**

Applicants participating in the interview stage of the review process may bring as many as five people. MTI also reserves the right to request that certain individuals be present or available for the interview.

## Application and Review Process Questions

**54. Who provides the nondisclosure form?**

All reviewers will be asked to sign MTI's conflict of interest and confidentiality agreement forms.

**55. Are out-of-state collaborators ranked equal to Maine collaborators?**

Within the evaluation criteria of "team and institutional merit and commitment," an out-of-state expert on the project team would be ranked based on the experience and expertise brought to the project. Within the evaluation criteria of "collaboration," the proposed collaboration is ranked based on other facts, such as how the collaboration benefits R&D&C and clusters within in the State. The applicant would need to make an argument for how an out-of-state collaborator does so.

**56. What if your company or project is not related to other innovation activities in the state? Does that hurt your chances?**

"Relevance to Maine's Innovation Economy Needs" is worth 3 of 20 points within the evaluation criteria. Applications are evaluated on this criterion during the second phase of review, the interview phase.

**57. Will the MTI Board of Directors adjust the amount of the award?**

Per the Request for Applications, page five, "MTI reserves the right to fund any application in full or in part..."

**58. Can MTI staff look over my draft application for objective guidance?**

MTI staff members are available to answer questions pertaining to the application and the application process, but will not review draft applications.

**59. How can economic impact be fairly evaluated?**

The RFA details the various elements within the overall Economic Growth and Impact Criteria. In addition to the narrative section required in each application, applicants should complete the Economic Impact Table which may be found as a downloadable



form on the MTI website. Reviewers will use the information supplied by the applicant to judge the application.

**60. Does AAAS draw reviewers from private industry?**

AAAS reviewers have a combination of education and experience necessary to evaluate each application. AAAS maintains an active database of thousands of experts in various fields of science, engineering, science policy and innovation. The existing network of experts includes researchers in all areas of science and engineering; persons experienced in product development and technology transfer; and entrepreneurs and business managers in all fields. Reviewers may or may not be members of AAAS. Examples of reviewers may include Ph.D.-level University/College researchers, researchers at non-profit institutes or hospitals, experienced technology developers, technology transfer specialists, entrepreneurs, investors, and business people, as appropriate, and other researchers with experience submitting and reviewing requests for competitive funding.

**61. Will reviewers have access to the consensus review from previous rounds?**

No, but applicants are encouraged to address concerns from previous rounds within the body of their application. It is possible that reviewers from previous rounds may also review the resubmitted application in this round, and if concerns are not adequately addressed scoring could be adversely affected.

**62. Will Collaborators' Science and Engineering process be scored under Team and Institutional merit or under the Collaborator/Collaboration criteria?**

The Science and Engineering Process will be scored under Scientific or Engineering Merit and Feasibility. The Collaborator's capabilities and qualifications will be scored under Team and Institutional Merit, and the overall description of the collaboration will be scored under Collaboration.

**63. What is the significance of the technology sector? Does the technology sector chosen in the Notice of Intent affect the review?**

The technology sectors are broad categories put forth in MTI's founding statutory language. Many projects could easily fit into more than one technology area and the area chosen does not affect the review. For example, whether a forest bioproducts development project is listed as a forestry and agriculture technology project or an environmental technology project does not affect its review outcome.

**64. Does MTI help applicants who are not awarded funds with advice?**

MTI provides applicants with a written copy of the evaluation of his or her application and MTI staff is happy to meet with applicants who would like more feedback on the evaluation.

### **Application Questions**

**65. Are there specific, sanctioned sources for determining Maine's Innovation Economy Needs?**

The maine.gov website (<http://www.maine.gov/decd/reports-pubs/>) is a good source for State economic priorities information and links, and also lists the 2010 Science and

Technology Action Plan for Maine, an update to the 2005 Plan cited in the statutory language passed by the Legislature establishing this program. Other than that, there are no specifically sanctioned sources for determining these priorities. Applicants should indicate sources of data and assertions in the body of the application.

**66. What happens to monies that have been repaid after commercialization?**

Funds repaid will be returned to the State's General Fund.

**67. What does "sharing of assets" mean?**

"Sharing of assets" can vary depending on individual situations, and can be approached creatively. At the very least it should mean that a mechanism has been put into place to allow multiple organizations to have access to the asset. For example, a piece of diagnostic equipment may reside with a non-profit research institution, but an agreement may be in place to allow a company, or companies access to that equipment.

**68. How do we identify the level of collaborators?**

Applicants should incorporate information regarding collaborating partners in the body of the application, as well as list collaborators on the cover page. Curriculum vitae of collaborators should be included as appendices, as indicated in the RFA. In addition, if a collaborating partner is not providing matching funds, and is therefore not providing a matching funds commitment letter, then the partner should provide a letter to certify its collaboration in the project. See the RFA page 30, for additional details.

**69. Is there a preferred style or formatting for the curricula vitae in the appendices?**

No, whatever format provides the appropriate information most clearly is acceptable, as long as it stays within two pages.

**70. Given that the external reviewers will be professionals in the areas described in the application, should the application narrative give the level of technical detail of an NIH or NSF proposal?**

Applicants are encouraged to read through the review sections of the RFA to get a sense of the audience for whom you are writing. Although the level of technical detail should be sufficient to give a professional in the field a good idea of the project's scientific and technical underpinnings, the level should also allow the less technical reader who is judging the economic impact, or relevance to Maine's economy to understand the project and its implications for the State of Maine.

**71. If there is a potential range to our budget, what is the best way to present that? In other words, you mentioned that you could fund all or part of the request, how can we address that potential decision up front?**

The budget section of the application allows for a supporting budget narrative of up to two pages. If there is a potential range to the budget, you can address it in the supporting narrative.

**72. I understand matching funds can be retroactive for a period of time? What about MTAF funds?**

Qualifying expenses relating to the proposed project may be incurred anytime after the date of application submission, with the exception of equipment purchases. Equipment

purchases with MTAF funding must take place after the award contract has been signed. Pre-award expenditures are made at the applicant's risk. It is possible that portions or the entire project may not be funded.

**73. What if my courier is late getting my application to you?**

All applications must be received by 5 PM on January 26, 2015. Late applications will not be accepted.

**74. Can applications be in color?**

Per the RFA, page 19, all applications must be black and white or grayscale.

**75. In the instructions for the budget, under the information about overhead rates, to what do we apply the 20% overhead rate?**

For the purposes of the MTAF program you may claim up to a maximum of 20% of total project costs for overhead. Total project costs are determined by adding the total project costs from each fund source including MTAF. We understand that within a project an institution may have a higher federally negotiated rate. However the total overhead captured as matching funds for purposes of this program are limited to 20%. MTAF funds cannot be used to pay overhead costs.

**76. Is an applicant eligible to apply for the MTAF program if they are in the process but are not yet incorporated?**

The applicant will need to be incorporated by the time the award is made. It should be noted in the application that the effort is underway and what the expected time frame is.

**77. I am assuming that in filing the Notice of Intent that we would have the flexibility to change the lead institution in the final application. The project director would remain the same. Am I correct in my assumption?**

Yes, but changes will need to be noted in the final application.

**78. Although the actual facility will be located in one legislative and senatorial district, the work being done will be statewide. Do you want the district of the home base/facility, only, listed on the cover page?**

The legislative and senatorial districts should be for the home base or facility only.

**79. Are the 5 pages for citations, the economic impact table and the milestone schedule included in the 20 page limitation?**

No, these sections are in addition to the 20 page limitation for the Scope of Work/Project Description. See page 19 of the RFA for further details.

**80. Is there an overall page limit to the application?**

The RFA outlines the page limitations for each section of the RFA. There is no overall page limit to the application.

**81. Will applications be accepted that differ from the original filed Notice of Intent?**

The submitted application should correspond closely to the original filed Notice of Intent. Applications that vary greatly from the original Notice of Intent will not be accepted.

**82. We submitted an application in a previous round but were not funded. Is there a section for a formal response to the prior written consensus review?**

No, but per the RFA applicants are encouraged to address concerns raised in a previous round within the body of the application.

**83. Should the text be single spaced or double spaced?**

The text may be either single spaced or double spaced. Other formatting guidelines begin on page 19 of the RFA.

**84. The Project Director listed in the Notice of Intent needs to be replaced with another person. Can we do this when we submit the application?**

Yes; the application should clearly indicate who the Project Director will be.

**85. Can we change the sector within which we are listed in the NOI when we submit our application?**

The Notice of Intent Information was used to help guide the reviewer selection process in anticipation of the application. The actual application should reflect the technology sector(s) and scientific disciplines detailed in the Notice of Intent form. Any changes to the technology description should be adequately described in the application.

**86. We are revising and resubmitting an application from previous rounds. Can we reuse the original commitment letters or do we need to obtain new ones?**

Original materials may be resubmitted, if commitments are still in place. However, it is advisable to update materials as needed to reflect the new application guidelines.

### **Contract Administration Questions**

**87. What about collaboration halfway through the project? For example, one collaborator drops out, another signs on?**

This situation would be governed by the award agreement contract, and would be handled on a case-by-case basis. Most likely, the award recipient would need to get MTI permission to make changes to project personnel and/or collaborating partners.

**88. Will MTI take a lien on an asset (i.e.: land)?**

This situation would be governed by the award agreement contract, and handled on a case-by-case basis. In general, MTI would most likely not take a lien on an asset that is being used a matching funds, but likely will take a lien on an asset valued at over \$10,000 that is purchased with MTAF funds.

**89. What are the reporting requirements after receiving funding?**

Final reporting requirements will be finalized in the award contract, but will include at a minimum: quarterly or milestone reports including progress and economic impact measures and milestones met, matching funds documentation, quarterly financial forecasts (i.e., timing of future milestone payments) and annual reports.

**90. Do repayment decisions get made as part of the application or at the time of contract?**

Generally, applicants can make the case in the application as to whether or not the project falls within one of the repayment scenarios, but the award contract will be the place where details of repayment will be outlined and agreed upon.

**91. How is repayment handled if a business applicant fails to commercialize the proposed project or service, but the asset can be used in future projects?**

Commercialization is the trigger for repayment, so repayment would not be required if the business fails to commercialize. Commercialization will be broadly defined to include any product or service commercialized using the MTAF funded equipment. In some cases, MTI may require that a mechanism be put in place to allow ongoing public access to funded assets if no repayment is required

**92. At the end of the project, if there is no commercialization, does the property and equipment obtained with the award funds become the property of MTI or any other entity?**

As long as award recipient complies with the terms of the award contract, all property and equipment obtained with MTAF funds remains the property of the award recipient or collaborators. As per the RFA, applications must provide detail regarding the ownership, location and accessibility of the project assets during the five-year project period, as well as the disposition/ownership of those assets once the project has been completed.

### **RFA Interpretation Questions**

**93. Can MTI provide some guidance around the use of the terms “principal investigator” vs. “project manager” as the primary contact?**

The use of both terms is allowable for the primary contact, as MTI recognizes that different types of organizations use different terminology, and that either could potentially be the primary contact for a project. Applicants are welcome to use either term.

**94. How does MTI handle the repayment requirement if a company takes the lead on a project for a major piece of immovable equipment, and shares the equipment with any Maine business or non-profit (presumably, they pay no fee but just operating cost during their use)?**

This is a case where the project is a collaboration among several organizations and the lead organization is a private company. If a mechanism has been established in the award contract to allow ongoing access to the funded asset(s), there would likely not be a repayment requirement if there is no commercialization.

**95. How is intellectual property handled with the MTAF awards?**

All technology developed prior to the MTI award will continue to be owned by the party that developed the technology. Improvements or new inventions developed during the course of the award will continue to be owned by the discoverer/developer of the technology. In situations where another party owns the technology, the participating company may enter into a licensing agreement to use the technology. In some case, a

pre-existing ownership agreement may be in place between the parties. The existence of such an agreement must be stated in the applicant's application. In a collaboration of researchers or institutions, where intellectual property might be an issue, parties are encouraged to enter into an intellectual property agreement and indicate this in the application. Where applicable, award recipients are required to submit an intellectual property plan as part of the award contract.

**96. Are there resources available to address IP protection (copyright, trademark, patent)?**

Since MTAF funds must be used for capital expenditures, MTAF award funds cannot be used for patent filings or other IP protection. MTI encourages applicants to consult with intellectual property lawyers or programs that provide information and guidance about intellectual property protection issues. Please note that patent filing is an allowable use of MTI Seed Grants and Development Award funds.

**97. How is the term “commercialization” defined?**

“Commercialization” is defined as the transition from research to market entry and market competitiveness of new technology processes, products and services. Please see the Research, Development and Commercialization Continuum section of the RFA, pages 5 and 6 for clarification of commercialization.