



UNIVERSITY of NEW HAMPSHIRE

May 18, 2004

Colleagues-

Kathy Cataneo at OSR has been fielding questions about maintaining intellectual property rights during proposal submission and review. She prepared this message:

Did you know that ideas expressed in your funded federal proposals are available to the general public under the Freedom of Information Act (FOIA)? There is a way that intellectual property prerogatives can be maintained, if you choose. Here's a quote from the National Science Foundation's Grant Proposal Guide, Proprietary or Privileged Information:

Patentable ideas, trade secrets, privileged or confidential commercial or financial information, disclosure of which may harm the proposer, should be included in proposals only when such information is necessary to convey an understanding of the proposed project. Such information must be clearly marked in the proposal and be appropriately labeled with a legend such as,

"The following is (proprietary or confidential) information that the University of New Hampshire requests not be released to persons outside the Government, except for purposes of review and evaluation."

If you employ this practice, the sponsor is required to redact information so marked at the proposal stage when the sponsor responds to an FOIA request from another individual or entity asking to see the contents of the proposal/award.

If you would like further information or guidance on proprietary or confidential information in your future NSF or other federal proposals, please contact your OSR Grant/Contract Administrator.

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