



## Competency Spotlight Series

- 1.1** Comptroller
- 1.2** Business and Financial Management
- 1.6** Cost Estimating
- 2.2** Non-ACAT (Acquisition Category)  
Program Contracting
- 2.3** Policy and Strategic Initiatives
- 2.4** Contracting Officer  
Representative
- 3.5** Command Legal Support
- 3.6** Intellectual Property



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*From the Commanding Officer and Executive Director,*

This issue of the SSC Pacific News Bulletin showcases the many talented professionals and vital support provided by the Finance, Contracting and Legal competencies.

Each plays a critical role in the Center's ability to complete our primary mission of developing, transitioning, installing and supporting the many capabilities SSC Pacific provides to America's warfighters.

From day-to-day management of command funds and contracts, to ensuring strict compliance with all applicable rules and regulations, the services provided by these three competencies represent a critically important nexus between our mission, our workforce, our sponsors, our industry partners and our growing portfolio of products and services.

We hope you find this edition informative and helpful.

Sincerely,

Joe Beel  
Commanding Officer

Carmela Keeney  
Executive Director

## SSC Pacific News Bulletin

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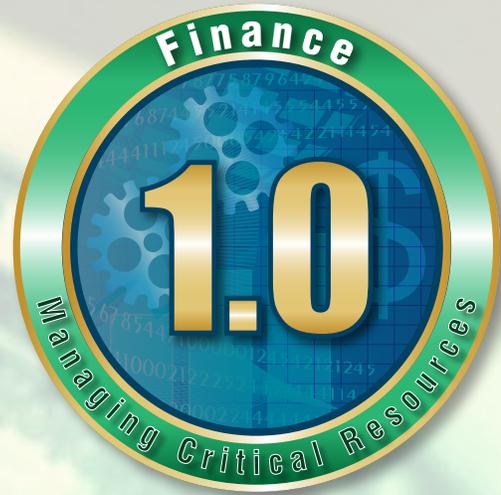
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Competency

# 1.0 Finance



To ensure that the Command executes its mission successfully, the Finance Competency (1.0) provides accurate, timely, and valued financial services necessary to accomplish Center programs, projects, and other efforts.

In today's environment of constrained resources, it is imperative that SSC Pacific operates effectively and efficiently to meet the challenges of delivering decision superiority to the warfighter.

"Finance is a critical enabler in executing SPAWAR, Navy Enterprise, and the Department of the Navy's priorities and mission," said David Garcia, SSC Pacific deputy comptroller.

The Finance Competency is a diverse, dedicated, innovative team of individuals, focused on providing the highest quality of service and products to its customers. They continually work toward a strong and viable future through the development of a technically proficient and experienced workforce.

## Why should YOU care about financial implications.

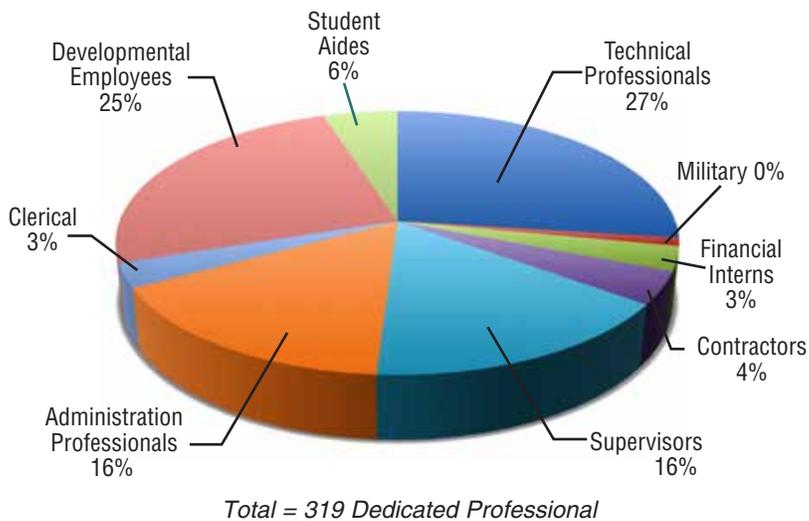
1. Every civilian employee at SSC Pacific performs duties with financial implications. For example:

- Preparing budget and spending plans
- Preparing your weekly time sheet
- Recommending products or services to your customers
- Evaluating vendor proposals
- Initiating a contract action or purchasing project material
- Writing a statement of objectives or specifications
- Talking with contractors

2. Violating financial laws and regulations can result in disciplinary action. Certain violations also carry criminal and civil penalties including fines, dismissal, and even jail time.

3. Even seemingly minor offenses, such as entering the wrong NWA on your time sheet, can result in consequences!

## Focused on meeting mission requirements, here's how the 1.0 workforce is organized.



The competency consists of three collaborative Tier 2 sub-competencies including the Comptroller (1.1), Business and Financial Management (1.2), and Cost Estimating (1.6).



## 1.1 Comptroller

The Comptroller Competency serves as the principal financial resource to the Center's commanding officer and executive director, providing financial management systems, accounting, and budget oversight across the Center.

"For example, some of the comptroller's functional responsibilities include the coordination and preparation of the annual financial statements and certifications, and the development and implementation of financial policies and procedures," explained Garcia.



### Competency 1.1 is driven by three areas of support:

1. Standardizing and establishing common financial data, definitions, procedures, and tools throughout SPAWAR to ensure efficiency across the entire organization.
2. Providing financial services in a transparent fashion, to build understanding and trust across customers and stakeholders.
3. Educating and promoting the financial community, enhancing both professional competency and personal growth opportunities.

- The competency provides many products and services to its customers including:
- Guidance on proper use of funding
  - Ensuring work is properly aligned with cited appropriation
  - Control on overspending of mission funds
  - External and internal financial reporting
  - Management support and analysis
  - Budget formulation and justification
  - Appropriations review
  - Sustainment of Navy Enterprise Resource Planning (N-ERP) system issues
  - Cross company code internal contracting (CCCIC) reviews to expedite purchase requisitions (PRs)
  - Financial validation of all Lean Six Sigma (LSS) projects

The subject matter experts (SMEs) within Competency 1.1 have been frequently recognized for their outstanding accomplishments at both an organizational and national level.

**Current initiatives include:**

### **Financial Improvement and Audit Readiness**

- Together 1.0 is collaborating with other competencies and SPAWAR leadership in preparing SPAWAR to meet Department of Navy (DoN) and Department of Defense (DoD) goals of audit readiness by 2014 for the General Fund and 2017 for the Navy Working Capital Fund.
- Financial Improvement and Audit Readiness (FIAR) is an initiative to improve the timeliness and accuracy of financial information for decision makers while achieving audit readiness on DoD's consolidated financial statements.

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### **Naval Innovative Science and Engineering (NISE) Service Center Stand-Up**

- The NISE Program is a major, long term effort for SSC Pacific, working with the deputy assistant secretary of the Navy (DASN), research, development, and acquisition (RDA); the financial management board (FMB); and other warfare centers to make this program executable.
- The NISE Program supports the development of technical capabilities within SSC Pacific, across all competencies, and throughout business portfolios.
- The goal is to increase technical ability, benefiting all customers and program sponsors, and better preparing SSC Pacific to meet the challenges of the global arena.

“The current national budget situation highlights the importance for DoD to optimize and account for every taxpayer dollar entrusted to us. Financial Improvement and Audit Readiness is the Navy’s process and effort to help accomplish this and, ultimately, provide best-valued support to warfighters,” said Rear Adm. Patrick Brady, SPAWAR commander.

**Recent accomplishments include:**

#### **Rate structure alignment**

- The 1.1 Competency teamed with SSC Atlantic to develop “common” service center rates.

#### **Financial Reviews**

- The 1.1 Competency teamed with business financial managers (BFMs) and 6.3 to revise, format, and chart financial reviews at SSC Pacific.

#### **Tri Annual Review (TAR)**

- DoD financial management regulation (FMR) requires review of outstanding transactions for timeliness, accuracy and completeness three times a year. This review is known as the Tri Annual Review (TAR).
- The 1.1 Competency successfully updated the TAR instruction and guidance.
- The 1.1 Competency also successfully implemented the SSC Atlantic TAR tool.

#### **Contract Review**

- The 1.1 Competency participated in the review of the contract purchase request (PR) process from cradle to grave.

## 1.2 Business and Financial Management

Ensuring SSC Pacific achieves its financial objectives, the 1.2 team provides business and financial management support as well as promotes and manages a common set of business financial tools, policies, and best practices in support of the Navy's vision of information dominance.

Business and financial management can be defined as the management of the business of an organization to achieve financial objectives.

As a key enabler to the success of SSC Pacific's mission, the team is made up of SMEs who are proficient in financial execution, processes, and management.

"The Business and Financial Management Competency strives to be known as the preferred business partner at SSC Pacific for providing exceptional, flexible, and innovative business and financial management solutions, through our products and services, in support of integrated product teams and projects," said Kathy Davis, a business and financial management supervisor.



**Dedicated to the efficient and effective operation of the Center, the 1.2 Competency provides many products and services, including:**

- Planning, programming, budgeting, and execution (PPB&E) activities
- Formulating financial program and acquisition resourcing
- Developing and administering budgets
- Financial planning and analysis
- Budget formulation and tracking
- Business analysis and input to corporate reporting
- Financial SMEs and team leads to support corporate boards and initiatives
- Financial SMEs to support Lean Six Sigma efforts
- Financial SMEs to support Navy ERP efforts

*“Our purpose is to provide skilled professionals who serve as critical enablers to our customers for managing their overall business in accordance with all applicable financial statutes, regulations, and policies in an efficient, accurate, and timely manner,” explained Davis.*



## 1.2 Highlights

**The 1.2 team is unique in that the business financial managers (BFMs) work as embedded team members within the technical and support codes, to provide tailored business and financial solutions to achieve delivery of code-specific products and services, on schedule, and within budget.**

“The 1.2 Competency is an outstanding team of financial professionals who are an integral part of our integrated project teams, providing products to the warfighter,” said Sara McMurrey, head of Competency 1.2. “We are critical enablers in executing SSC Pacific’s mission and priorities and in providing business information to the customer.”

The 1.2 Competency is dedicated to providing the highest quality of products and services to its customers and are continually acknowledged for its outstanding accomplishments throughout the organization. Recent accomplishments included:

### **Business Process Standardization**

- 1.0 is establishing a business process standardization to align SSC Pacific's business processes with mandated requirements for Navy commands.
- Business process standards are established between the Assistant Secretary of the Navy, Financial Management and Comptroller (ASN (FM&C)) Office of Financial Operations, the Navy ERP Program Office, and the Department of the Navy commands operating within Navy ERP.

### **Production Overhead (POH)**

- The business and financial management team contributed to the development and implementation of production overhead (POH) business rules.

### **Project Systems Governing Board**

- The 1.2 Competency provided SMEs to the project systems governing board.

### **Hot topic workshops**

- The business and financial management team continually provides hot topic training workshops to the competencies.

### **Tactical focus groups**

- The 1.2 Competency continually leads tactical focus groups to address current financial issues.

### **Recruiting**

- The 1.2 Competency aggressively works to shape a technically proficient and experienced workforce.

### **Science and Technology Reinvention Laboratory (STRL)**

The business and financial management team contributed to the implementation of the STRL personnel management system for both systems centers.



**What is STRL?** STRL is a personal management system that combines the best features of previous and other existing DoD laboratory systems into one system. STRL was created specifically to improve federal personnel management.



## Introduction to Financial Management

- The 1.2 Competency developed and continues to lead training titled "Introduction to Financial Management."

Introduction to Financial Management training provides an introduction to financial management at SSC Pacific. Integrated product team (IPT) leads and many other employees play an important role in the financial management of a project. Because all employees are responsible for knowing, understanding, and following financial rules and regulations, this training covers the fundamentals needed to properly manage the financial aspects of a project, as well as how and when to communicate with your financial team (1.0).

"As an engineer, the Introduction to Financial Management course helped me with a better understanding of the financial aspects involved in project management," said Todd Shumaker, an SSC Pacific engineer.

"This course provides the basic fundamentals of financial management at the Center, which are critical to understand to ensure we are following the appropriate financial rules and regulations," said Bette Fondas, deputy for program development.

Good Job! 😊

"The Introduction to Financial Management course did an excellent job of providing the fundamentals of the Navy Working Capital Fund, project planning, carry-over, along with what to expect during a Tri-Annual Review," said James Biancavilla Jr., an SSC Pacific IT specialist.

"The Introduction to Financial Management Training is offered to all SSC Pacific employees to provide a basic understanding of the financial aspects of managing a project and to help ensure all employees practice good stewardship of government funds," said Mona Sullivan, Staff BFM, and Center lead for Introduction to Financial Management Training.

## 1.6 Cost Estimating

In a world of limited funds, cost estimating is of high importance when managing government projects and programs.

To ensure the execution success of SSC Pacific's projects and programs, the Cost Estimating Division (1.6) provides realistic cost, schedule and risk assessments for many Department of the Navy (DoN) information dominance programs of record, as well as command programs and projects as needed.

The more accurate the estimate of a project's cost, the easier it is to manage its budget. Estimating a project's costs is important for several reasons:

1. It enables you to weigh anticipated benefits against anticipated costs to see whether the project makes sense.
2. It allows you to see whether the necessary funds are available to support the project.
3. It serves as a guideline to help ensure there are sufficient funds to complete the project.



**Established in 2010 with the Competency Aligned Organization (CAO), the Cost Estimating Division provides support for the development and planning of two types of costs:**

1. Cost estimation and analysis process, which adequately reflects the program baseline and provides a reasonable estimate of how much it will cost to accomplish all required tasks.
2. Cost reduction and risk mitigation goals, which inform decision authorities of the risks, investment costs, and benefits associated with cost reduction.

To improve the implementation of cost-estimating best practices throughout the Center, Competency 1.6 provides cost engineering and analysis for command, control, communications, computers, intelligence, surveillance and reconnaissance

(C4ISR), information technology (IT), and space systems that fall under SPAWAR Headquarters and the affiliated program executive offices (PEOs).

“The role that our cost estimators play supporting the program office ensures that the program manager has an accurate cost assessment for analysis of alternatives, for the development of their products, for integration and installation in the fleet, for sustainment over the life of the product, and disposal at end of life,” said Joseph Adan, the SSC Pacific Cost Estimating local competency lead (Code 1.6). “The warfighter benefits by having the most cost-effective and highest quality C4ISR capabilities and network infrastructure available and the Information Dominance superiority intended by Congress and Navy leadership.”



## Competency 1.6 provides a wide variety of services including:

- Project/program cost estimation
- Cost analysis
- Earned value management
- Economic analysis
- Analysis of alternatives
- Business case analysis
- Cost realism
- Development of independent government cost estimates
- Cost Analysis Requirements Description (CARD) development/assessment
- Program Life Cycle Cost Estimate (PLCCE) development/assessment

For projects to remain on target, it is critical to have Competency 1.6 involved right from the start to ensure the project budget reflects the decisions made by project managers and team members throughout the entire process.

“The 1.6 Competency is a dedicated, highly educated and motivated group of cost estimators that continually strive for excellence in their trade,” said Adan. “They are driven to do their very best to support programs that enhance the lives and mission effectiveness of our Sailors and Marines. They look forward to new challenges that allow them to grow and expand the capabilities of both the Center and all of SPAWAR. They are an amazing group of people who have come a long way in a very short time. I’m proud of them.”

Competency

# 2.0

## Contracts

### Mission-Driven Acquisition Support

*“Contracting is a key enabler that facilitates the ability of every technical department, service center, general and administrative organizational element at the Center to effectively do their part to execute the SSC Pacific and SPAWAR mission,” states Tammy Sanchez, 2.0 Competency lead.*



## MISSION

The 2.0 Competency's mission is to provide proactive, quality acquisition support using innovative and effective techniques to support both the Center and SPAWAR's greater mission. Competency 2.0 team members work to efficiently deliver a full range of effective acquisition solutions and to provide the Center with critical Navy Enterprise Resource Planning (N-ERP) Material Management Module support services.

Contracting works with departments, divisions, branches, project managers, and integrated product teams (IPTs) across the Center to develop acquisition (contracts, purchase orders, and task orders) and assistance agreements (grants, cooperative agreements, and technology investment agreements) designed to obtain the services, supplies, equipment, and collaborative research needed to successfully accomplish the SSC Pacific mission.

The competency supports technical codes through the lifecycle of a project, including research and development, acquisition, delivery and deployment. To do so, the 2.0 team provides skilled professional acquisition personnel to procure the goods and services required to execute SSC Pacific projects and run its operations. The 2.0 Competency includes three Tier 2 competencies;

**2.2** Non-ACAT (Acquisition Category) Program Contracting

**2.3** Policy and Strategic Initiatives

**2.4** Contracting Officer Representative



## Why do we need Contracting?

SSC Pacific relies heavily on industry for technical and professional services which augment its workforce with critical skill sets needed for the research, development, and delivery of information dominance capability to the warfighter.

The **2.0 Competency** ensures compliance with all federal, Department of Defense (DoD) and Department of the Navy (DoN) statutory and regulatory acquisition and contracting guidance. It sets professional standards for its contracting workforce; members have college degrees that include a minimum standard for business and business-related coursework.

In addition to traditional, federal acquisition-based contracting, the 2.0 Competency executes non-traditional assistance agreements such as **cooperative agreements, grants, other transactions and technology investment agreements.**

The competency also assists the Center's Technology Transfer Office in the development of cooperative research and development agreements (CRADAs). These "non-traditional" approaches allow the 2.0 team to provide maximum flexibility where appropriate to meet the needs of SSC Pacific's diverse research and development (R&D) customers both within the Navy and in support of key government partners such as Defense Threat Reduction Agency (DTRA), Defense Advanced Research Projects Agency (DARPA), and Intelligence Advanced Research Projects Activity (IARPA).

Sanchez believes 2.0's biggest challenge is delivering contracting support that ultimately provides services, supplies, and research of the quality required by the SSC Pacific customer in a timely and legally compliant manner.

In addition, Sanchez says, ***"We need to get our customers what they need, ensure we are being good stewards of the taxpayers' dollars, and keep everyone out of trouble."***

In today's environment, the impact of significant budget reductions coupled with the rapid change in federal, DoD, and DoN regulations and significant increases in oversight governing government contracting, is making the delivery of timely, compliant contracting support extremely challenging.

Sanchez continues, "We continuously evaluate our processes, organizational performance, structure and tools, in an effort to improve our ability to effectively balance timely customer support and regulatory compliance."

## Find the answers on the 2.0 Competency website!

To improve customer support for both contracting and technical personnel, the SSC Pacific 2.0 Competency has developed and deployed a website that provides its community with access to the information and tools needed to prepare, process, and execute contracting actions.

This central repository provides the user community with forms, guides, policies, instructions, tripwire information, checklists, as well as a wide range of procurement-related tools that can help expedite the procurement process.

A key feature of the website is that it provides regular updates on simplified acquisition and large contract actions.

When a simplified acquisition procurement request (PR) is assigned to a "buyer," the website is automatically updated on an hourly basis to reflect the assignment status including PR number, date assigned, and the buyer's name.

For large contracts, information relating to awarded actions is updated twice daily. This data matrix allows the user community to query, and export to Excel, information related to their active contract vehicles.

Behind the scenes, this tool also provides additional resources to 2.0 personnel relating to the policies, regulations, and tools available for processing of procurement requests.

The website can be found at the following link:

<https://contracts.sspac.nmci.navy.mil/Code20/Index.asp>





# Small Business Innovation Research (SBIR) Program

The 2.0 Competency has provided contract support to the SPAWAR Small Business Innovation Research (SBIR) Program Office since FY 2008 when the program office realigned from SPAWAR 5.0 to SSC Pacific 7.2.

The SBIR program was established by Congress in 1982 to strengthen the role of innovative small business concerns in federally-funded research and development (R&D).

Specific program purposes are to:

- Stimulate technological innovation
- Use small businesses to meet federal R&D needs
- Foster and encourage participation by socially and economically disadvantaged small businesses working in technological innovation
- Increase private sector commercialization of innovations derived from federal R&D, thereby increasing competition, productivity, and economic growth.

The SBIR program is coordinated by the Small Business Administration. Two and a half (2.5) percent of the total extramural research budget of federal agencies with research budgets in excess of \$100 million is reserved for SBIR contracts to small businesses. Annually, the SBIR budget represents more than \$1 billion in research funds. More than half the awards are to firms employing fewer than 25 people, and a third to firms of fewer than 10.

On a schedule coordinated by DoD, the Navy issues SBIR solicitations, usually three per year, that contain a series of “technical topics” describing the areas of interest, and needs of the Navy and its systems commands. Small businesses are invited to submit proposals targeted at one or more of the technical topics listed in the solicitation

**The SBIR program is structured in three phases:**

- Phase I (project feasibility) determines the scientific, technical, and commercial merit and feasibility of the ideas submitted.
- Phase II (project development to prototype) is the major R&D effort, funding the prototyping and demonstration of the most promising Phase I projects.
- Phase III (commercialization) is the ultimate goal of each SBIR effort, and statutes require Phase III work be funded by sources outside the SBIR program.

**OPPORTUNITY**

**← AHEAD**

Initial 2.0 Competency support to the SBIR program office included contract awards, and modifications, for all SPAWAR-affiliated programs, except Joint Program Executive Office (JPEO) for the Joint Tactical Radio System (JTRS) until March 2011. In March 2011, the 2.0 office also assumed responsibility for the award of SBIR actions for JPEO JTRS. In FY 2012, the competency awarded 89 SBIR contract actions (excluding unfunded contract modifications) with fund obligations of \$44,446,696. This represents a significant increase in productivity since FY 2008 when 61 funded contract actions were awarded for \$10,342,796.



## SDSU Student Services Contract

The 2.0 Competency awarded the latest student services contract with San Diego State University (SDSU) on Sept. 24, 2012.

The contract has a five-year ordering period and provides analytical and technical services from undergraduate and graduate students in support of scientific research and development projects at SSC Pacific. Although managed by Code 5.6, the contract is used by all technical competencies at the Center. Details on using the contract are available at [https://blog.spawar.navy.mil/student\\_services/](https://blog.spawar.navy.mil/student_services/).



Mindful of today's budget environment and the need to increase cost consciousness throughout DoD acquisition, the 2.0 team has strategically conducted negotiations with SDSU and achieved a reduction of over 36 percent or \$2.4 million under the SDSU contract proposal.

There was no reduction in level-of-effort or realignment from high- to low-cost labor categories to achieve the savings. All savings were obtained by aggressively negotiating direct labor costs and escalation. With a five-year level-of-effort of 190,000 hours, the negotiated savings equate to an average of \$12.64 per labor hour.

The negotiated labor rates also represent a significant savings from the predecessor contract with SDSU. Compared to predecessor contract rates for FY12, the negotiated rates for FY13 have actually decreased by an average of 31 percent. The Center issued about 175 orders under the predecessor contract at an average price of \$26,129. Thanks to team 2.0's efforts, technical competencies will see an average savings of \$8,099 per order in FY13 compared to FY12 rates on the predecessor contract.



## Entry-Level Contract Specialist Program

The 2.0 Competency uses the Naval Acquisition Development Program (NADP) as its primary recruiting and hiring mechanism for entry-level contract specialists.

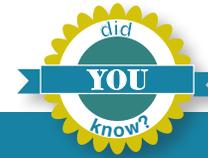
The NADP is managed by the Naval Acquisition Career Center (NACC) in Mechanicsburg, Pa. The NADP is a structured management-training program including formal education, diverse rotational assignments, and extensive on-the-job training. The NADP duration is two or three years depending on educational degree status. The program includes annual non-competitive promotion opportunities for employees making satisfactory progress.

NADP employees are "homeported" at SSC Pacific throughout their development program. Achievement of the Defense Acquisition Workforce Improvement Act (DAWIA) Level II certification in contracting is a requirement of program graduation. After graduating, NADP employees are converted or hired as regular SSC Pacific employees.

There are currently nine NADP employees homeported in the 2.0 office. Several supervisors and senior leaders within the 2.0 Competency are former NADP employees. Leadership for the 2.0 team makes a significant investment in NADP employees throughout their development program, and views NADP employees as future leaders and managers within the competency.



## Competency 2.0



The 2.0 team has streamlined the task order process for both single- and multiple-award Indefinite Delivery, Indefinite Quantity (IDIQ) contracts.

For single-award contracts, the task order Statement of Work (SOW) is reviewed with the contractor prior to the government asking for a proposal. Once both parties have agreed on the Statement of Work (SOW), a proposal is requested and is due in five calendar days. The government evaluates the proposal and, once the final costs are agreed to, a purchase request (PR) is routed and task order award is made upon PR receipt.

For multiple-award contracts, the task order SOW is provided to all awardees for a question/answer period of two days. Based on the questions, the SOW is finalized and a proposal is requested and due in five calendar days. Upon receipt of the proposal, a technical evaluation is performed by the technical code and a cost evaluation is performed by the contract specialist. When the awardee and award amount are determined, a PR is routed and the task order award is made upon PR receipt.

The magnitude of the 2.0 Competency's FY12 contracting support was significant in the following tasks:

- Procured goods and services valued at more than \$1.1 billion.
- Executed more than 6,600 procurement transactions.
- Oversaw the execution of more than 15,000 Government Purchase Card transactions.
- Responded to 4,684 Navy ERP, material-management-related Help Desk calls.

### **Templates were created to help in the process:**

- A request for proposal (RFP) template ensures all RFPs issued follow the same format and ask the contractors to submit all required information. For multiple-award task orders that will be competed, the template allows editing of the evaluation criteria to be used to make the award decision.
- A technical evaluation template for multiple-award task orders that can be edited depending on the type of evaluation criteria being used, Low Price Technically Acceptable (LPTA) or Best Value. This template ensures that all evaluation criteria are in fact evaluated.
- Form 4330 allows for a streamlined evaluation of single-award task orders. The form allows both the technical code and the contract specialist to record the results of their evaluation on a single form.

## 2.0 Second Technology Investment Agreement (TIA)

Hewlett-Packard (HP) submitted a basic research proposal in response to a DARPA broad agency announcement (BAA).

In technical terms, HP proposed to develop a computational simulation engine for nanophotonic circuits based on coherent feedback control theory, experimental validation of coherent-feedback control concepts for nanophotonic switching at attojoule energy scales via single atom cavity Quantum Electro-Dynamics (QED), and implementation and testing of coherent feedback control methods in large-scale nanophotonic circuits.

In layman's terms, HP proposed to develop a new paradigm for large-scale circuits based on light, instead of electricity, which require very low amounts of power. The development of this "post-Moore's-Law" principle could lead to computing at a much lower cost, while using less electrical power, resulting in extended battery life that will significantly benefit both the warfighter and the general public.

## Rationale for TIA

The principal purpose of this effort was to stimulate or support a public purpose; therefore, an assistance vehicle was required (as opposed to a procurement contract). HP, however, did not choose to enter into an assistance vehicle such as a standard cooperative agreement or grant. As a large multinational commercial corporation, the cost and time to implement the systems and processes required to comply with the post-award administrative requirements of standard government procurement and assistance vehicles proved to be a barrier to their participation in defense research programs.

As a result, successful completion of this research ensures that the Navy and DoD maintain information dominance as well as provide the warfighter with access to the best possible technology.

### A TIA can only be used if:

- The principal purpose of the project is stimulation or support of research for public purpose, rather than acquiring goods or services for the benefit of the government.
- The basic research involved in the project is relevant to the policy objective of civilian-military integration.
- One or more for-profit firms are to be involved either in the performance of the research project or the commercial application of the research results.
- It is judged that the recipient has a strong commitment and self-interest in the success of the project.
- To the maximum extent practicable, the non-federal parties carrying out a research project under a TIA provide at least half of the costs of the project.
- There is a greater level of involvement of the government program official in the execution of the research than the usual oversight of a research grant or procurement contract.
- It is judged that the use of a TIA could benefit defense research objectives in ways that likely would not happen if another type of assistance instrument were used.



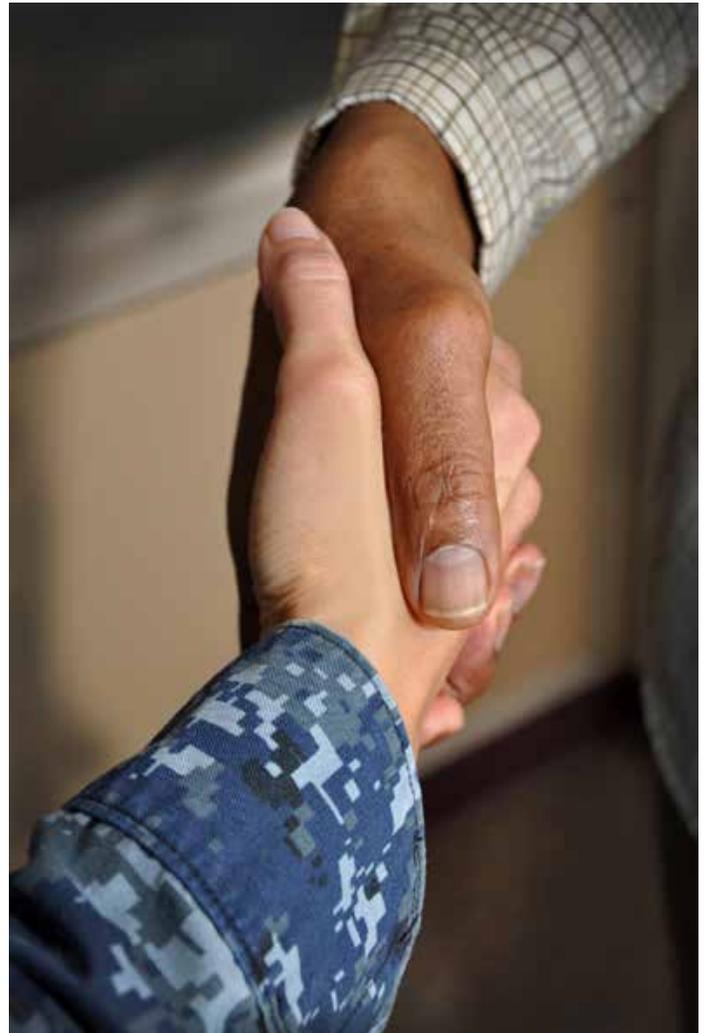
## Competency 2.2

### Non-ACAT Program Contracting

The 2.2 Competency is responsible for developing and executing acquisition strategies to support internal and external customer requirements, including simplified acquisition.

SPAWAR, SPAWAR PEOs, and the Navy, through SSC Pacific technical departments, are key sponsors of work supported by the 2.2 team. Key external sponsors include DARPA, IARPA, and DTRA. The 2.2 competency also provides support to key DoD and DoN programs and initiatives including the SBIR program, DoN Enterprise Software Licensing (ESL) Initiative, and the DoD Enterprise Software Initiative (ESI).

Contracting personnel assist throughout the complete lifecycle of a contract from conception through close-out; and as members of the Acquisition Workforce, must possess the applicable level of DAWIA certification.



### Enterprise Software License

In 2011, the DoN Chief Information Officer (CIO) assigned SSC Pacific as a contracting office for the Navy's Enterprise Software License (ESL) program. This program, led by the Marine Corps, is supported by three contracting offices — the Marine Corps, Naval Supply Command (NAVSUP) and SSC Pacific 2.0 — which prepare ESL agreements for the top software providers used by the Navy.

These blanket purchase agreements (BPAs) will establish enterprise prices for all Navy/Marine Corps activities and provide senior Navy leadership with visibility that will facilitate license transfer and re-use, resulting in significant savings across the DoN. Use of the BPAs will be mandatory per DoN CIO, and assistant secretary of the Navy for research, development and acquisition policy. Ordering through BPAs will be decentralized, meaning activities will place their own orders.

The first BPA was awarded by the Marine Corps to Microsoft and has been transferred to SSC Pacific for contract administration. SSC Pacific is assigned four other ESLs: Active Identity, Symantec, IBM, and VMWare. Activity Identity and Symantec are two of the Navy's top five priorities. IBM and VMWare are in the next group of five priorities. Awards of the Active Identity and Symantec BPAs are anticipated this year, while awards of the IBM and VMWare BPAs are expected in 2014.

The benefit of the ESL program is discounted pricing based on the anticipated volume in addition to the allowing the Navy to better manage IT spending and effective software licensing utilization.

## Competency 2.3

### Policy and Strategic Initiatives

The 2.3 Policy and Strategic Initiatives office performs the following functions:

- Interprets and develops internal 2.0 policy and procedural guidance
- Informs contracts personnel of any new or changed DoD/Navy acquisition and contracting guidance
- Responds to data calls from SPAWAR, Navy, and DoD activities
- Manages the SSC Pacific COR program
- Conducts 2.0's internal quality assurance self-assessments
- Manages the Center's services contract "Tripwires"
- Coordinates all internal and external contract reviews, audits, and investigations, including management and facilitation of SSC Pacific's participation in SPAWAR Services and Acquisition Review Boards (SARRB)

### SARRB functions include:

- The SSC Pacific Contractor Performance Assessment Reporting System (CPARS) Focal Point function.
- Management of 2.0's CPI, Balanced Score Card (BSC), and department performance metrics, which involves implementing and monitoring strategic acquisition initiatives to achieve an effective end-to-end automated contracting architecture as directed by DoD and DoN.

*The majority of 2.3 Competency team members are also in acquisition positions and possess the appropriate level of DAWIA certification.*



## Code 235 Government Purchase Card Program success story



Code 235 is responsible for managing SSC Pacific’s Government Purchase Card Program (GPCP). The GPCP streamlines purchase methods, minimizes paperwork, eliminates imprest funds (petty cash), streamlines payment processes, and simplifies the administrative effort associated with traditional and emergent purchases for supplies and services below the micro-purchase threshold of \$3,000 for materials and \$2,500 for services.

The purchase card allows departments throughout the Center to independently procure supplies and services for official government business valued at or below the micro-purchase threshold. The Purchase Card Program office delegates purchase card authority, provides guidance to the Center’s approximate 150 cardholders and 100 approving officials, and ensures the Center’s compliance with DoN, SPAWAR, and SSC Pacific purchase card policy.

The office ensures all cardholders and approving officials have the required training for their respective roles, and operates a help desk for card holders and approving officials.



### Purchase Cards:

- Travel Cards: Travel expenses related to official government travel (airline, hotel, meals, incidentals)
- Fleet Cards: Fuel and supplies for government vehicles
- Integrated Cards: Two or more business lines (card types) whose processes are integrated into one card
- To find out more information about the GSA SmartPay program including the latest charge card news, upcoming GSA SmartPay events, online training, and the new GSA SmartPay blog, visit our website at <http://smartpay.gsa.gov>.

## Code 23600

The Business Financial Manager/Navy ERP Materials Management (BFM/MM) Operations Support Office, Code 20R00/23600, manages all facets of the Procurement Service Center’s budget and provides critical Navy ERP MM support to all Navy ERP users throughout the Center. This support is critical to the Center’s technical programs, ensuring procurement requirements are successfully processed through the Navy ERP system and passed to the Competency 2.0’s Standard Procurement System for execution.

## Code 2.4 Management of Contracting Officer Representative (COR) Program

The 2.4 Competency is SSC Pacific’s competency lead and program manager for the Center’s Contracting Officer Representative Program.

# Competency

## Navigating Rough Waters, Finding Safe Harbors

# 3.0 Legal



SSC Pacific’s Legal competency (3.0) is a unique and specialized business area necessary for executing the SPAWAR mission efficiently and in accordance with federal statutes and regulations, Department of Defense (DoD) and Department of Navy (DoN) policy and instructions, and case law. The 3.0 Competency at SSC Pacific functions as an in-house counsel’s office on the many issues the Center and its personnel face every day.

### The 3.0 Competency consists of:

- 3.5 Command Legal Support
- 3.6 Intellectual Property



From FY10 to the present, the 3.0 Competency has coordinated and reviewed more than 350 support agreements, valued at over \$275 million.

Support agreements include memorandums of agreement or understanding (MOAs and MOUs), interagency agreements (IAAs), work for others, and commercial service agreements (CSAs).

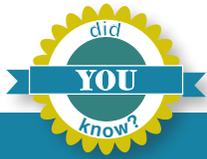
The 3.0 team takes the lead in coordinating, drafting, and reviewing these various support agreements with other Navy commands, program offices, other military agencies, and federal agencies and commercial businesses. Most of these agreements are the means to establish work requirements and pay the Center for employees completing tasks. These agreements are the legal, required means by which the Center accepts work and funds from outside entities.



**SIGN HERE**

## 3.5 Command Legal Support

The 3.5 Competency performs skilled analysis and research to provide the Center with effective, comprehensive, timely, and accurate legal reviews and advice to ensure the resolution of command issues in accordance with various statutes, regulations, instructions and applicable DoD and DoN policies. Areas of legal support within this competency include:



During FY12, the 3.5 Competency partnered with the 1.0 Competency and the inspector general (IG) to recover more than \$100,000 from an SSC Pacific employee who filed fraudulent claims.

- Supporting and advising contract and technical codes about contract and business matters, including pre- and post-award contract issues and contract disputes
- The Command's Ethics Program, including post-government employment advice for departing employees, outside position and procurement integrity determinations, and legal opinions relating to support to non-federal entities. Examples include speaker requests, dealings with contractors, acceptance of gifts by DoN and by federal employees, the potential misuse of position, government resources and information, fundraising, outside employment, political activities, required review of annual financial disclosure forms, and providing annual ethics and new employee training modules
- Fiscal law issues such as expenditure of appropriations and use of funds, use of Navy Working Capital Funds, the Anti-Deficiency Act, and ratifications of unauthorized commitments
- Litigation support and representation in defense of legal actions against the Center and in the prosecution of claims on behalf of the Center, to include preparing and filing legal documents, motions, responsive pleadings and briefs
- Freedom of Information Act (FOIA) response
- Privacy Act (PA) and Privacy Program compliance
- Review of National Environmental Policy Act (NEPA) documents for environmental compliance
- Base Closure and Realignment Act (BRAC) matters
- Comments on proposed legislation
- Review of all proposed instruction and instruction updates
- Coordination with the Public Affairs & Congressional Liaison office on congressional interest correspondence
- Coordination with the inspector general in connection with investigations, audits, and hotlines
- Coordination with the designated supporting judge advocate in conjunction with matters falling within the cognizance of the judge advocate general (JAG) of the Navy, including Judge Advocate General Manual investigations and claims against the Navy
- Coordination with the Naval Criminal Investigative Service (NCIS) and other federal investigative agencies as necessary

## Specific examples of legal support

### Acquisition

The 3.5 Competency performs research and analysis to provide effective, skilled, timely, and accurate legal review and advice to help ensure the lawful award and administration of contracts, proper use of funds for those contracts, and required contract litigation support.

Additionally, the competency area provides legal representation in connection with contract protests and litigation, including litigation filings required to support the government's position in litigation before courts, administrative boards, the Government Accountability Office (GAO) or in an alternative dispute resolution (ADR) proceeding.

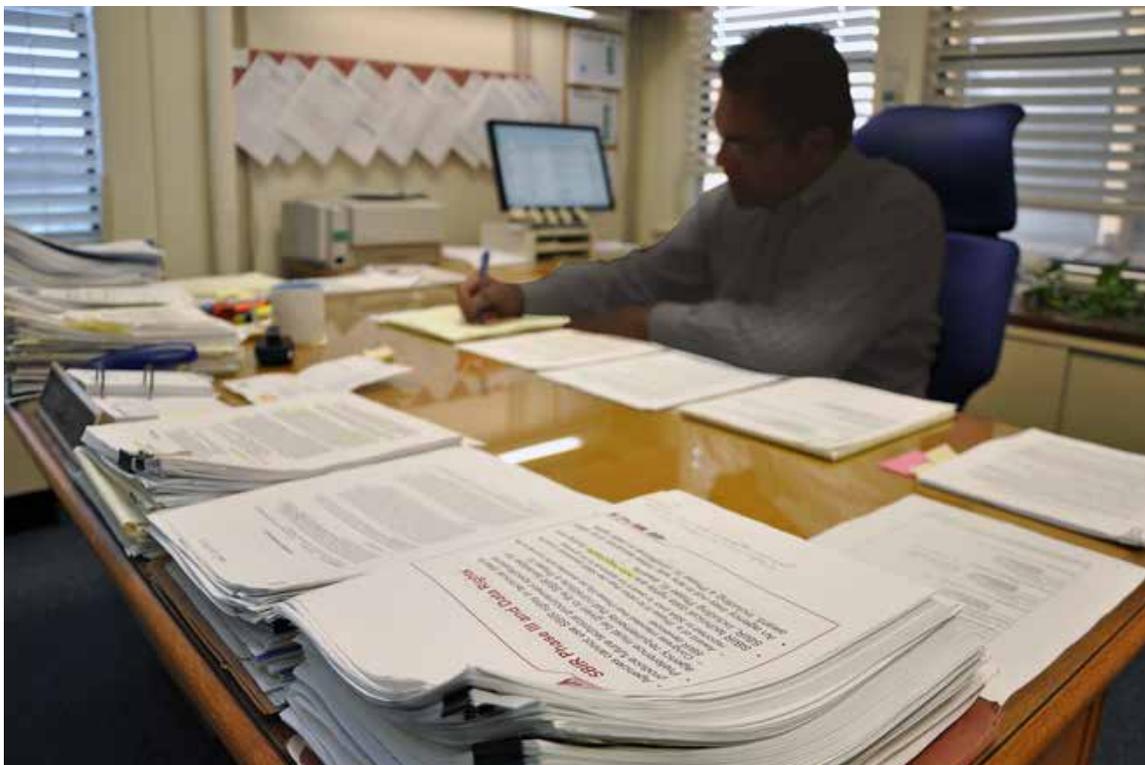


### Civilian Personnel Law

The 3.5 Competency conducts analysis and research to provide accurate and timely legal advice, opinions, and representation relating to civilian personnel issues.

The competency delivers effective legal advice relating to personnel matters concerning, but not limited to, disciplinary actions, performance ratings, selection and non-selection issues, complaints of discrimination, security clearance matters and adverse actions.

Attorneys provide skilled representation including advocacy and preparation of documents, such as pleadings, discovery documents and settlement agreements, before the Merit Systems Protection Board (MSPB), Equal Employment Opportunity Commission (EEOC), Office of Special Counsel (OSC), Department of Labor (DOL), Federal Labor Relations Authority (FLRA), Federal Services Impasses Panel (FSIP), Federal Mediation and Conciliation Service (FMCS), state compensation boards, mediators, arbitrators, and federal courts.





***From FY10 to the present, the 3.5 team has handled litigation for 13 GAO protests, and four agency-level protests.***

Protests are complaints filed by businesses against the award of Center contracts, or aspects of the award process. Businesses can choose to file those complaints with the Center (agency), with the Government Accountability Office (GAO), or with the Court of Federal Claims (COFC).

There are various reasons why a business might choose one forum versus the other, but most protests are filed with the GAO. There are also a lot of areas of the evaluation and award that a business might complain about, but the common ones include improper evaluation of the business' or awardee's technical capability, past performance or price, or the overall award determination.

The 3.5 Competency provides high-quality and timely advice and representation for the Command in front of the GAO and COFC. As part of the process, 3.5 attorneys respond to the grounds of the complaint and produce evidence from the contract process to support the appropriateness of the award, and make arguments to support the reasonableness of the decisions made during the evaluation of offers.

The value to SSC Pacific is that the Center's contract awards are defended, and can thereby be performed. If the Center loses a protest, it may be advised or ordered to change something it did during the evaluation or solicitation, and to re-evaluate the award would likely involve additional time and expense.



## Environmental Law

The 3.5 Competency performs research and analysis to provide effective, skilled, timely, and accurate legal reviews, and advice concerning environmental compliance and documentation of decision making, as required by various environmental protection statutes and regulations, in connection with systems development, testing, evaluation, and acquisitions.

Matters falling within the competency include issues concerning the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the Marine Mammal Protection Act (MMPA), ocean environmental resource protection laws and regulations, as well various statutory and regulatory requirements dealing with hazardous materials and pollutants.



The 3.5 team is supporting a pilot project spearheaded by the Naval Facilities and Engineering Command (NAVFAC) that would provide the workforce with electric vehicle (EV) charging stations at various sites across SSC Pacific.

The team is working with Commander, Navy Region Southwest (CNRSW), NAVFAC, and the Navy Exchange (NEX) to provide the service to the SSC Pacific workforce, offering commuting options, and demonstrating the future of this technology within the Navy.

The Center would be the first command in the metropolitan San Diego area to offer EV charging for its employees. The project aligns with SSC Pacific's 70-year research and development track record, and the fact that many members of our science and technology workforce are interested in, and involved with, green technology and often serve as early adopters.

## 3.6 Intellectual Property

SSC Pacific's goal is to be "The Nation's Pre-Eminent Technical Leader for Integrated C4ISR Solutions for Warfighter Information Dominance."

Patents are an important indicator of any organization's technical expertise and the Center's patent portfolio has helped establish SSC Pacific as a leader in C4ISR technologies. The Office of Patent Council is committed to growing and maintaining SSC Pacific patent portfolio in addition to providing other intellectual property-related services to help keep SSC Pacific a recognized leader in C4ISR.

The 3.6 Competency delivers skilled, timely, accurate legal reviews and advice concerning intellectual property rights set forth in governing statutes, regulations, and other controlling documents, primarily with respect to the obtainment of patents and trademarks through the United States Patent and Trademark Office; acquisition of goods or services, investigation and reporting on claims of patent infringement; technology transfer matters; determinations of government rights in intellectual property created by employees; and litigation support to the Department of Justice.

Internally, SSC Pacific's patent program encourages its inventors to disclose their inventions and assist in preparing patent applications for submission to the United States Patent and Trademark Office. SSC Pacific offers incentive awards of \$250 per inventor, per invention disclosure; \$500 per inventor, per patent application filed; \$1,000 per inventor, per patent issued; and 40 percent of all royalties received if a license is granted.

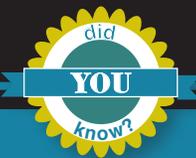
Many of the Center's patents have been licensed by industry partners to further develop and enhance the covered technologies; this leads to further innovation that can benefit Sailors and Marines. In addition, the Center's patent portfolio has an important defensive attribute of discouraging others from attempting to patent Navy inventions and suing the Navy for patent infringement.

Moving forward, the office is seeking to implement an invention review procedure to ensure that inventions focusing on key C4ISR areas receive top priority.



## Patent success roll call:

- Mast Clamp Current Probe antenna technology
- Line-of-sight communications relays for unmanned vehicles
- Tapered-slot antennas
- Water/soil contamination sensors
- Cargo container security and monitoring
- Autonomous underwater vehicle deployment and retrieval devices



## 3.6 Intellectual Property

SSC Pacific has the largest staff of Navy patent attorneys on the West Coast.

The number of patents issued at the Center has increased 129 percent over the last four years.

The number of invention disclosures submitted by Center employees has increased 78 percent over the last four years.

SSC Pacific offers incentive awards of \$250 per inventor, per invention disclosure; \$500 per inventor, per patent application filed; \$1,000 per inventor, per patent issued; and 40 percent of all royalties received if a license is granted.

A few years ago, SSC Pacific licensed more than 60 patents to a commercial entity and received a seven-figure, up-front royalty fee (the largest in DoD history).

## SSC Pacific Attorney explains ‘the ins and outs’ of the Patent Process

*Different patent attorneys may follow a slightly different procedure, but this is a summary of the patent process from my perspective –*

*J. Eric Anderson, patent attorney, Code 3.6*

When a new invention disclosure is assigned to me, my first task is to familiarize myself with the technology. I do this by reading and re-reading the disclosure, researching the “prior art” (i.e., related inventions by others), and interviewing the inventor.

It is important to distill an invention down to its essential, new, and non-obvious components. The inventor should be prepared to provide a “back of the business card” explanation of the novel features of his/her invention.

After I feel comfortable with the technology and have identified the essential components of the invention, I start drafting the patent claims. The claims are the most important part of the patent application as they are what describe the legal boundaries of the invention.

For a claim to be valid, it must comply with all applicable laws and regulations. And just as those laws — and their judicial interpretations — have evolved over the past 200 years, patent claim language has evolved with them. So much so that, today, a valid, law-compliant patent claim looks like a foreign language. Thus, the claims are the most challenging section of an application to draft as well as for the inventor to read.

After the inventor and I agree on a set of claims, I prepare the rest of the patent application (e.g., drawings, written description, background, etc.) and present it to the inventor for his/her review.

Once the inventor and I have agreed on a final draft, I file the application with the U.S. Patent and Trademark Office (USPTO), at which point it becomes a “patent-pending” technology. The application will then sit at the USPTO for a number of years waiting for its turn to come before a patent examiner.

When a patent examiner finally gets a chance to review the application he/she will typically reject the application initially and give me an opportunity to respond. The rejection can relate to anything

from font size to similar inventions described in the prior art. If a rejection is highly technical, I may forward it to the inventor for his/her input.

Occasionally, the rejection cannot be defeated, but, fortunately, we have a very good success rate at overcoming rejections here at the Center. Based on my knowledge of our office’s work, I would say that about 90 percent of all our applications eventually turn into patents.

After the examiner and I finally come to an agreement (sometimes, this can take years), the application issues as a new patent and I have the privilege of passing the good news to the inventor.

Those are my favorite emails to send.

*The Michael A. Kagan Invention of the year award recognizes outstanding inventions that represent significant innovation and benefit to the Navy. Recent winners include:*

Visarath In, Patrick Longhini, Andy Kho, Joe Neff, Adi Bulsara, Noman Liu and Suketu Naik for their invention entitled “Wideband Non-Linear Circuits for Implementation in Frequency Channel Separation.”

Richard Waters, Patrick Sullivan and Barry Hunt for their invention entitled “Micro-Electro-Mechanical System (MEMS) and Apparatus for Generating Power Responsive to Mechanical Vibration.”

Pam Boss and Steve Lieberman for their inventive work entitled “Technique for Orienting and Binding Phage for Bacteria Detection.”

# The SSC Pacific Patent Program: Protecting and Enhancing the Navy's Investment in Research



OK, you've worked day and night in the lab, or out in the field, on your project. You've made brilliant insights into ground-breaking (or at least bench-shaking) technologies. It's time to boldly step forward and file your patent, but wait ... what is a patent?

## Patents are:

Property rights are granted from the U.S. Government, to an inventor to exclude others from making, using or selling her/his invention in exchange for disclosing it to the public

- Patent term is generally 20 years from the date of filing for a patent
- Does not automatically give you the right to practice your own invention

## A patent includes figures, a detailed description, and what you claim to be your invention.

The key take away is: Claims are the name of the game.

## What is patentable?

The answer is anything new, useful, and non-obvious.

Examples include:

- A process
- A machine
- An article of manufacture
- A composition of matter
- An improvements thereof

## What isn't patentable?

- Natural phenomena (i.e. gravity)
- Abstract ideas
- Laws of nature

## The SSC Pacific Patent Program

As a major Navy research center, SSC Pacific pursues a vigorous patent program which:

- Protects the Navy's investment in research and development
- Indicates how well the Center is achieving its mission and vision
- Enhances the organization's professional reputation
- Attracts industry for technology partnerships



## Who Owns the Invention Rights?

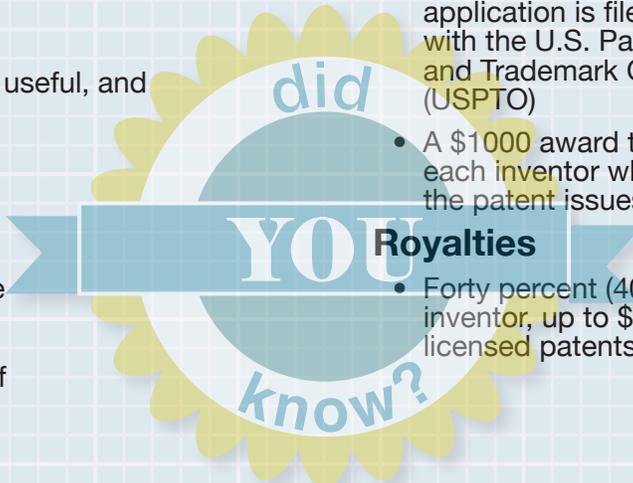
The government owns the rights to inventions made by government employees:

- During working hours
- With a government contribution
- In direct relation to official duties

## What's in it for the Inventors?

SSC Pacific offers Inventor Incentive Awards including:

- A \$250 award to each inventor for submitting an approved invention disclosure
- A \$500 award to each inventor when application is filed with the U.S. Patent and Trademark Office (USPTO)
- A \$1000 award to each inventor when the patent issues



- Forty percent (40%) of royalties to the inventor, up to \$150,000 per year for all licensed patents per inventor

## Recognition

- Career advancement
- Annual Patent Awards Ceremony
- Formal letters
- News articles

## Awards

- Michael A. Kagan Invention of the Year (SSC Pacific only)
- Vice Admiral Harold G. Bowen award for patented inventions, which includes a \$5000 cash award (split amongst inventors) and a plaque

## How Does the Process Work?

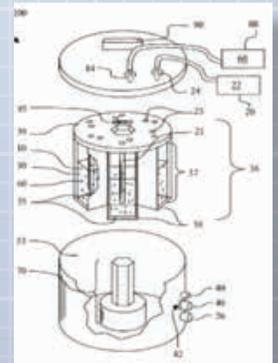
- 1) Inventor conceives an invention
  - Inventor creates a complete idea of a operative invention
  - May include fabrication of prototype “actual reduction to practice”
- 2) Inventor submits invention disclosure forms to Office of Patent Counsel
  - Includes a description of the invention that may include details regarding construction, operation, and/or use. These can include block diagrams, flow-charts, drawings, etc.
  - Acceptable disclosures trigger a \$250 incentive payment.
- 3) Office of Patent Counsel evaluates Navy interest in the invention
- 4) Office of Patent Counsel determines whether to file a patent application based on various criteria, such as Navy interest, patentability, ability to license, technology breakthroughs
- 5) Office of Patent Counsel drafts and files a patent application
  - Inventor input is key element to obtaining good results
  - Filing triggers a \$500 incentive payment: Release of Scientific and Technical Information (RSTI) process must be completed before payment is made.
- 6) Office of Patent Counsel “prosecutes” patent application
  - Responds to USPTO examiner actions (argues patentability, amends applications, etc.)

- 7) Patent is allowed and Office of Patent Counsel pays issue and maintenance fees
  - \$1000 incentive payment paid when patent issues

**Visit the SSC Pacific Patent Office website at <https://blog.spawar.navy.mil/patent> for information on patentability, disclosure forms, or issued patents.**

## Key Elements to a Valid Patent

- Correct inventor identification (“inventorship”)
- Being credited as an inventor requires a non-obvious contribution to the invention
- Each inventor must be identified in a patent application
- “Inventorship” is a legal status, not a reward for faithful service
- Does not include non-inventors



Information that is material to patentability must be disclosed

- Relevant information known to the inventor and/or the inventor’s attorney (i.e., technical articles, non-experimental use, other patents, commercial products)
- When in doubt as to materiality, be safe and disclose

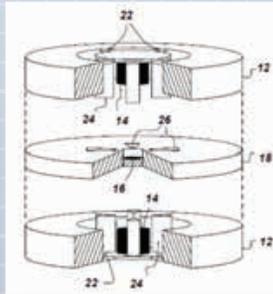
## When to Disclose an Invention?

### As soon as possible!

- The earliest filing date is important to reduce the risk of invalidating prior art

Patent application must be filed with USPTO no later than one year after the invention is:

- Described in a publication (worldwide); if the general concept is disclosed, but not the specific details, Center may or may not be able to file an application if more than one year has passed
- Actually used (other than experimentally) (U.S. and U.S. territories only)
- Has been sold or offered for sale (U.S. and U.S. territories only)



## Other Intellectual Property Services

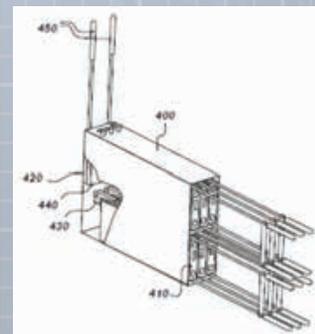
- Patent and software license agreements
- Non-disclosure agreements
- Copyrights, trademarks, trade secrets
- Patent infringement

### *For advice, contact the Office of Patent Counsel*

Staff of the Office of Patent Counsel, Topside, Building A-2, Room 103, can be reached at (619) 553-3001, via fax at (619) 553-3821, email at [sscsd\\_patents@navy.mil](mailto:sscsd_patents@navy.mil).

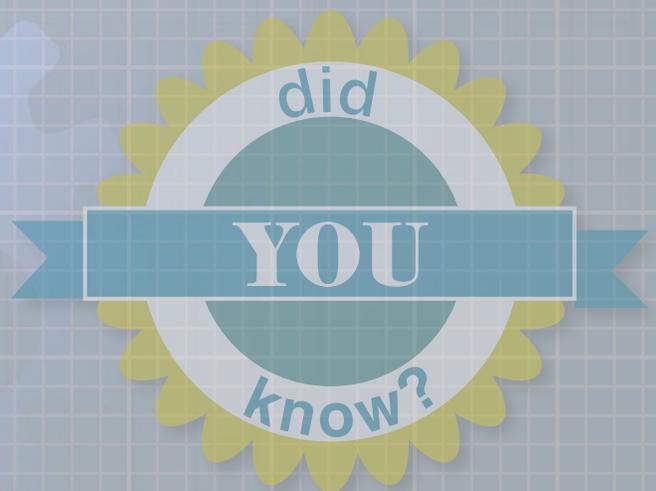
## Invention Disclosure Tips

- Disclose invention in detail
- Disclose the “practical applications” for your process or method
- Disclose how elements of system are interrelated
- Disclose alternative embodiments for process/systems
- Use many flowcharts or block diagrams
- Visit the SSC Pacific Patent Office website for examples or explanations.



## Yes, We Can Patent Software!

- Main general steps performed in the process – not a listing of every step or calculation. Try to general small (specific) steps into bigger (broader) ones
- Use a flowchart to diagram process
- Source code can be submitted on a CD
- Block diagram of system used
- Listing of specific hardware involved
- Helpful to tie the software to a particular application





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