



VETERANS HEALTH ADMINISTRATION

Research & Development

www.research.va.gov

Cooperative Research & Development Agreements

CRADAs



Frequently Asked Questions

What is a CRADA?

A CRADA, or Cooperative Research and Development Agreement, allows VA investigators to:

- Accept, retain, and use funds, personnel, services, and property from a collaborating party;
- Provide personnel, services, access, and property to the collaborating party;
- Commit Intellectual Property (IP) rights in advance of an invention;
- Enter into collaborative research and development with other entities; and
- Protect confidential, privileged commercial or financial information and trade secrets.

Does VA require CRADAs for collaborative studies with outside entities?

CRADAs are used in VA/industry collaborations when the non-VA collaborator requires determination of ownership and licensing terms in advance of an invention. Research and assistance awards (“grants”), such as those typically originating from nonprofit organizations and other federal agencies, are not subject to this requirement. The Directive mandating the use of CRADAs was signed on December 26, 2007, and goes into effect March 26, 2008.

What are the benefits to industry sponsors of using VA CRADAs?

Using a CRADA benefits industry sponsors because:

- CRADAs fully protect Collaborators’ rights in their background IP;
- A CRADA is a contract to which VA is a party (creates enforceability);
- A CRADA establishes IP ownership and licensing options before an invention is made;
- License grants in a CRADA need not comply with Department of Commerce regulations at 37 C.F.R. §404;
- Collaborators benefit from VA investigators’ expertise in discovery and innovation, and experience in the development of products with commercialization potential; and
- A CRADA is short and simple to use.

What is the authority for CRADAs?

The Federal Technology Transfer Act 15 U.S.C. §3710a provides the authority for a CRADA.

Do VA CRADA model agreements have national-level approval?

Yes. VA CRADAs:

- Have legal and policy buy-in at the highest levels of the Department of Veterans Affairs;
- Ensure compatibility with federal laws and regulations, and VA policies and procedures; and
- Create consistency throughout the VA system.

Does a sponsor need to negotiate a different local agreement each time it collaborates with another VA medical center?

No. VA will negotiate national master template agreements with individual Collaborators. Master agreements:

- Avoid the need for negotiating many local agreements;
- Create consistency for all studies between VA and a particular Collaborator;
- Streamline and accelerate the agreement process; and
- Allow changes or amendments to the Statement of Work based on a new study or clinical trial while keeping the same master template.



Where can I get additional information?

For more information on CRADAs or VA’s Technology Transfer Program (TTP), please visit:
www.research.va.gov/programs/tech_transfer/default.cfm

PLEASE NOTE:

Representatives from VA’s TTP office and Office of General Counsel will be presenting on this topic at the NAVREF Conference on February 20, 2008. For more information regarding the conference please visit:
www.navref.org/cradaconference/.