



# Intellectual Property and DOE's Scientific and Technical Information Program

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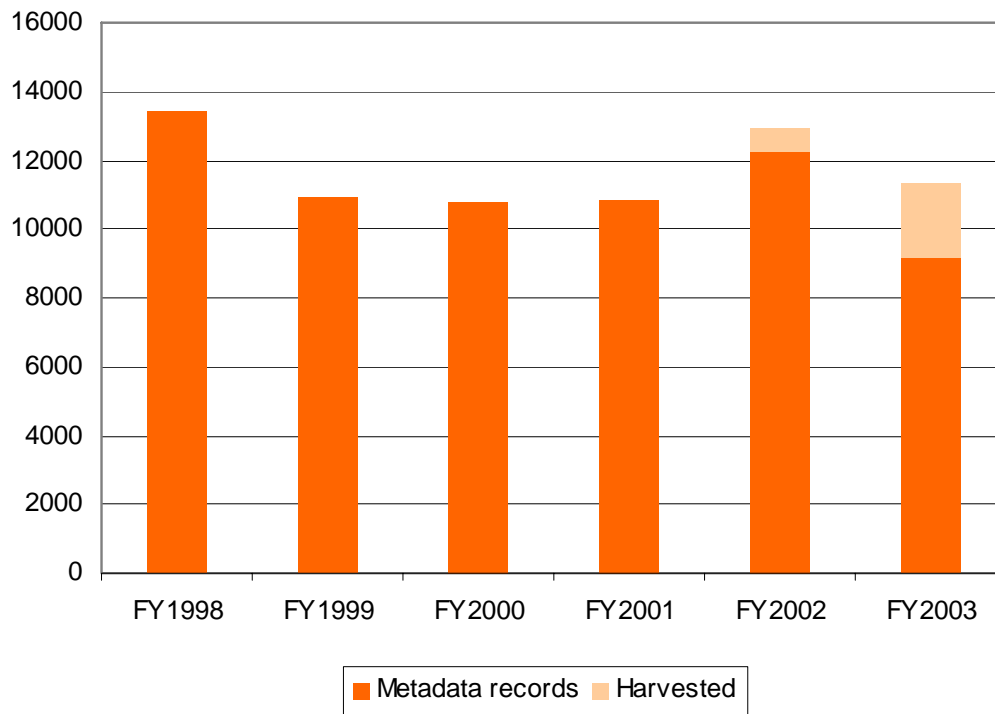


# The STI Program

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- **OSTI, within the Office of Science, has managed STI since the 1940s:**
  - **Over 4 million electronic citations**
  - **Approx 1.5 million paper documents; 70K electronic**
- **Mission is to collect, preserve, and disseminate R&D results to advance scientific progress. Sharing information and knowledge are key to scientific discovery.**
- **Program consists of a distributed, electronic infrastructure using collaboration among participants.**
- **STI “harvesting” is latest means to reduce burden yet build a comprehensive central STI file.**

# Harvesting Data from DOE Labs



## Harvesting Sites:

NREL – Jan 02

ANL – Jun 02

PNNL – Oct 02

LLNL – Dec 02





## Journal Literature As STI

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- **IG Audit Report on “Peer-Reviewed Scientific Literature Generated at DOE’s Light Sources” (IG-0520, 8/01): journal citations, esp. for research at DOE user facilities, should be submitted to OSTI.**
- **Journal literature reporting DOE work is a significant form of STI. Having a comprehensive source provides better accountability of DOE-funded R&D results.**
- **A few citations are being submitted, but full-text articles are rarely provided. Publisher arrangements and laboratory procedures vary widely.**
- **In FY 02:**
  - **~2500 user facility records submitted; majority, journal citations.**
  - **~2800 journal items were submitted by DOE labs.**



## The “Copyrighted Article” Question

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**Q:** Can DOE/OSTI make journal citations and full-text articles available? What about copyrighted articles?

- DOE and DOE Contractors may provide OSTI journal citations and author’s text of journal articles.
- Journal copyright protects the publisher’s formatting, not content, but researchers often sign agreements that limit distribution.
- DOE entities are free to provide access to articles produced at Government expense, but should not use “reprints.”
- If the access limitation is “copyrighted with restrictions,” OSTI announces the article and cites availability from the publisher, not the full-text article.



## The “Patentable” Question

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**Q:** How is patent approval handled? How do patent attorneys decide if something is patentable?

- Researchers submitting a journal publication know that there is nothing patentable in their articles.
- They inform the STI POC of this when they submit article, but the STI process requires patent clearance anyway.
- Researchers have asked STI POC about how the process works – are there criteria or steps that should be taken?



## The “Sensitive Data” Question


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**Q:** What guidance applies to withholding “sensitive data”?

- Potentially “sensitive” documents have been withdrawn from public web sites, pending review using new guidance.
- DOE F 241.1 lists various access limitations appropriate for use.
- “Homeland security” has no statutory basis to withhold.
- “U.S. Dissemination only” is not based on law or statute.
- The “sensitive subjects list” is not officially recognized.
- OOU directive is not a good fit for STI.

# A Few Words about Software

- Scientific software is managed by OSTI as a type of STI resulting from R&D activities.
- DOE O 241.1A includes software as a type of STI that DOE contractors are required to make available to OSTI.



*U.S. Department of Energy*

*Energy Science and Technology  
Software Center*

*The Energy Science and Technology Software Center (ESTSC) is the U.S. Department of Energy's (DOE) centralized software management facility. Operated by the DOE Office of Scientific and Technical Information (OSTI), the ESTSC licenses and distributes Federally funded scientific and technical software developed by the national laboratories, other facilities and DOE contractors. This scientific and technical software represents the latest in Federal technology. In addition, the collection contains selected scientific and technical software from the Nuclear Energy Agency (NEA) of the Organization for Economic Cooperation and Development (OECD).*

<a href="#"><u>ESTSC Software Listing</u></a>	<a href="#"><u>DOE F 241.4 DOE Announcement of Computer Software</u></a> <small>This form is in PDF-fillable format. User must have <a href="#"><u>Adobe Acrobat Reader plug-in</u></a> installed to access the form.</small>
<a href="#"><u>What's New</u></a>	<a href="#"><u>Most Frequently Requested</u></a>
<a href="#"><u>Ordering Information</u></a>	<a href="#"><u>Frequently Asked Questions</u></a>

[\*\*www.osti.gov/estsc\*\*](http://www.osti.gov/estsc)





# Software Scope of ESTSC

<b>Within Scope</b>	<b>Not Applicable</b>
<b>Meets definition of STI in DOE O 241.1A (e.g., derived from R&amp;D)</b>	<b>Business applications or other non-scientific software (e.g., project tracking)</b>
<b>Has broad usefulness within or external to DOE</b>	<b>Site-specific application only (unique to particular hardware or operations system)</b>
<b>Is a stable, documented version of software (not in development stage)</b>	<b>Developed under WFO and excluded for DOE</b>
	<b>Developed by or for EIA</b>
	<b>Specific to power administrations</b>



## Submission Criteria

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- Follow guidance in DOE G 241.1-1A. Note exceptions esp for software hosted by Labs on web.
- Provide appropriate review and release to determine public vs. limited access.
- Package must include:
  - Completed form DOE F 241.4 (e.g., title, author, lab, abstract, and file format),
  - Software source code and/or executable file, and
  - Documentation, such as user manual or test cases.



# Software Submissions

CY 1997 - Present

<b>Calendar Year</b>	<b>Packages Submitted</b>
1997	78
1998	88
1999	73
2000	28
2001	24
2002	144*
2003	19

\*Total received in 2002 included a large submission from SNL that covered a three-year period.



# Copyrighted Software Reported to OSTI, But Not Submitted

July 1999 Forward

<b>DOE Operations Office</b>	<b>Lab/Site</b>	<b>Letters</b>	<b>Software Rec'd</b>
<b>Albuquerque</b>	<b>Honeywell FM&amp;T</b>	<b>16</b>	
	<b>LANL</b>	<b>55</b>	
	<b>Mason &amp; Hanger</b>	<b>1</b>	
	<b>SNL</b>	<b>254</b>	<b>2</b>
	<b>Vanderbilt Univ.</b>	<b>1</b>	
<b>Oakland</b>	<b>LBNL</b>	<b>84</b>	
	<b>LLNL</b>	<b>35</b>	
	<b>SLAC</b>	<b>3</b>	
<b>Oak Ridge</b>	<b>UT-Battelle</b>	<b>1</b>	
<b>Chicago</b>	<b>ANL</b>	<b>2</b>	
	<b>INEEL</b>	<b>1</b>	



## Current Challenges

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- ***To Be Comprehensive*** – Not all DOE scientific software is submitted to OSTI, and SIACs are not coordinating regularly.
- ***To Maintain Accuracy*** – Updates and revisions are not reported routinely; forms and packages are incomplete.
- ***To Go Electronic*** – Other STI is electronically provided and accessible via the Web. Software is provided on disks, many with paper documentation.
- ***To Announce Appropriately*** – Sensitivity reviews pending.