IDENTIFICATION AND ASSERTION OF USE, RELEASE, OR DISCLOSURE
RESTRICTIONS (BASED ON DFARS 252.227-7017) (JUN 1995)

(a) The terms used in this provision are defined in the following clause or clauses contained in this solicitation --

(1) If a successful offeror will be required to deliver technical data, the Rights in Technical Data--NON-COMMERCIAL Items clause, or, if this solicitation contemplates a contract under the Small Business Innovative Research Program, the Rights in NON-COMMERCIAL Technical Data and Computer Software--Small Business Innovative Research (SBIR) Program clause.

(2) If a successful offeror will not be required to deliver technical data, the Rights in NON-COMMERCIAL Computer Software and NON-COMMERCIAL Computer Software Documentation clause, or, if this solicitation contemplates a contract under the Small Business Innovative Research Program, the Rights in NON-COMMERCIAL Technical Data and Computer Software--Small Business Innovative Research (SBIR) Program clause.

(b) The identification and assertion requirements in this provision apply only to technical data, including computer software documentation, or computer software to be delivered with other than unlimited rights. For contracts to be awarded under the Small Business Innovative Research Program, the notification and identification requirements do not apply to technical data or computer software that will be generated under the resulting contract. Notification and identification is not required for restrictions based solely on copyright.

(c) Offers submitted in response to this solicitation shall identify, to the extent known at the time an offer is submitted, the technical data or computer software that the Offeror, its subcontractors or suppliers, or potential subcontractors or suppliers, assert should be furnished with restrictions on use, release, or disclosure.

(d) The Offeror’s assertions, including the assertions of its subcontractors or suppliers or potential subcontractors or suppliers, shall be submitted as an attachment to its offer in the following format, dated and signed by an official authorized to contractually obligate the Offeror:

Identification and Assertion of Restrictions on the Use, Release, or Disclosure of Technical Data or Computer Software.

The Offeror asserts for itself, or the persons identified below that the rights to use, release, or disclose the following technical data or computer software should be limited or restricted:

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<table>
<thead>
<tr>
<th>Technical Data or Computer Software to be Furnished with Limitations or Restrictions</th>
<th>Basis for Assertion</th>
<th>Asserted Rights Category***</th>
<th>Name of Person Asserting Limitations or Restrictions****</th>
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<td>(LIST***** )</td>
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*For technical data (other than computer software documentation) pertaining to items, components, or processes developed at private expense, identify both the deliverable technical data and each such item, component, or process. For computer software or computer software documentation identify the software or documentation.

**Generally, development at private expense, either exclusively or partially, is the only basis for asserting restrictions. For technical data, other than computer software documentation, development refers to development of the item, component, or process to which the data pertain. The Government’s rights in computer software documentation generally may not be restricted. For computer software, development refers to the software. Indicate whether development was accomplished exclusively or partially at private expense. If development was not accomplished at private expense, or for computer software documentation, enter the specific basis for asserting restrictions.

***Enter asserted rights category (e.g., government-purpose license rights from a prior contract, rights in SBIR data generated under another contract, limited, restricted, or government purpose rights under this or a prior contract, or specially negotiated licenses).

****Corporation, individual, or other person, as appropriate.
*****Enter “none” when all data or software will be submitted without restrictions.

Offeror’s Name ____________________  RFP/Solicitation# ____________________

By (Printed Name and Title) ________________________________________________

Signature _____________________________________ Date __________________

(End of identification and assertion)

(e) An offeror’s failure to submit, complete, or sign the notification and identification
required by paragraph (d) of this provision with its offer may render the offer ineligible
for award.

(f) If the Offeror is awarded a contract, the assertions identified in paragraph (d) of this
provision shall be listed in an attachment to that contract. Upon request, the Offeror
shall provide sufficient information to enable the requester to evaluate any listed
assertion.