FL-105

REPRESENTATIONS REGARDING PROPRIETARY DATA

(previously FL-35)

A. RIGHTS IN PROPOSAL DATA

NOTE: This representation must be completed for any proposed subcontract in which the decision to make the award includes consideration of a technical proposal.

It is Fermilab policy for a subcontract award based on a proposal that, in consideration of the award, the Government shall obtain unlimited rights in the technical data contained in the proposal unless the offeror marks those portions of the technical information which he asserts as "proprietary data" or specifies those portions of such technical data which are not directly related to or will not be utilized in the work to be funded under the subcontract. Accordingly, please indicate:

[ ] No restriction on Government rights in the proposal technical data; or

[ ] The following identified technical data is proprietary or is not directly related to or will not be utilized in the work to be funded under the subcontract:

DATA

_____

_____

B. IDENTIFICATION OF TECHNICAL DATA WHICH IS PROPRIETARY

NOTE: This representation is to be used in every solicitation which may result in the submission of proposals containing technical data or which will require the successful subcontractor to deliver technical data.

The Rights in Technical Data Article proposed to be used for this subcontract may not permit the utilization of proprietary data in the subcontract work or, if the use of proprietary data is permitted, may not be adequate to meet programmatic requirements. Use of data which is proprietary may prevent you from meeting the data requirements of the subcontract (including delivery of data). Your attention is particularly drawn to the use of Licensed Computer Software.

Please indicate that you have reviewed the requirements in the technical scope of work and to the best of your knowledge:

[ ] No proprietary data will be utilized in the subcontract work.

[ ] Proprietary data as follows will be utilized in the subcontract work.

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[ ] No Licensed Computer Software will be utilized in the subcontract work.

[ ] Licensed Computer Software as follows will be utilized in the subcontract work:

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