



February 19, 2025

The Honorable Sethuraman Panchanathan  
Director  
National Science Foundation  
2415 Eisenhower Ave  
Alexandria, VA 22314

**RE: Request for Comments on the National Science Foundation's Proposed Intellectual Property Options**

Dear Director Panchanathan:

The U.S. Chamber of Commerce (“Chamber”) appreciates the opportunity to provide comments on the National Science Foundation’s (“NSF”) proposed intellectual property (“IP”) options, as outlined in the Federal Register notice dated December 16, 2024. While we commend the NSF for extending the original deadline for comments to allow for more robust stakeholder feedback, we believe this request for comments is premature and could negatively impact the public-private collaborations that have been crucial in fostering American innovation.

Effective, data-driven policymaking fosters an environment that supports innovation and economic growth. However, the Chamber is unaware of any evidence suggesting deficiencies in NSF’s current IP licensing framework, and the request for comments does not appear to identify any systemic issues that necessitate changes.

Strong and predictable IP rights incentivize investment in research and development, protect novel ideas, and promote knowledge sharing. NSF’s existing IP licensing framework has successfully enabled groundbreaking discoveries to transition from research to real-world applications, benefiting society and improving standards of living. Any policy that creates ambiguity or weakens IP protections risks deterring private-sector engagement, and undermining the commercialization of federally funded research.

Regrettably, this proposal is consistent with the former Administration’s broader efforts to weaken IP protections and disrupt public-private partnerships. The Biden Administration’s actions, including its draft guidance on march-in rights and last-minute changes to the National Institutes of Health’s intramural research program, have already created significant uncertainty for innovators and investors. This latest proposal from NSF risks compounding that uncertainty, further eroding trust in public-private partnerships and discouraging private-sector investment in federally funded research.

Certainty in IP rights is fundamental to fostering successful collaborations between the public and private sectors. Without stable and predictable IP protections, private-sector

partners may hesitate to engage with NSF-funded innovations, limiting their potential to deliver economic and societal benefits. This proposal could undermine the very framework that has enabled NSF to drive innovation and economic growth.

For these reasons, the Chamber urges NSF to withdraw this proposed rulemaking as it relates to IP licensing. Doing so will preserve the integrity of NSF's existing IP framework, ensure continued private-sector engagement, and maximize the real-world impact of NSF-funded technologies.

The Chamber thanks you for your consideration of these comments and for your commitment to fostering innovation and economic growth. We stand ready to collaborate with NSF to ensure that its policies continue to support public-private partnerships and drive societal progress.

Sincerely,

A handwritten signature in black ink, appearing to read 'TK' followed by a long, sweeping horizontal line.

Tom Quadman  
Senior Vice President  
Economic Policy  
U.S. Chamber of Commerce