



FOR INDUSTRY

Understanding Intellectual Property & Data Rights in Department of War Contracting

This Resource Guide helps industry partners protect their innovations, understand intellectual property (IP) and data rights, and engage more effectively with the Department of War (DoW). Understanding how IP, software, technical data, and licensing rights work in DoW contracting is essential for making informed business decisions, safeguarding valuable technologies, and participating confidently in the defense marketplace.

These resources provide foundational guidance, training, and official policy references for businesses working with the Department, including participants in the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs.

WHERE TO START

Intellectual Property Basics

Learn foundational concepts related to patents, technical data, software rights, licensing, and IP considerations in defense acquisition.

- **WarU Intellectual Property Knowledge Area:** Training materials, tools, and acquisition guidance for understanding and managing IP in DoW acquisitions <https://www.waru.edu/knowledge-areas/intellectual-property>
- **About SBIR/STTR:** The official federal resource for these programs, providing information on non-dilutive funding, program participation, and support for small businesses developing innovative technologies <https://www.sbir.gov>
- **DoW SBIR/STTR Data Rights:** Resources to help small businesses understand data rights protections, government use limitations, and nondisclosure requirements in DoW contracting <https://www.defensesbirsttr.mil/Data-Rights>
- **DoW IP Cadre Website:** A Department-wide organization focused on modernizing IP policy, guidance, and best practices to strengthen technology transition, reduce sustainment costs, and accelerate delivery of advanced capabilities to the warfighter <https://www.acq.osd.mil/asda/dpc/api/ip-cadre.html>



BUILD YOUR KNOWLEDGE

Training & Learning Resources

Explore videos, training materials, and practical tools designed to help businesses and acquisition professionals plan, manage, and implement IP strategies that support long-term sustainment, readiness, and lifecycle cost efficiency.

- **IP Video Playlist:** A collection of 67 videos covering practical intellectual property topics, data rights considerations, and acquisition-focused discussions
<https://media.dau.edu/channel/Intellectual%2BProperty/245273552>
- **IP for Product Support Toolkit:** An instructional and practitioner-focused resource for planning and implementing IP strategies across the system lifecycle
<https://www.waru.edu/tools/intellectual-property-ip-product-support-ps-toolkit>

OFFICIAL POLICY & GUIDANCE

Key References

These official references provide detailed policy, regulations, and guidance related to intellectual property and data rights in DoW contracting.

- **DoW IP Cadre Main Page:** A central repository for official DoW IP policy, guidance, and resources <https://www.acq.osd.mil/asda/dpc/api/ip-cadre.html>
- **DoW IP Guidebook:** Official guidance for acquisition professionals on developing and managing IP strategies that support program lifecycle needs, regulatory compliance, and effective partnerships with industry
<https://www.acq.osd.mil/asda/dpc/api/docs/intellectual%20property%20guidebook%20for%20dod%20acquisition%20signed.pdf>
- **DFARS Part 227:** The Defense Federal Acquisition Regulation Supplement (DFARS) section that establishes DoW regulations for patents, IP, technical data, software, and copyright rights in defense contracting <https://www.ecfr.gov/current/title-48/chapter-2/subchapter-E/part-227?toc=1>
- **DFARS Part 227 Class Deviation:** DFARS Changes to Part 227 during Phase 1 of the Revolutionary FAR Overhaul (RFO)
https://www.acq.osd.mil/dpap/dars/classdev/DFARS_RFO/Part-227/2026-00036_TAB_A_Deviation_Memo_Part_227.pdf
- **Small Business Administration SBIR/STTR Policy Directives:** Government-wide policy guidance that establishes the rules, requirements, and operating framework
<https://www.sbir.gov/about/policies>