

Project Summary

Rocky Mountains Cooperative Ecosystem Studies Unit

Project Title: Benefits Sharing Agreements Guidance

Discipline: Social science
Type of Project: Research
Funding Agency: National Park Service
Other Partners/Cooperators: University of Montana
Effective Dates: 9/1/2011 - 8/31/2013
Funding Amount: \$238,118

Investigators and Agency Representative:

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Project Abstract: Scientific research in parks is encouraged by the NPS, provided that research activities cause no harm to parks. In 1998, Congress enacted the National Parks Omnibus Management Act that includes a provision specifically authorizing the NPS to enter into benefits-sharing agreements with researchers. Following an adverse court ruling regarding a benefits-sharing agreement involving research in Yellowstone NP, the NPS undertook a multi-year EIS process to inform and focus its benefits-sharing policies. A Record of Decision on that EIS was signed in March of 2010 establishing a system-wide policy for the overarching structure of any future benefits-sharing agreements the NPS might enter into.

With a policy framework in place the NPS is looking for further guidance on the more specific structure future possible benefits-sharing agreements might take.

The Principal Investigator shall undertake a research effort and drafting a report which:

- 1) Describes in general terms how the commercialization process works, from discovery to patenting, licensing, and royalties.
- 2) Provides relevant case studies with parallels to past and likely future NPS situations to assess what types of agreements have been used, and the strengths and weaknesses of those agreements as demonstrated through the case studies.
- 3) Provides guidance on how NPS should negotiate monetary and/or non-monetary benefits in future benefits sharing agreements.

Outcomes with Completion Dates:

- Draft Task 1 report shall be delivered to the NPS Key Official no later than December 31, 2012
- Final Task 1 report shall be delivered to the NPS Key Official no later than August 31, 2013

Keywords: benefits-sharing agreements, science, National Park Service, University of Montana