



**6450-01-P**

**DEPARTMENT OF ENERGY**

Soil Water Monitoring Systems, LLC

**AGENCY:** Office of the General Counsel, Department of Energy.

**ACTION:** Notice of intent to grant exclusive patent license.

**SUMMARY:** Notice is hereby given to an intent to grant to Soil Water Monitoring Systems, LLC of Kennewick, WA, an exclusive license to practice the inventions described in U.S. Patent No. 6,752,007 entitled "Horizontal Advanced Tensiometer". The invention is owned by the United States of America, as represented by the U.S. Department of Energy (DOE).

**DATES:** Written comments or nonexclusive license applications are to be received at the address listed below no later than **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]**

**ADDRESSES:** Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Ave., S.W., Washington, D.C. 20585.

**FOR FURTHER INFORMATION CONTACT:** Michael Badagliacca, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F-067, 1000 Independence Ave., S.W., Washington, D.C. 20585; Telephone (202) 586-4792.

**SUPPLEMENTARY INFORMATION:** 35 U.S.C. 209 provides federal agencies with authority to grant exclusive licenses in federally-owned inventions, if, among other things, the agency finds that the public will be served by the granting of the license. The statute requires that no exclusive license may be granted unless public notice of the intent to grant the license has been provided, and the agency has considered all comments received in response to that public notice, before the end of the comment period.

Soil Water Monitoring Systems, LLC of Kennewick, WA has applied for an exclusive license to practice the inventions embodied in U.S. Patent No. 6,752,007 and has plans for commercialization of the inventions.

The exclusive license will be subject to a license and other rights retained by the U.S. Government, and other terms and conditions to be negotiated. DOE intends to negotiate to grant the license, unless, within 15 days of this notice, the Assistant General Counsel for Technology Transfer and Intellectual Property, Department of Energy, Washington, D.C. 20585, receives in writing any of the following, together with supporting documents:

- (i) A statement from any person setting forth reason why it would not be in the best interests of the United States to grant the proposed license; or
- (ii) An application for a nonexclusive license to the invention in which applicant states that it already has brought the invention to practical application or is likely

to bring the invention to practical application expeditiously

The Department will review all timely written responses to this notice, and will proceed with negotiating the license if, after consideration of written responses to this notice, a finding is made that the license is in the public interest.

Issued in Washington, D.C. on April 9, 2014.

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John T. Lucas,  
Assistant General Counsel for Technology,  
Transfer and Intellectual Property.

[FR Doc. 2014-08802 Filed 04/16/2014 at 8:45 am; Publication Date: 04/17/2014]