The undersigned has reviewed the research grants, contracts and cooperative agreements relating to organized research, or the potential use of the Facility for organized research to be conducted at the Facility. As used herein, the term CSU includes its staff, faculty, students and other authorized users of the Facility. Except as provided in Section 4 below, these research grants, contracts and cooperative agreements do not or will not result in "private business use," based on any of Sections 1, 2 or 3 below (check all applicable sections):

1. **Grants.**

   - All research grants received are, or will be, true grants, and not loans or sponsorships. The grants do not impose conditions of how the research is to be performed. There is no right to receipt of revenue or expectation of payment to be made, in money or services (including licenses from any resulting product), to the grantors. Notwithstanding the foregoing, grants contain a statement of general goals and purposes, with the express understanding that the grant can be revoked if the conditions of receiving the grant are not complied with.

2. **Joint research agreements with state and local government entities.**

   - Research agreements are, or will be, solely with state or local government entities, including their subsidiaries, such as the University of California system or other state colleges and universities.

3. **Research agreements under IRS Revenue Procedure 2007-47.**

   - Research agreements for basic, translational, and applied research are, or will be, compliant with the provisions of IRS Revenue Procedure 2007-47, which provides, in part:

     - a) Corporate-sponsored research, where any license or other use of resulting technology by the sponsor is permitted only on the same terms as CSU would permit that use by any unrelated, non-sponsoring party (that is, the sponsor must pay a competitive price for its use). The price paid for that use of resulting technology must be determined at the time the license or other resulting technology is available for use. CSU need not permit persons other than the sponsor to use any license or other resulting technology.
b) Industry or federally-sponsored research, where CSU determines the research to be performed and the manner in which it is to be performed. The title to any patent or other product incidentally resulting from the basic research lies exclusively with CSU; and the sponsor is entitled to no more than a nonexclusive, royalty-free license to use the product of any of that research.

c) Federally-sponsored research agreements under the Bayh-Dole Act, where CSU determines the research to be performed and the manner in which it is to be performed; title to any patent or other product incidentally resulting from the basic research lies exclusively with CSU; and the sponsoring federal department is entitled to no more than a nonexclusive, royalty-free license to use the product of any of that research.

4. Exceptions/Potential Private Business Use.

Research Agreements not meeting items 1, 2 or 3 above are listed here. The undersigned will consult with the Chancellor's Office regarding all projects in this category, following the procedures outlined below.

<table>
<thead>
<tr>
<th>Facility / Room #</th>
<th>Research Project Purpose</th>
<th>Sponsor</th>
<th>Est GSF</th>
<th>Est % of Time/Use</th>
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Prior to the acceptance of any new research grant agreement or before changes to an existing one, where the terms of the agreement will not meet any of the exceptions identified in items 1, 2 or 3, the campus will notify the Chancellor’s Office of Sponsored Programs regarding the resulting “private business use”, as defined by IRC Section 141(b). New projects or modifications to existing agreements will be subject to the following process:

- Upon receipt of the disclosure, the Chancellor’s Office will:
  - Determine if the proposed research use is within the permissible threshold of “private business use” in the Facility;
  - Report disclosed use to the State Treasurer’s Office (STO), if necessary for determination of use within permissible threshold, and;

- Based upon the above analysis, the Chancellor’s Office will inform the campus if the proposed research use:
  - Is not considered “private business use”;
  - Is authorized (within the CSU threshold for the Facility);
  - Has been reported to the STO and the response is pending;
  - Is NOT authorized

**Approvals:**

*We certify to the best of our knowledge at this time that the above information represents a fair analysis of the potential private use of the Project. We agree to disclose exceptions, should they occur, in accordance with item 4 of this certification.*