

**§ 76.123 Tests.**

The Corporation shall perform, or permit the Commission to perform, any tests the Commission deems appropriate or necessary for administration of the requirements in this part. These tests include tests of:

- (a) Radioactive material;
- (b) Facilities where radioactive material is utilized, produced or stored;
- (c) Radiation detection and monitoring instruments; and
- (d) Other equipment and devices used in connection with the production, utilization, or storage of radioactive material.

**Subpart G—Enforcement**

**§ 76.131 Violations.**

(a) The Commission may obtain an injunction or other court order to prevent a violation of the provisions of:

- (1) The Atomic Energy Act of 1954, as amended;
- (2) Title II of the Energy Reorganization Act of 1974, as amended;
- (3) A regulation or order issued pursuant to those Acts.

(b) The Commission may obtain a court order for the payment of a civil penalty imposed under Section 234 of the Atomic Energy Act of 1954, as amended, or under Section 1312(e) of the Atomic Energy Act of 1954, as amended, and Section 206 of the Energy Reorganization Act of 1974, as amended, for violations of:

- (1) Sections 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, 109, or 1701 of the Atomic Energy Act of 1954, as amended;
- (2) Section 206 of the Energy Reorganization Act;
- (3) Any rule, regulation, or order issued pursuant to the sections specified in paragraph (b)(1) of this section;
- (4) Any term, condition, or limitation of any certificate of compliance or approved compliance plan issued under the sections specified in paragraph (b)(1) of this section.

[62 FR 6671, Feb. 12, 1997]

**§ 76.133 Criminal penalties.**

(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, attempted violation of, or con-

spiracy to violate, any regulation issued under Section 161b or 161i of the Act. For purposes of Section 223, all the regulations in part 76 are issued under Section 161b or 161i except for the sections listed in paragraph (b) of this section.

(b) The regulations in part 76 that are not issued under Section 161b or 161i for the purposes of Section 223 are as follows: §§ 76.1, 76.2, 76.4, 76.5, 76.6, 76.23, 76.33, 76.35, 76.37, 76.39, 76.41, 76.43, 76.45, 76.53, 76.55, 76.60, 76.62, 76.64, 76.70, 76.72, 76.131, and 76.133.

**PART 81—STANDARD SPECIFICATIONS FOR THE GRANTING OF PATENT LICENSES**

GENERAL PROVISIONS

Sec.

- 81.1 Purpose.
  - 81.2 Definitions.
  - 81.3 Communications.
  - 81.4 Interpretations.
  - 81.8 Information collection requirements: OMB approval.
- NRC-OWNED INVENTIONS—PATENTS AND APPLICATIONS
- 81.10 Authority.
  - 81.11 Policy.
  - 81.13 Publication of NRC inventions available for licensing.
  - 81.20 Nonexclusive licenses.
  - 81.30 Limited exclusive licenses.
  - 81.31 Selection of an exclusive licensee.
  - 81.32 Terms of exclusive license grant.
  - 81.35 Notices to public of exclusive licenses.
  - 81.40 Contents of a license application.
  - 81.50 Additional licenses.
  - 81.51 Appeals.
  - 81.52 Appeals Board.
  - 81.53 Review by the Board.

AUTHORITY: Sec. 156, 161, 68 Stat. 947, 948, as amended (42 U.S.C. 2186, 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

SOURCE: 38 FR 7318, Mar. 20, 1973, unless otherwise noted.

GENERAL PROVISIONS

**§ 81.1 Purpose.**

The regulations of this part establish the standard specifications for the issuance of licenses to rights in inventions covered by patents or patent applications vested in the United States of America, as represented by or in the custody of the Commission and other

## Nuclear Regulatory Commission

## § 81.8

patents in which the Commission has the right to accord or require the grant of licenses.

[40 FR 8793, Mar. 3, 1975]

### § 81.2 Definitions.

As used in this part:

(a) *Act* means the Atomic Energy Act of 1954 (68 Stat. 619), including any amendments thereto;

(b) *Commission* means the Nuclear Regulatory Commission as established by the Act, or its duly authorized designee. The Assistant General Counsel for Patents is the designee of the Commission under this subpart;

(c) *NRC invention* means an invention covered by a U.S. patent or patent application that is vested in the Government of the United States, as represented by or in the custody of the Commission, or in which the Government of the United States of America, as represented by the Commission, has the right to accord or require the grant of licenses where such invention is designated by the Commission as appropriate for the grant of a nonexclusive or exclusive license; and

(d) *To the point of practical application* means to manufacture in the case of composition, machine or product, to practice in the case of a process, or to operate in the case of a machine, under such conditions as to establish that the invention is being worked and that its benefits are reasonably accessible to the public.

(e) *NRC foreign invention* means an invention covered by a patent, or an application for a patent, issued by a government or authority of a country other than the United States that is vested in the Government of the United States, as represented by the Commission.

[38 FR 7318, Mar. 20, 1973, as amended at 38 FR 8241, Mar. 30, 1973]

### § 81.3 Communications.

All communications concerning the regulations in this part, including applications for licenses, should be sent to the NRC either by mail addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Mary-

land; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM. Electronic submissions must be made in a manner that enables the NRC to receive, read, authenticate, distribute, and archive the submission, and process and retrieve it a single page at a time. Detailed guidance on making electronic submissions can be obtained by visiting the NRC's Web site at <http://www.nrc.gov/site-help/eie.html>, by calling (301) 415-6030, by e-mail to [EIE@nrc.gov](mailto:EIE@nrc.gov), or by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The guidance discusses, among other topics, the formats the NRC can accept, the use of electronic signatures, and the treatment of nonpublic information.

[68 FR 58823, Oct. 10, 2003]

### § 81.4 Interpretations.

Except as specifically authorized by the Commission in writing and by § 81.53, no interpretation of the meaning of the regulations in this part by an officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

### § 81.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in this part under control number 3150-0121.

(b) The approved information collection requirements contained in this part appear in §§ 81.20, 81.32, and 81.40.

[55 FR 23422, June 8, 1990, as amended at 62 FR 52190, Oct. 6, 1997]