February, 2004

STARS OPPORTUNITIES PRESENTATION

UNIVERSITY OF SOUTH FLORIDA

PATENT DEVELOPMENT PROCESS IMPROVEMENT

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SENSITIVE MATERIAL

TABLE OF CONTENTS

EXECUTIVE SUMMARY	ii
1. MARKET UNDERSTANDING	.1
1.1.1 Key features of the Patent Development Process	.4
1.2 End-User Segments	.4
1.3 Channels	.6
1.4 Market Trends	.7
2. SITUATION ANALYSIS	.7
2.1 SWOT Analysis	.8
3. STRATEGY STATEMENT	10
3.1 Goals and Objectives	10
3.1.1 Specific Projects	11
3.1.2 Technology Innovation Projects	11
3.2 Target Market	12
3.3 Positioning	13
3.4 Marketing Mix	13
3.4.1 Product	14
3.4.2 Place	15
3.4.3 Price	15
3.4.4 Promotion	15
4. FINANCIAL PROJECTIONS	16
5. IMPLEMENTATION PLAN	16
5. EVALUATION AND CONTROL	17
7. BRIEF HISTORY	18

EXECUTIVE SUMMARY

This proposal will demonstrate that an independent non-profit service corporation is needed for the development and dissemination of patents and licenses at public universities. Faculty seeking tenure are inhibited to pursue patent development with private companies which may represent a conflict of interest. University groups are perceived as having conflicting interests in business development. University professional are uneasy about disseminating public information which has conflicting interests with the research and development of public knowledge. STARS USA Inc. was conceived as a vehicle for developing patents and this report will demonstrate this viability.

STARS USA Inc. provides an outstanding and independent proposal for the new Patent Development Process to go forward. The proposal recommends the creation of a more detailed Business Plan which includes all common elements of standard business plans used for initiating new businesses, seeking venture capital funding and implementation responsibilities. The financial plans will include key financial indicators such as projected sales forecast, break-even analysis, profit and loss, projected cash flow, etc. The Business Plan will also be a blueprint for the business organization and structure, strategy, operational procedures, high-level marketing plans, and generally a direction and focus for enhancing the Patent Development Process.

1. MARKET UNDERSTANDING

The Patent Development Process has become a significant part of University Research. This

Process has become an essential part of small business development in the United States of

America. Patent development nationally has also been increasing as noted in Table 1.1.

Table 1.1 PATENT EXAMINING ACTIVITY at US PATENT and TRADEMARK OFFICE1								
	1999	2000	2001	2002	2003			
Applications filed	278,268	311,807	344,717	353,394	355,418			
Provisional Applications Filed	54,727	78,963	86,123	89,537	92,517			
Patent application disposals	238,292	252,871	257,467	279,297	303,635			
Allowed patent applications	171,685	182,888	183,394	189,191	205,879			
Abandoned	66,493	69,895	74,014	90,092	97,745			
Statutory invention registration disposals	114	88	59	14	11			
PCT/Chapter II examinations completed	12,886	15,471	18,859	16,456	21,005			
Patents issued	159,166	182,223	187,822	177,317	189,597			

From the inception of the United States lawmakers made the first step towards encouraging

economic progress by providing "rewards to inventors." Patent protection was granted in the American Colonies as early as 1641, the Constitution nearly a century and a half later contained this provision:

THE CONGRESS SHALL HAVE POWER... TO PROMOTE THE PROGRESS OF SCIENCE AND USEFUL ARTS BY SECURING FOR LIMITED TIMES TO AUTHORS AND INVENTORS THE EXCLUSIVE RIGHT TO THEIR RESPECTIVE WRITINGS AND DISCOVERIES.

In 1790, three years after the Constitution was signed, President George Washington signed the

first federal U.S. Patent Act to be a stimulus of our nation's economic growth. It encourages

inventors to experiment and to create their inventions in return for exclusive right to control

exploitation for 17 years.²

In 2000, more than \$1 billion flowed to universities from patent licenses alone, according to the

Chronicle of Higher Education. However, university patents account for only 2% of all patents

awarded as shown in Table 1.2.

¹ <u>http://www.uspto.gov/web/offices/com/annual/2003/2003annualreport.pdf</u>

Table 1.2University Patents3							
1969-98 1999 2000 Total							
Total Patents	2421367	153485	157495	2732347			
University Patent	26518	3340	3087	32945			
% University	1.10%	2.18%	1.96%	1.21%			

Florida has 11 state universities, 4 major medical schools, and in 2001 they performed more than \$997 million in sponsored research, working closely with business and industry to create cuttingedge technology. In 2000, \$4.6 billion was spent in Florida on R&D. Additionally, the State ranks 8th in the nation for federally funded R&D. In 2001, 2,649 patents were awarded to residents of Florida and during the five-year period of 1997-2002 636 Small Business Innovative Research Awards were granted to Florida residents.⁴

As for patent development only one Florida University ranked in the top 15 of patent holding institutions, this is the University of Florida in Gainsville. USF currently is ranked 74th with 117 patents filed during this period.

	Table 1.2									
	Top 15 Patent development Universities ³									
		Patents	College or University Name							
A	Ranking	(1969-2000)								
AP -		32945	*** ALL UNIVERSITIES ***							
\mathbb{R}^{+}	1	3148	UNIVERSITY OF CALIFORNIA, THE REGENTS OF							
	2	2264	MASSACHUSETTS INSTITUTE OF TECHNOLOGY							
	3	1096	UNIVERSITY OF TEXAS							
4	4	1064	STANFORD UNIVERSITY, LELAND JUNIOR, TRUSTEES OF							
5 955 CALIFORNIA INSTITUTE OF TECHNOLOGY										
	6	924	WISCONSIN ALUMNI RESEARCH FOUNDATION							
	7	712	CORNELL RESEARCH FOUNDATION INC.							
	8	701	IOWA STATE UNIVERSITY RESEARCH FOUNDATION INC.							
	9	670	HARVARD RESEARCH CORPORATION							
	10	660	JOHNS HOPKINS UNIVERSITY							
	11	602	UNIVERSITY OF MINNESOTA, THE REGENTS OF							
	12	475	UNIVERSITY OF MICHIGAN							
	13	470	UNIVERSITY OF PENNSYLVANIA							
	14	435	UNIVERSITY OF FLORIDA BOARD OF REGENTS							
	15	426	RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK							

³ <u>http://www.uspto.gov/go/taf/univ/asgn/table_1.htm</u>

⁴ <u>http://www.eflorida.com/innovationadvantages/default.asp?level1=24&level2=148</u>

⁵ http://www.uspto.gov/go/taf/univ/total_counts/univ_ct_list.htm

In November 17, 1944 Dr. Bush, Director for the Office of Scientific Research and Development wrote a letter to President Roosevelt to institutionalize the coordination of the research activities in government, industry, and universities; which later created the National Science Foundation (NSF). Most recently the Bayh-Dole Act of 1980 together with amendments in 1984 and augmentation in 1986, unlocked all the inventions and discoveries funded by the federal government research for the investment and expansion of small businesses.⁶

Through the 1990s US Universities have competed for funding. In recent years, small businesses account for the majority of employment, business investment, and strategic innovation. The objective is to develop methods to commercialize research resulting in expanding small businesses. This requires the development of special procedures and methods to patent and then commercialize through technology transfer methods into small businesses.

A clear efficient Patent Development Process with suitable technology transfer functions is necessary for USF. Technology transfer is a vital component for the effective development of patents. Local companies involved with the patent development help inspire increased development and competition. USF must define a clear method and procedure for getting patent technology out into new companies. Ideally small business development and funding is needed for the local Tampa Bay Community to prosper.

⁶ Dec 12th 2002; The Economist "Innovation's Golden Goose"

1.1.1 Key features of the Patent Development Process

Specific steps required for bringing a patent to market include:

- 1) An original invention of a new device, method, or process
- 2) Invention disclosure form published
- 3) Concept Analysis completed
 - a) is this viable with a defined market need
 - b) can it be spin into other businesses for other uses
- 4) Provisional patent application submitted
- 5) Research & development for completed product
- 6) Marketing & commercialization plan
- 7) Patent application submitted
- 8) Inquiry with partners
 - a) Tech-ops sheet list patent marketability
 - b) Negotiate non-disclosures, narrow license as much as possible
 - c) use exclusive license to specific use or geographic area
 - d) request business plan with milestones, upfront fees, royalty stream guidelines
- 9) Sign up for small business development by faculty inventor at incubator
- 10) Capability to monitor patent and research parameters established

1.2 End-User Segments

The end-user segment for USF's Patent Development Process is comprised of faculty, students,

and companies in Tampa Bay. Students seek to use the process for exploiting original ideas

while working towards a degree. Faculty use this system to patent new products developed in their research labs. Federal grant research and businesses develop contracts often result in new patents as well. Private corporations use the Patent Development Process to exploit these opportunities. Faculty and students seek to create their own independence through business startups.

1.3 Channels

The fundamental channel for the development of the Patent Development Process is USF procedures in the Division of Patents and Licensing. Florida State and the US Patent and Trademark Laws involved in the completion of patents are complicated. End-users complete legal processes both for obtaining a patent and for licensing a patent. These legal processes incorporated require clear definition and step-by-step application to be successful. USF has recently separated the patenting staff from the licensing staff which allows for a clearer process description. However the communication and dissemination channels for this information are still unclear. No specific publication or faculty training is provided for this Patent Development Process. Procedures for the shaded areas in Figure 1.3 regarding private business development are ambivalent and therefore very doubtful.



Figure 0.3 Existing Patent Development System

There currently are technology transfer corporations that link business professionals with University patents. However investors are hesitant until they hold direct personal meetings with research scholars. Many Universities have technology transfer divisions and research corporations to negotiate with investors. However, these provide no assistance for faculty. Faculty must be comfortable and encouraged through the Patent Development Process itself. Venture Capitol comes when faculty and business are united with each other in enterprise, colleagues working together to solve a problem. For USF to innovate the New Millennium with its powerful information technologies faculty need to be comfortable working together with outside professional interests and Florida State in direct patent development.

1.4 Market Trends

Patent Development within universities has become significant. Small companies do not have the resources, skills or income to invest in development of patents. Usually only large established companies are able to invest in patents. The new emphasis on small business through the Bayh-Dole Act of 1980 have unlocked inventions funded by the federal government research for the investment and expansion of small businesses.⁷ The economic development of patents in the university systems enhances the expansion of small business opportunities. State, business and faculty inventor cooperation is increased with clear listing of these resources.

2. SITUATION ANALYSIS

The situation now apparent in the Patent Development Process at USF is that there are currently significant changes in the administration. These changes include all new professional staff involved in this Process⁸:

⁷ Dec 12th 2002; The Economist "Innovation's Golden Goose"

⁸ <u>http://www.usf.edu/admin_org.html</u>

- President Judy Genshaft; July 2000
- Provost &Vice President for Academic Affairs; Renu Khator; February 2004
- Vice President of Budgets, Human Resources & Information Technology; Carl Carlucci, February 2001
- Vice President for Research; Ian Phillips; February of 2003
- Associate Vice President for Economic Development; Rod Casto, August 2003
- Director Division of Patents and Licensing; Valerie Landrio McDevitt, January 2001
- Deputy Director Division of Patents and Licensing; Mark J. Laurenzo; June 2003

Dr. Carlucci worked with President Genshaft at the University of Albany while Both Dr's Casto Philips and Valerie Landrio McDevitt obtained degrees from the University of Florida. This familiar and cooperative team is an ideal component to the Patent Development Process. The administration changes have created a situation where professors and students are able to better utilize the public resources of the community. There is now a cohesive staff between the University and the Research Foundation focused on assisting University students staff and faculty develop patents. Further cooperation between the University Direct Support Organizations, Research Foundation, city, county and state will enable more small business development.

1.1 SWOT Analysis

The SWOT analysis shown in Tables 2.1 and 2.2 demonstrate the significant opportunities where STARS USA Inc. can provide a unique service. Integrating information is central to the Patent

Development Process. STARS's experience and tenacity with their specialized software provide

a strong smooth Patent Development Process.

	Table 2.1 Internal SWOT An	alysis	
Internal Factor	Strength	Weakness	
Management	Public 501(c)(3) 10 yrs		
	Entrepreneurial staff		
	Service oriented	Volunteer staff	
	Independently funding	Requires grant specialist	
Offering	Completed Patents	Need funding	
	Private data systems	Requires up-grades	
	Established processes		
	Table 2.1 con	t.	
	Internal SWOT An	alysis	
Marketing	Independent of USF		
	Targeting patent		
	developers		
	Innovative		
Personnel	Alumni and professional	Additional employees required	
	Skilled patent holder	Must become patent agent	
	Student centered		
Completed patents	Transit system 🔚	Private interests interfering	
	Medical products	Insufficient marketing	
	Water systems	No Full-scale prototype	l

The most significant weakness at this point in time is the funding scenario for ongoing projects and software. Significant equipment and technologies have been testing and compiled already, including state grants for other STARS's project classes. Additional grants for specialized software and equipment are required to ensure complete internet access to faculty and professionals at USF.

Table 2.2External SWOT Analysis						
External Factor	Strength	Weakness				
Education	160 doctorates in 31	interdisciplinary degrees 3				
Technologies	fields	undergraduate, 4 graduate				
	Distance Learning					
	Projects for Credit	Only independent study				
	Education databases Only for students					
· · · ·						
Business associates	legal, patent, business	Political conflicts				

	Civil engineering & construction	Fiefdom conflicts at USF
	accounting/office	Cultural separation between county and state, city & university
Technology	Integrated office/web	
	High bandwidth	
	Measurable objectives	
	Achievable goals	
	Easy to understand	
	· · ·	
Public funding	Federal	Cash flow, grant accusations
	State	
	Private	

STARS USA Inc. will contract to the Direct Support Organizations at USF to coordinate the state and federal processes to enhance these community functions. Patent tracking and research production through dynamic internet calendars, task management and resource exchange will publicize valuable information while inspiring users

3. STRATEGY STATEMENT

STARS USA Inc. facilitates the University's Patent Development Process with clear and simple directions for individuals to pursue opportunities in patents. Patent applicants build on the achievements of alumni who inspire and enable individuals to develop their own patents. All research journals, tasks, activities and results are recorded on their own website. The STARS Innovation Information Infrastructure will give direct personal access to patent develop, task completion, dates, times, events and resources.

1.1 Goals and Objectives

STARS Innovation Information Infrastructure will

- Implement information strategy for building a strong patent process database.
- Consolidate patent forms, procedures and strategies from existing documentation.

- Leverage the creative business and technology ideas of new USF Administration.
- Provide clear direction, focus, business structure and business processes.
- Provide easy access to complete process with supporting documentation via internet.
- Provide supporting documentation to seek capital funding, support and buy-in from sponsors, business partners, stakeholders, competitors, and government entities.
- Address the complaints and resistance to new corporation associations.
- Emphasize the unique advantages of this new association with the reputation and experience of the university, and access to its talented student resources.

1.1.1 Specific Projects

- Attract young innovators from local high schools.
- Develop turn-key small business solutions.
- Develop contracts between USF and Tampa.
- Conduct patent classes at local schools.
- Structure independent student groups in local school.
- Fund project development with Boy Scouts, Churches and Sports Groups.
- Incorporate for-profit subsidiary to assist with small business grants to students.

1.1.2 Technology Innovation Projects

- Establish Patent database infrastructure.
- Franchise development rights to other communities.
- Negotiate open source users with Florida State cities and schools.
- Fund private student video classes about their active projects.
- Solicit community support and public resource allocation to student's enterprises.

1.2 Target Market

Of the three primary end-users of the Patent Development Process are faculty, student and small businesses. The only population not served is the students. USF systems are primarily geared to Faculty. State and federal grants and resources are directed to small businesses. Currently many universities compete for the best and the brightest students. Nearly all of them offer outstanding teachers and excellent business opportunities after completing degrees. However, high achieving students are more interested in getting results. The Patent Development Process will bring major new innovators to USF.

Florida States' 18,____ licensed education institutions awarded 335,____ high school degrees in 2002 while the Blue Ribbon Hillsborough County nears the top 1% school district in the nation.⁹ The Tampa region has 35,____ students annually; of which 78% attend Florida Universities. However, in 2000-2001, 34% of Tampa seniors were eligible for Florida Bright Futures Scholarship awards¹⁰ and only _.2% of these top students stayed in Florida. Of these who excelled 3__ went to Annapolis (2nd highest number per county in the nation only to CA) 1__ to Harvard & MIT, 3,__ scholarships to Georgia Tech, Texas A&M, Stanford and even University of Florida.

USF is located in a region filled with excelling students, but fails to keep more than _.2% of these high achievers. USF needs to be the First public schooling institution to make PATENTS available to all students.

⁹ http://apps.sdhc.k12.fl.us/sdhc2/Superintendent/DistrictReport/HCSdistrict%20Report2002.pdf

1.3 Positioning

The internet technologies for the distribution of Patent Development Process information are an ideal opportunity to utilize these resources. The STARS USA Inc. web site includes:

- Unique unbiased self-sufficient operation.
- Resources for professionals to view and access their own patent task outline.
- Interactive publishing tools.
- Collaboration links for teams.
- Clear efficient task accounting.

Patents are not some foreign abstraction, but a simple publishing tool utilized to generate profit in the capitalistic economy. STARS internet technologies are situated to create the functional ideal of this process with task flow charts any end-user can utilize. STARS Innovation Information Infrastructure over the internet provides the ideal arrangement for all end-users to interact in the Patent Development Process.

1.4 Marketing Mix

Defining the Patent Development Process through an interactive web database allows for the clear dissemination of procedures and opportunities to all USF faculty, students and staff. Easy access to data resources for patent completion encourages small business development. Information resources of this nature are prized by users which results in dissemination by "word of mouth." Successful users attract other users to the benefits of the STARS Innovation Information Infrastructure (I³) across the internet. STARS I³ can utilize this key presence and function to leverage articles in business journals and new programs. Specialized patent

10 ibid

competitions for students can be funded to represent these benefits to the public. The STARS I^3 technologies can be demonstrated at research societies and industry conventions to round out the marketing mix.

1.1.1 Product

STARS Innovation Information Infrastructure or STARS I³ can function as the primary interactive internet channel for the development of Patents. USF's administrative staff will be able to dedicate more time to corporate interaction, community development and collaboration. Research firms, granting agencies and businesses will be able to access STARS I³ to see up to the moment accounting of patent development activities. Faculty and student inventors will be able to easily review the task processes stages and focus more time to creativity.



Figure 0.4.1 STARS I³ Internet Data Services

1.1.2 Place

Setting STARS I³ onto the internet will enable those with expertise and passion to thoroughly analyze and report all their patent development activities to increase collaboration internationally. Access to resources will be controlled by participants who will be able to vote on improvements and modifications.

1.1.3 Price

STARS I^3 users will have a sliding fee scale. Inventors will have free access after they begin their first patent development process. Business and other users will pay an access few for viewing selected data. Schools, universities and governments will obtain annual subscriptions.

1.1.4 Promotion

Expansion and development of the STARS I³ technical systems will be based on user interaction. Users will provide develop new patents that will be promoted commercially. As new products reach the market users will gain commercial recognition and support. Active development across the internet will enlarge the user base. Discussion forums and training programs will also attract users. The completion and success of multiple patents will be the primary promotion. Radio, news and conferences will be secondary promotions.

4. FINANCIAL PROJECTIONS

This is a very rough estimate for operation costs if the process is begun immediately. Primary

staff, support staff, equipment and software are required.

Table 4.1 3 year Budget

Proje	ct Title STARS I3			Updated: 2/2	2/04
Perio	d: March 1, 2003 thru February 30, 2006				
Α.	Senior Personnel		YEAR1	YEAR 2	YEAR 3
	1 Professional FY04 salary (9 mos)	77,6	370 16,630		
	total Year 1 salary for Eric R. Weaver			17,129	17,643
В.	Other Personnel:				
	\$10,700 @50%	>	16,050		
	total Year 1 pay for grad student	10,3	88 21,244	21,881	22,538
	5 ResearchAdmin FY04 salary (12 month)	44,0)00		
	for 9/04 thru 6/05 (10 mos)	>	9,443		
	total Year 1 pay for Res Admin		11,276	11,614	11,963
C.	Fringe Benefits				
	Total Staff Benefits		8,250	8,626	8,885
D.	Permanent Equipment				
	Sun Workstation, Sparc Server		50,000	0	0
E.	Travel				
	 Domestic RT air to Washington D.C. 	1,000	2,400	2,472	2,546
G.	Other Direct Costs				
	1 Materials & Supplies computer supplies	200	400	412	424
	software	200			
	2 Publication Costs 10 pages @ \$100/page		1,000	1,030	1,061
	3 Consultant Services 10 days @ \$482/day		4,820	4,965	5,114
	5 Subcontracts first \$25K subject to indirect of	costs	25,000		
	balance not subject to indirec	t costs	20,000	46,350	47,741
	6 Other charges for ISDN line		600	618	637
	long-distance phone calls		1,200	1,236	1,273
	tuition (at 40% of full cost)	•	16,048	16,850	17,693
	Beginning 7/04 \$4012/QTB *4				
Н	Total Direct Costs		178,867	133,184	137,516
		MTDC			
1	Indirect Costs @58% & 60% x MTDC	92,819 (year 1)	55,382	41,990	43,250
J	Total Direct & Indirect		234,250	175,174	180,766

5. IMPLEMENTATION PLAN

The timeline for the implementation of STARS I³ technical solutions to the Patent Development

Process is in Figure 5.

Figure 0 STARS I³ Timeline

Task									
	February	March	April	May	June	July	August	September	October
interview stakeholders									
define data systems									
compile information system									
program database									
develop website									
prepare brochure									
publish users manual									
conduct training seminars									
develop system reviews									
conduct process evaluations									
do system redesign									
develop expansion strategy									
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6. EVALUATION AND CONTROL

Each phase of this process will be reviewed and analyzed through a very detailed evaluation

process. Businesses, student and faculty will all participate in this evaluation to verify process

quality and understanding



Patent Development Process

Detailed evaluation procedures have been used by STARS USA Inc. for ongoing projects. The development of STARS I³ internet solutions to the Patent Development Process is a natural expansion of the services created by STARS USA Inc.

7. BRIEF HISTORY

STARS USA Inc. is a 501(c)(3) corporation founded to develop projects for credit at USF. The founder was a student in an engineering class working on a three-wheeled bike he hoped to build. When encountering a problem with the design he approached his freshman static's teacher. The teacher explained how he could resolve his problem. As she looked at his work she told him that the Engineering Dean encouraged professors to provide extra class credit to students working on the Engineering Expo.¹¹ She explained how he could develop his three-wheeled bike to present during the Expo and earn extra credit in her class.

The founder worked on his invention throughout his undergraduate degree and presented it during the Engineering Expo his senior year. Every term he found more projects to do for credit. He got access to the graduate CAD systems to generate computer designs. He accessed free legal advice through the Student Government Office. One year another student approached him about making the process available to all USF students. Soon they started a student organization together.

This organization began with some controversy since USF was developing patent regulations for faculty.¹² However the students continued and soon incorporated the 501(c)(3) charity to

¹¹ <u>http://www.eng.usf.edu/expo/</u>

¹² <u>http://stars.dyndns.info/homestead/files/Minutes87.htm</u>

continue this development independently. The founders Eric R. Weaver and Chuck R. Miccolis are still involved with community project development through STARS USA Inc.

Today, Eric R. Weaver has completed this analysis of the University of South Florida patent development process. Mr. Weaver currently has his first patent, and two degrees from USF, BSE- '88 & BSCE- '97. As noted previously, he has been developing projects at USF since 1983. Many projects undertaken were patentable and are still viable to this day. He recently completed three more patents¹³ with only minor participation from professional patent counsel and will become an independent patent agent. In January of 2004 he began his MBA to continue in the patent development evolution at USF. He lends his expertise and passion to others through this analysis and report.

¹³ http://home.tampabay.rr.com/engineer/

Exhibit 0.1 — Patent Player Summary

Players	Potential Opportunity	Estimated Potential Annual Market Value (\$000s)	Comments / Barriers
Florida State Universities • UF • FSU • UCF	 Increase state-wide collaboration Create more business opportunities Healthy competition will attract more out of state investment 	\$30,000	• Existing reputations and sports are attracting many Tampa scholars.
National Universities • Duke • MIT • Yale	 Proto-type information Clear publication of techniques & resources 	\$??	• No clear business case reviewed yet
Governments Tampa Largo Clearwater Temple Terrace 	ResourcesFacilities	\$ 3,000	• Politics?
Funding Grants NSF DOE HUD 	 Need to list primary opportunities for USF & Tampa Water systems grants Land development grants Educational grants 	\$ 300,000	• need more university wide collaboration
STARS USA Inc	 Transit System Water systems Land development Educational tools 	\$1,000,000	• No funding

All and a second second

APPENDIX A

Existing Technology Sheet

http://home.tampabay.rr.com/engineer/ http://home.tampabay.rr.com/engineer/resume/01.htm

http://home.tampabay.rr.com/engineer/resume/03.htm

http://groups.yahoo.com/group/Zest2Zeal/message/2270