Private Company Agreements Terms and Conditions

- Desire to work in a collaborative manner with company partners
    - Many technologies will be delivered to the marketplace by companies
- Some companies are reducing portions of their research capacity, so they will benefit from partnering
- Develop a partnership that serves company and university

UT AgResearch

Private Company Agreements Terms and Conditions

- ***Testing Agreements*** – company owns all IP; university faculty conducts trials; company provides limited funds, usually gift; confidentially provisions.

- ***Master Service Agreements*** – overarching agreements that pertain to all related studies from a given company; tend to be very restrictive; discussion on whether or not we need them

- ***Individual Agreements*** – pertains to a specific project; IP, publication, confidentially components

UT AgResearch

Private Company Agreements Terms and Conditions

Testing Agreements

- Straight testing agreement where company owns the chemical/material and faculty had no role in development.
- Company owns IP; not an issue for the university
- Faculty publication/presentation of results – many chemicals/materials will never make it to market; company does not want negative results from a product that will never be on the market.

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Private Company Agreements Terms and Conditions

Testing Agreements

- Producers need access to information
- University must be very attentive to conflict of interest policies.
- Faculty suggestion: Information remains confidential until regulatory filings for new product registration is submitted by the company. Following company filing, the university can publish and present data.

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Private Company Agreements Terms and Conditions

Individual Agreements

- Ownership of IP
- Exclusive/non-exclusive, royalty free license
- Limits on publication/presentation
- Commercialization options
- All items are negotiable; is a research agreement (with funding) in place.
- Perhaps the university becomes more flexible if a research agreement and royalty return can be negotiated; linkage to OTL.

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Private Company Agreements Terms and Conditions

Breeding Agreements

- Any plant that contains the “event” is owned by the company
- Allow for only initial crossing or defined number of backcrossing events
- Isolation Zones
- Commercialization options

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