

Learn More: Industry- Sponsored Agreements

December 2016

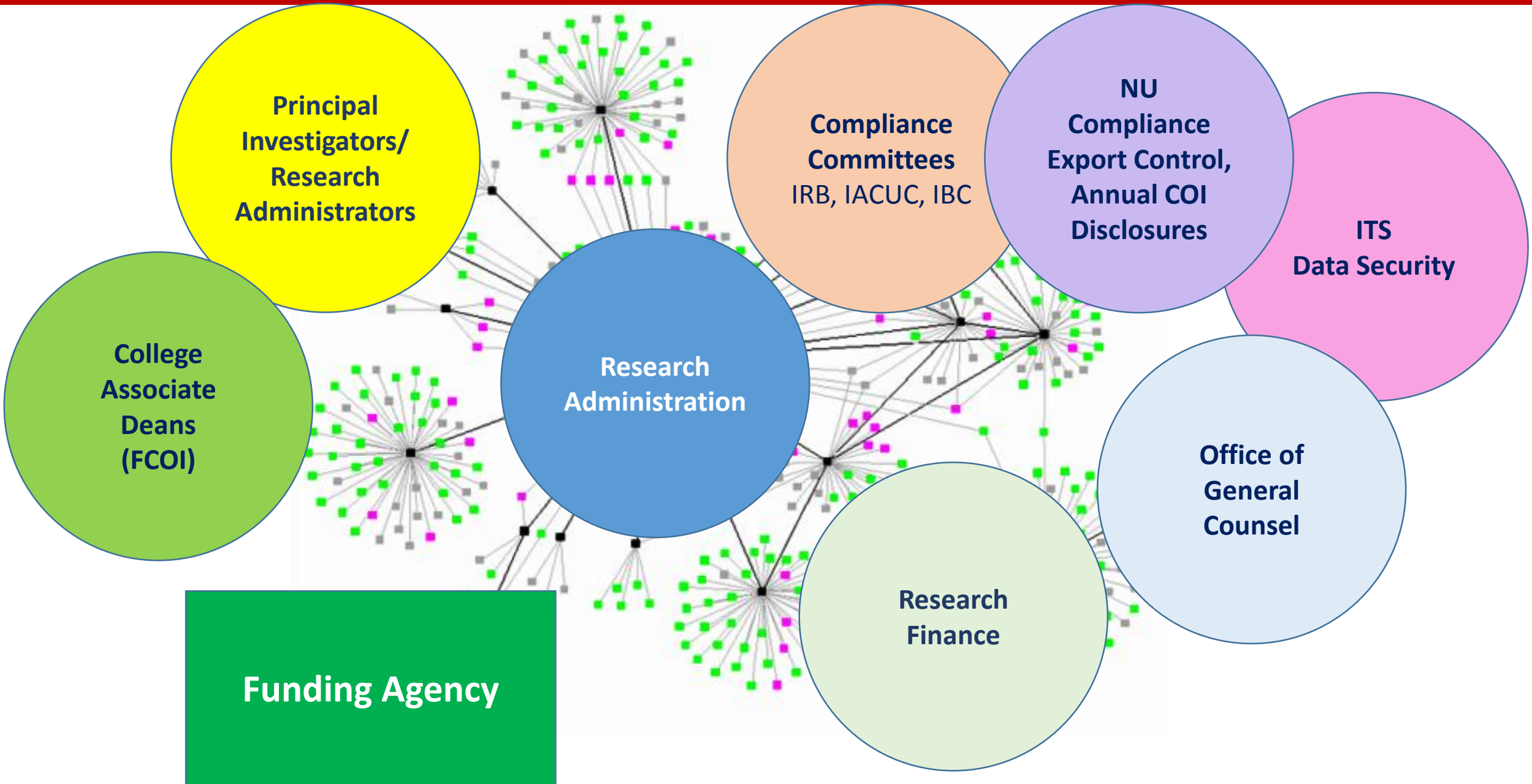
Learning Objectives

- Understand Research Administration's role in drafting, negotiating and executing agreements with for-profit entities and other integral partners in the approval process.
- Understand the different types of agreements used by industry to engage faculty and support research.
- Understand the institutional review process: RA > CRI > OGC.
- Understand what terms and conditions may require substantial time to negotiate to accomplish a mutually satisfactory resolution.
- How you can facilitate the process and who to call for help.

Institutional Offices

- **Research Administration** serves as the authorized organizational representative for research and sponsored program awards. Our contract officers coordinate with the departments, colleges and other central administrative offices to review and approve research agreements funded by for-profit/commercial entities.
- **The Center for Research Innovation** manages the University's intellectual property portfolio and has authority to approve the transfer or assignment of existing and future IP.
- **The Office of General Counsel**, per the directive of the Board of Trustees, provides legal review and approval of all industry-sponsored contracts .

Northeastern University



When funded or contracted by a for-profit entity (aka industry, corporate, business) and deviates from NU approved agreement templates.

Type	Description	Internal Reviews
Research Agreements Funded by For-Profit Entities	An agreement between a for-profit entity and Northeastern to support a research project. Typically, requires a scope of work and detailed project budget. Note: Research plans may be developed by NU investigators, the corporation or in collaboration.	RA > CRI > OGC
Material Transfer Agreements; Data Use Agreements <ul style="list-style-type: none"> Outgoing (NU provides the material or data) Incoming (NU receives the material or data) 	These agreements transfer materials and/or information but don't typically involve the exchange of funds.	RA > CRI* > OGC
Non-Disclosure/Confidentiality Agreements	NDA/CDAs are designed to promote the exchange of information that is needed to evaluate whether a project will be pursued.	RA > OGC
Equipment Loan Agreements	Corporations may want to loan or transfer equipment to NU in exchange for results related to research.	RA > CRI* > OGC

* If non-standard IP terms are incorporated.

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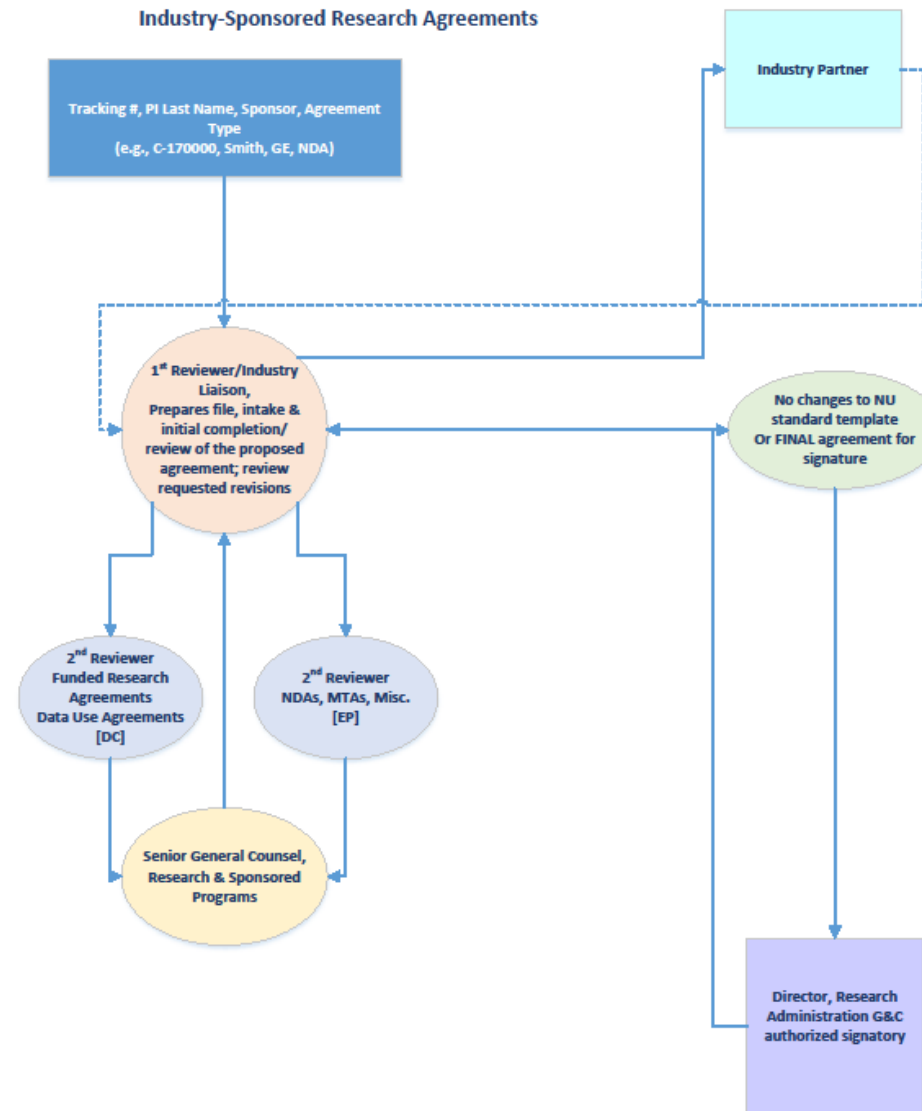
Type	Description	Internal Reviews
Subrecipient Pass-Through Awards (Federal Government is the Prime Funder)	NU investigators serve as senior/key personnel on a research or sponsored program.	RA > CRI > OGC
NU acts as a vendor/contractor on a federal award.	NU is providing the equivalent of “fee-for-service” work to the prime grantee/contractor.	OGC
Consulting Agreements • University • Individual	Consultants provide advice and proposal solutions but do not direct, carry out or control the research project or services provided to the company.	Consulting+ provide through NU > OGC Individual
Licensing Research Related IP	NU created IP	CRI > OGC

+ If the prime funding source is federal see subrecipient agreements.

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Type	Description	Internal Reviews
Fee for Service – Core Services or Facilities	Core facilities and specialized services provided to external users based on an established fee schedule that has been approved by NU and conforms to federal regulations.	Individual Core Facility Manager
Fee for Service – Individual Use	Services that do not involve any intellectual contribution by NU investigators are considered “fee-for-service” or “work-for-hire” arrangements.	OGC

INTERNAL REVIEW PROCESS



A Sponsored Research Agreement (SRA) is a contract between NU and the other party for the purposes of NU investigators conducting research, using NU resources and, in exchange, the industry partner funds the activity. SRAs include a number of specific terms and conditions, including:

- **Research Plan/Scope of Work**
- **Detailed Budget**
- **Payment obligations; schedule of payments; invoicing**
- **Management and staffing of the research project**
- **Reporting Schedule**
- **Publication of the research results**
- **IP licensing options**
- **Confidentiality provisions**
- **Data**
- **Transfer of materials**
- **Compliance with regulatory requirements, e.g., export controls**
- **Use of name/logos**
- **Rights and procedures to terminate the project**
- **Taxes, insurance, warranties, liability, governing law**

THE BIG 5

- **IP: Future (foreground) and/or Existing (background)**
- **Confidentiality Provisions**
- **Publication Rights**
- **Ownership of Data and Control Over Research Results**
- **Indemnification Provisions**

Contacts and For More Information

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or

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For more information

<http://www.northeastern.edu/research/raf/corporate-sponsored-research-agreements/>