



Doing Business with a Government Research Centre

Presentation given by Joseph Anawati
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seA Workshop





Overview of Presentation

- Why do business with a federal government research centre
- Types of work
- Types of business arrangements
- Anatomy of a collaborative research agreement
- Anatomy of a material transfer agreement
- Summary



Why do business with a federal government research centre?

- Why indeed?
- Specialized capability
 - Personnel
 - Equipment
- Location, i.e. near you





Type of work

- Testing or analysis
- Collaborative research projects
- Task shared projects
- Consortium projects
- Consulting





Types of business arrangements

- Fee for service
- Space and/or equipment leases
- Technology licences
- Collaborative research agreements
- Confidentiality agreements
- Material transfer agreements
- Contribution agreements
- Guest worker agreements
- Procurement agreements





Anatomy of a collaborative agreement

- What is a collaborative agreement
- Parts of a collaborative agreement
- Essentials for collaboration





What is a collaborative agreement

- For a project where all parties contribute intellectually to the research
- There is a level of risk or uncertainty
- The whole is greater than the sum of the parts
- There may be different levels of contribution and reward
- Possible financial reimbursement



Parts of a collaborative agreement (1)

- Statement of Work and Deliverables
- Definitions
- Payment
- Intellectual property (background and arising)
- Deliverables and confidentiality
- Indemnification



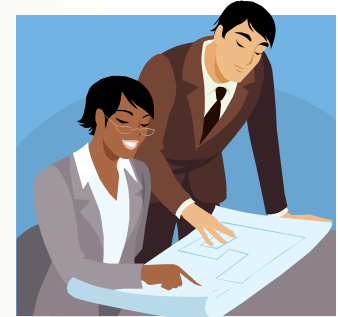
Parts of a collaborative agreement (2)

- Representation
- Warranty
- Duration and termination
- Amendment and notice
- Dispute resolution
- Government stuff (government officials and conflict of interest)...



Essentials for collaboration

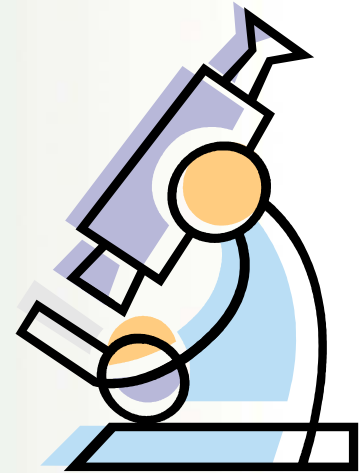
- The building of trust relationships
- Agreement on common vision and goals
- Joint definition of success and establishment of measurable milestones
- Appreciation of cultural differences
- Recognition and respect for domains of expertise
- Anticipation of intellectual property issues, and
- Effective communication





Anatomy of a material transfer agreement

- Why use a material transfer agreement
- Different levels of protection
- Parts of a material transfer agreement





Why use a material transfer agreement

- Formal acknowledgement of the ownership of the material
- Confidentiality of the material and results
- Liability
- Benefits of work and future commercial use
- Publishing



Different levels of protection

- Simple
 - Letter agreement
 - Focus on confidentiality and liability
 - Mature substance
- More involved
 - All of the above
 - IP clauses and possible patenting implications
 - Newer substance





Parts of a material transfer agreement

- Recitals
- Confidentiality
- Acceptable use of material
- Restriction on patenting and licensing
- Indemnification
- Notice



Summary

- Considerable expertise exists within government research centres
- There is an eagerness to work with others
- Collaboration applies to all parties
- Agreements, agreements, agreements!
- Building lasting relationships



Questions?

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