

No-fee university licenses spur biotech partnerships

Companies looking to partner with the University of Manitoba, in Winnipeg, Canada, can gain automatic ownership of intellectual property (IP) arising from collaborations, under an initiative announced in January. The approach, which makes IP available with no upfront fees to industry partners in return for royalties on resulting products, is similar to an initiative pioneered in the UK by Glasgow University in 2010. The latter's Easy Access IP initiative has since grown to embrace 17 universities in Europe, Canada and Australia. Such no-upfront payment IP agreements could overcome one of the most vexing issues in forging academic/industrial collaborative research programs: who owns the resulting IP?

In the Canadian scheme, corporate partners will have an associated duty to pay for the filing and maintenance of patents. Financial returns to the university—in the form of royalties—will be forthcoming only after a patent starts generating revenues for the industrial partner. Digvir Jayas, vice president research, says the major objective is to allow the university to increase its contribution to the local economy. Currently, 80% of the University of Manitoba's research funding comes from the government and IP arising from that will continue to be protected and managed in the traditional way by the technology transfer office.

"Most researchers say they are interested in working with the new model. They want to grow their research programs, and industry collaborations will bring in funding," Jayas says. Researchers will not be obliged to become involved in this new type of collaboration, which the university calls Transformational Partnerships. However, if they do, academics will have to wait until patents are filed before publishing research papers.

The motive behind Transformational Partnerships is to make it easier for local companies to access the university's research expertise. Jayas says the idea has attracted interest from further afield.

The University of Glasgow's Easy Access IP initiative arose from the belief that universities are placing a disproportionate emphasis on IP as a revenue source, rather than as a route to building partnerships with industry to deliver new products based on a university's research. Alison Campbell, now a freelance IP consultant, who was responsible for King's College London joining Easy Access

IP, says it is a tool for universities to change the culture and be more accessible to industry.

"In effect, Easy Access IP provides another channel for commercializing IP, but it also represents a philosophy of making better use of the results of research to stimulate innovation," Campbell says. Under the scheme, IP and granting rights are provided free in a standard single-page legal agreement.

Some detractors argue IP is only made available free when technology transfer offices fail to find someone to pay for it. Campbell says that is because much of it is very early research. Companies are more likely to sign an Easy Access IP license than a traditional license, particularly if more validation is needed to gauge translational potential. "Not everyone has the resources to develop everything to the point where you can put a financial value on it."

Most of the 25 licenses executed under Easy Access IP terms since 2010 have been with small and medium-sized enterprises, which are known to find it difficult to interact with universities. "This shows how Easy Access IP opens the door to people to explore collaborations, and flags up there is a new way of thinking; it signals institutions want to be involved in innovation," Campbell claims. A preliminary piece of IP can add to the portfolio of a young company and help it attract investment. Even if the IP is not exploited, a company can get value from it.

In March, the UK House of Commons Select Committee on Science and Technology released a report *Bridging the Valley of Death: Improving the Commercialisation of Research*



Easy Access IP is a new approach to intellectual property kick started by the University of Glasgow (here pictured). The initiative aims to maximize the transfer of knowledge from academia to industry.

(<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmsctech/348/34802.htm>), which concludes that the UK has no coherent plan or adequate mechanisms for leveraging academic research to economic benefit. Among its recommendations, it told the government to conduct a formal assessment of Easy Access IP to test whether it is improving the flow of IP into wealth-creating activities.

In evidence to the Select Committee, one leading UK academic and serial biotech entrepreneur, Greg Winter—a vocal critic of UK tech transfer—suggested alternatives to traditional university technology transfer offices should be considered in the form of private "Technology Exploitation Companies" that could compete with one another to license IP from different universities.

Nuala Moran London