UCB Marie Curie template ... the story

- Individual and inconsistent Partnership Agreements from EU institutes
- Differences in handling of IP and indemnification always a battle during negotiation
- EU “Central” could only recommend, but not require EU institutes to use a consistent agreement
The story ... continued

• Fellows were often already on campus and had already signed UC Patent Acknowledgement, but …

• Fellows are required to be employees of the EU institution and had often signed a patent document assigning rights to employer or allowed to keep rights for themselves

• Conflict, conflict, conflict … what to do? Do we really want these fellows? Is there a clear benefit to UC? Lots of work … little monetary return? Risk of mixing in federal funding? What about Background IP?
The story ... continued

- UCOP working group convened to develop common UC approach and create a UC template Partnership Agreement
- Partnership Agreement template created ... some compromise but still lots of behind the scenes legwork for campus CGO’s, not friendly enough ... same problems with IP
- Negotiations still seem never ending
- What to do?
The story ... continued

• Enter the International Alliance of Research Universities (IARU)

• Annual meeting in Beijing 2013
  – Discussion of universal problem of negotiating IP between countries with conflicting practices, if not laws and regulations... always back to the same issues

• Annual meeting in Oxford 2014
  – Marie Curie Partnership Agreements a good place to start ... development of a newer, friendlier template begins ... Berkeley, Yale, University of Copenhagen

• Annual meeting in Berkeley 2015
  – Agreement on the template and we have a new tool in the toolbox
The story ... continued

- UCOP template is still quite aggressive, requires lots of behind the scenes legwork by campus CGOs, so taxes limited resources
- Negotiation time not significantly shortened
- Not a tremendous amount of goodwill generated
- Not really seen as a significant compromise