

THE UNIVERSITY OF MICHIGAN

REGENTS COMMUNICATION

Approved by the Regents

May 14, 2009

ACTION REQUEST

Subject: Subcontract Agreement between the University of Michigan and Nymirum, Inc.

Action Requested: Authorization to enter into Agreement

Preamble:

A statutory conflict of interest situation was identified by the Division of Research, Development and Administration while reviewing the Proposal Approval Form. This then triggered a review by the OVPR Conflict of Interest Review Committee. A plan for management of the possible risks associated with the conflict of interest was then developed by this Committee and agreed to by the parties involved.

This proposed agreement ("Agreement") falls under the State of Michigan Conflict of Interest Statute because Professor Hashim M. Al-Hashimi and Dr. Michael Pape are both employees of the University of Michigan ("University") and partial owners of Nymirum, Inc. The law permits such an Agreement provided it is disclosed to the executive officers and approved in advance by a 2/3 vote of the Regents of the University of Michigan.

Background:

Dr Al-Hashimi, an Associate Professor in the Department of Chemistry and Biophysics, is the partial owner of a for-profit company called Nymirum, Inc. (the "Company"). Dr. Michael E. Pape, a Mentor-In-Residence in the Office of Technology Transfer, is a partial-owner of the Company. The Company desires to fund a project into the University under the direction of Dr. Al-Hashimi. Dr. Al-Hashimi's participation in this project will only be in his capacity as an employee of the University.

Nature of the Agreement:

The Company has received an award from the National Institutes of Health under the Small Business Technology Transfer (STTR) Program for the purpose of developing new innovative analytical and computational methods to design and screen disease-causing compounds that effectively interact with specific disease-causing RNA targets. The Company wishes to enter into a subcontract with the University to enable Dr. Al-Hashimi to assist in the performance of this funded research.

Agreement Terms:

The University's standard contract provisions will apply to the University's part of the project. The period of performance for the project is one (1) year and the amount of funding support is \$64,890. Since agreements are often amended, the contract will include provisions for changes in time, amount, and scope of the project. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Impact of the Agreement:

The Agreement will support an effort by Dr. Al-Hashimi and a post-doctoral researcher to use his expertise and his University of Michigan laboratory, as well as other University resources to facilitate the determination of accurate atomic coordinates of RNA structural motifs to enable rapid selection of existing small molecule agonists or antagonists and the design and synthesis of new beneficial molecules.

Recommendation:

This Agreement has been reviewed and approved by the OVPR Conflict of Interest Review Committee. In light of the disclosure made in this document and our finding that the agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve of the University's entering into this Agreement with Nymirum, Inc.

Respectfully submitted,



Stephen R. Forrest  
Vice President for Research

May 2009