

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Option Agreement between the University of Michigan and Shenzhen Inlight Technology Co., Ltd

Action Requested: Approval of Option Agreement

Preamble:

A statutory conflict of interest situation was identified by the Office of Technology Transfer while reviewing the technology transfer agreement that then triggered a review by the UMOR Conflict of Interest Review Committee. A plan for management of the possible risks associated with the conflict of interest was then developed and approved by this Committee and agreed to by the parties involved in this plan.

This proposed option agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Lingjie Jay Guo is both an employee of the University of Michigan (“University”) and a partial owner of Shenzhen Inlight Technology Co., Ltd. The law permits such an Agreement provided it is disclosed to the Board of Regents (“Regents”) of the University of Michigan and approved in advance by a 2/3 vote.

Background:

Dr. Lingjie Jay Guo, a Professor in the Department of Electrical Engineering and Computer Science – Electrical and Computer Engineering Division, is a partial owner of a for-profit company called Shenzhen Inlight Technology Co., Ltd (the “Company”). The Company was formed recently to commercialize dye and pigment-free structural colors and nanoimprint lithography and desires to option from the University of Michigan the University’s rights associated with the following technologies:

UM OTT File No. 3395, entitled: “Wire-grid Polarizers Fabricated by Web-based Imprinting” (Inventor: Lingjie J Guo)

UM OTT File No. 4016, entitled: “A Spin On Curable SIO Containing Polymer Based Resist for Micro and Nanoimprinting Lithography” (Inventors: Lingjie J Guo, Peng-Fei Fu)

UM OTT File No. 4628, entitled: “Multifunctional Thin Film Stack Based Plasmonic Color Filters” (Inventors: Lingjie J Guo, Ting Xu)

UM OTT File No. 5000, entitled: “Fabry-Perot Color Filter to Minimize Angle Dependence for Viewing Display” (Inventors: Lingjie J Guo, Ting Xu)

UM OTT File No. 5692, entitled: “Angle-Insensitive Spectrum Filters” (Inventors: Lingjie J Guo, Yi-Kuei Wu, Andrew Hollowell)

The Office of Technology Transfer selected the Company as a University partner and negotiated the terms of the proposed Agreement in accordance with University policy and its accepted licensing principles.

Parties to the Agreement:

The Regents of the University of Michigan and Shenzhen Inlight Technology Co., Ltd.

Agreement Terms Include:

Agreement terms include granting the Company an option to further evaluate the subject technologies and, upon meeting specific milestones, the ability to negotiate an exclusive license with the right to grant sublicenses. The Company will pay an option fee to the University and reimburse patent costs that incur during the term of the Agreement.

The University will retain ownership of the optioned technology and may continue to further develop it and use it internally as well as in collaborations with other research institutions. No use of University services or facilities, nor any assignment of University employees, is obligated or contemplated under the Agreement. Standard disclaimers of warranties and indemnification apply, and the Agreement may be amended by consent of the parties, such as adding related technology. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Pecuniary Interest:

The pecuniary interests of Dr. Guo arise from his ownership interest in Shenzhen Inlight Technology Co., Ltd.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of an option agreement for patents related to UM OTT File #s 3395, 4016, 4628, 5000, and 5692 for all fields of use. Shenzhen Inlight Technology Co., Ltd will obtain use rights to the above listed University technology.

Recommendations:

This matter has been reviewed and approved by the UMOR Conflict of Interest Review Committee. In light of this disclosure and our finding that the Agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve the Agreement between the University and Shenzhen Inlight Technology Co., Ltd.

Respectfully submitted,



S. Jack Hu
Vice President for Research

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