

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan and Patrick Lester

Action Requested: Approval of Reassignment 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 Medical School Conflict of Interest Board.

This proposed reassignment agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Patrick Lester is an employee of the University of Michigan (“University”) and a direct party to an agreement with the University. 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. Patrick Lester, an Associate Professor in the Unit for Laboratory Animal Medicine, has asked to have the University’s rights to the following technologies assigned to him personally:

UM OTT File No. 2019-249, entitled: “In Situ Phase Separation Controlled Release Delivery System for Analgesic Use in Laboratory Animal Rodents” (Inventor: Patrick Lester)

UM OTT File No. 7581, entitled: “Sustained Release Parenteral Therapeutics for Use in Laboratory Animal Medicine and Veterinary Medicine” (Inventor: Patrick Lester)

The Office of Technology Transfer negotiated the terms of the proposed Agreement in accordance with University policy and its accepted principles related to reassignment procedures.

Parties to the Agreement:

The Regents of the University of Michigan and Dr. Patrick Lester

Agreement Terms Include:

Agreement terms include assigning ownership of the technologies referenced above to Dr. Patrick Lester at no cost. Dr. Patrick Lester will not be obligated to pay a royalty on sales. No reimbursement of expenses will be necessary as the Office of Technology Transfer has not filed any patent applications or spent any money on the technologies.

The University will retain an irrevocable, non-exclusive, non-transferable, royalty-free license to practice the technologies and/or to patents for any noncommercial research, academic, or teaching purpose. 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. Patrick Lester arise from receipt of a reassignment agreement to the technologies.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a reassignment agreement for technology related to UM OTT File Nos. 2019-249 and 7581 for all fields of use. Dr. Patrick Lester will obtain use and commercialization rights to the above listed University technologies.

Recommendations:

This matter has been reviewed and approved by the Medical School Conflict of Interest Board. 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 Dr. Patrick Lester.

Respectfully submitted,



Rebecca Cunningham
Interim Vice President for Research

June 2019