

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

Approved by the
Regents
December 19, 2013

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan
and David Lorch

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 OVPR 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 reassignment agreement ("Agreement") falls under the State of Michigan Conflict of Interest Statute because Dr. David Lorch is an employee of the University of Michigan ("University") and is seeking reassignment of an invention owned by 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. David Lorch, a UM Medical Innovation Center Fellow, has developed a device to assist with dispensing of eye medication and desires to obtain the rights to the invention from the University of Michigan associated with the following technology:

UM OTT File No. 5845, entitled: Eye Drop Assist Device (Marius Tijunelis,
David Lorch)

The Office of Technology Transfer has 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 David Lorch.

Agreement Terms Include:

Agreement terms include granting Michigan's entire right, title and interest in the invention to Dr. Lorch. Dr. Lorch will pay an assignment fee and certain percentages of revenue received by him. The University will retain an irrevocable, non-exclusive, non-transferable, royalty-free license to practice and have practiced the invention and/or 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. 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. Lorch arises from his ownership of the invention.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of reassignment agreement for the invention related to UM OTT File No. 5845 for all fields of use. Dr. Lorch will obtain use and commercialization rights to the above listed University technology.

Recommendations:

This matter has been reviewed and approved by the OVP&R 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 reassignment Agreement between the University and David Lorch.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephen R. Forrest".

Stephen R. Forrest
Vice President for Research

December 2013