

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan and Nilay Chakraborty

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 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 reassignment agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Nilay Chakraborty 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. Nilay Chakraborty, an Associate Professor in the Department of Mechanical Engineering, Dearborn College of Engineering, has asked to have rights to the following technology granted to him personally:

UM OTT File No. 2018-429, entitled: “A Valve Design for Adaptive Control of Blood to Control Shear Stress Related Injury in Small-for-Size Syndrome (SFSS)” (Inventors: Nilay Chakraborty, Shakir Hussein)

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. Nilay Chakraborty

Agreement Terms Include:

Agreement terms include granting Dr. Nilay Chakraborty any right, title, and interest the University may have in the technology referenced above.

The University will retain ownership of the reassigned technology and may continue to further develop it and use it internally. 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. Nilay Chakraborty arise from receipt of a reassignment agreement to the technology.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a reassignment agreement for patents related to UM OTT File No. 2018-429 for all fields of use. Dr. Nilay Chakraborty will obtain use and commercialization 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 Dr. Nilay Chakraborty.

Respectfully submitted,



Rebecca Cunningham
Interim Vice President for Research

February 2020