

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: License Agreement between the University of Michigan and Maiqi (Beijing) Technology Co., Ltd.

Action Requested: Approval of License 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. A plan for management of the possible risks associated with the conflict of interest was then developed and approved by this Board and agreed to by the parties involved in this plan.

This proposed license agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Dr. Haijun Li and Dr. Gaoming Li are employees of the University of Michigan (“University”) and partial owners of Maiqi (Beijing) Technology Co., Ltd. The law permits such an Agreement provided it is disclosed to Board of Regents (“Regents”) of the University of Michigan and approved in advance by a 2/3 vote.

Background:

Haijun Li, PhD, a Research Investigator in the Department of Internal Medicine - Gastroenterology, and Gaoming Li, PhD, a Research Investigator in the Department of Internal Medicine - Gastroenterology, are partial owners of a for-profit company called Maiqi (Beijing) Technology Co., Ltd. (the “Company”). The Company was formed recently to commercialize endoscope medical imaging technology and desires to license from the University of Michigan the University’s rights associated with the following technologies:

UM OTT File No. 7666, entitled: “MEMS-Based Single Axis Confocal Endomicroscope” (Inventors: Thomas Wang, Xiyu Duan, Haijun Li, Gaoming Li)

UM OTT File No. 2018-235, entitled: “Ultra-Compact Microsystems-Based Confocal Endomicroscope” (Inventors: Thomas Wang, Xiyu Duan, Haijun Li, Gaoming Li)

UM OTT File No. 2018-422, entitled: “Phase Correction for Single Pixel Camera in a Lissajous Pattern” (Inventors: Thomas Wang, Xiyu Duan, Mayur Bhushan Birla, Kenn Richard Oldham)

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 Maiqi (Beijing) Technology Co., Ltd.

Agreement Terms Include:

Agreement terms include granting the Company an exclusive license with the right to grant sublicenses in China, Hong Kong, Taiwan, and Macau. The Company will pay a royalty on sales and reimburse costs. The University may receive equity in the Company, along with the right to purchase more equity.

The University will retain ownership of the licensed technologies and may continue to further develop and use them 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 Drs. Li and Li arise from their ownership interests in Maiqi (Beijing) Technology Co., Ltd.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a territory (China, Hong Kong, Taiwan, and Macau) exclusive license agreement for patents related to UM OTT Files No. 7666, 2018-235 and 2018-422 for medical imaging field of use. Maiqi (Beijing) Technology Co., Ltd. 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 Maiqi (Beijing) Technology Co., Ltd.

Respectfully submitted,



Rebecca Cunningham
Interim Vice President for Research

March 2020