

THE UNIVERSITY OF MICHIGAN  
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Subcontract Agreement between the University of Michigan and Mitovation, Inc.

Action Requested: Authorization to enter into Agreement

Preamble:

A statutory conflict of interest situation was identified by the Office of Research and Sponsored Projects while reviewing the Proposal Approval Form which 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 the Board and agreed to by the parties involved.

This proposed agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Thomas Sanderson is an employee of the University of Michigan (“University”), and a partial owner of Mitovation, Inc. 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:

Thomas Sanderson, PhD, an Associate Professor in the Department of Emergency Medicine, is a partial owner of a for-profit company called Mitovation, Inc. (the “Company”). The Company wishes to fund a NIH (prime) STTR Phase II project entitled “Infant NeuroLUX: A Novel Non-invasive Therapeutic Device for Neonatal Hypoxic Brain Injury (sub from Mitovation-STTR)” (ORSP #20-PAF04972) in the Department of Internal Medicine - Nephrology under the direction of Dr. H. David Humes. The purpose of the project is to develop a non-invasive therapeutic infrared light (IRL) delivery interface (‘Infant NeuroLUX’ or iNeuroLUX) that will deliver IRL of specific wavelengths and intensities to the neonatal brain in a safe and effective manner to reduce hypoxic/ischemic brain injury.

Agreement Terms:

The terms of the Agreement conform to University policy. The period of performance for the project is approximately two (2) years. The amount of funding support will not exceed \$301,334. Since research projects are often amended, this agreement includes provisions for changes in time and scope. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Impact of the Agreement:

The Agreement will support an effort by Dr. Humes to use his expertise and University laboratory, as well as other University resources, to develop a non-invasive therapeutic IRL delivery interface ('Infant NeuroLUX' or iNeuroLUX) that will deliver IRL of specific wavelengths and intensities to the neonatal brain in a safe and effective manner to reduce hypoxic/ischemic brain injury.

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 University's entering into this Agreement with Mitovation, Inc.

Respectfully submitted,



Rebecca Cunningham  
Interim Vice President for Research

March 2020