

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan and Jess Thoene

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. 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.

This proposed reassignment agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Jess Thoene is an employee of the University of Michigan (“University”) and is seeking patent rights of technology 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. Jess Thoene, an active Professor Emeritus in the Department of Pediatrics, Medical School, has asked to have the technologies below assigned to him personally:

UM OTT File No. 7293, entitled: “Treatment of Cystic Fibrosis via Microvesicle-mediated CFTR replacement” (Inventor: Jess Thoene)

UM OTT File No. 7355, entitled: “Treatment of Disorders of Plasma Membrane Proteins by Protein Replacement Via Microvesicles” (Inventor: Jess Thoene)

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. Jess Thoene

Agreement Terms Include:

Agreement terms include assigning to Dr. Jess Thoene the University’s rights in the technologies and patent rights related to the above-referenced OTT files. Dr. Jess Thoene will reimburse the University for its patent costs, pay all future patent costs

and pay to the University a percentage of any royalty revenue he receives from licensing or commercializing the technologies.

Absent the appropriate approvals, 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. 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. Jess Thoene arise from his ownership interest in the technologies.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a reassignment agreement for content related to UM OTT Files No. 7293 and 7355 for all fields of use. Dr. Thoene 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. Jess Thoene.

Respectfully submitted,



S. Jack Hu
Vice President for Research

April 2017