

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: License Agreement between the University of Michigan and NS Nanotech Inc.

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 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 license agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Professor Zetian Mi is an employee of the University of Michigan (“University”) and a partial owner of NS Nanotech 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:

Dr. Zetian Mi, a Professor in the Department of Electrical Engineering and Computer Science – Electrical and Computer Engineering Division, is a partial owner of a for-profit company called NS Nanotech Inc. (the “Company”). The Company was formed to commercialize energy efficient micro displays and UV light sources and related technology and desires to license from the University of Michigan the University’s rights associated with the following technologies:

UM OTT File No. 2020-208, entitled: “Synthesis of Monolayer GaN for Excitonic and Quantum Applications” (Inventors: Zetian Mi, Yuanpeng Wu)

UM OTT File No. 2020-326, entitled: “High Quality AIN Thin Films using Cycled Growth and Annealing” (Inventors: Zetian Mi, David Arto Laleyan, Ping Wang)

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 NS Nanotech Inc.

Agreement Terms Include:

Agreement terms include granting the Company a nonexclusive license with the limited right to grant sublicenses. The Company will pay a license fee and reimburse patent costs.

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 Dr. Mi arise from his ownership interest in NS Nanotech Inc.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a worldwide nonexclusive license agreement for patents related to UM OTT File Nos. 2020-208 and 2020-326. NS Nanotech Inc. will obtain use and commercialization rights to the above listed University technologies.

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 NS Nanotech Inc.

Respectfully submitted,



Rebecca Cunningham
Vice President for Research

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