Office of Technology Management

THE PENNSYLVANIA STATE UNIVERSITY

Material Transfer Agreement (MTA) Questionnaire for Outbound Materials

*Please submit a completed version of this questionnaire to:* *otm-mta@psu.edu*

This form should be completed by Penn State researchers who wish to provide research materials to others outside of Penn State. The information provided will help determine which MTA template should be used and what terms should apply for the use of our materials. Complete and accurate submissions will help reduce processing times. If you have any questions about this form or the status of a request, please reach out to otm-mta@psu.edu or 814.865.6277.

|  |
| --- |
| Providing Scientist: |
| Providing Scientist Email: |
| Providing Scientist Telephone: |

|  |
| --- |
| Recipient Scientist: |
| Recipient Scientist Email: |
| Recipient Organization: |
| Recipient Organization Email: |
| Recipient Organization Telephone No: |
| Recipient Organization Address:  |

\*\*\*PLEASE STATE “N/A” if question is not applicable\*\*\*

1. Detailed Description of Material(s) to be sent including amounts:
2. Is the Material from Human Subjects? Yes[ ]  No [ ]
3. Is the Material or your transfer of it subject to a protocol reviewed or requiring review by Penn State’s Institutional Biosafety Committee / Biosafety and Recombinant DNA Committee (IBC/BDRC), Institutional Review Board (IRB), or Institutional Animal Care and Use Committee (IACUC)? Yes[ ]  No[ ]
4. If yes, provide relevant protocol numbers here: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. Who originally developed or created the Material? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. Do you consider the Material to be proprietary? Yes[ ]  No [ ]  or potentially commercially valuable? Yes[ ]  No [ ]
7. Was the Material originally created by, received from, or obtained from another party (individual, institution, or company)? Yes[ ]  No[ ]

 If yes, please provide name, contact, and/or agreement information.

1. Is there an invention disclosure submitted on the Material Yes[ ]  No[ ]
2. Please provide PSU Invention Disclosure Number?
3. Do you expect that any inventions, discoveries or new technologies will be developed from the Recipient’s use of the Material? Yes[ ]  No[ ]  Unknown[ ]
4. Provide a detailed description of the Recipient’s intended use of the Material:
5. Are any of the Material(s) considered dangerous, hazardous, infectious, or on the select agents list (<https://www.selectagents.gov/> )? Yes [ ]  No[ ]

**(you will need to be sure to make appropriate shipping arrangements by contacting the Multi-Media Print Center (MPC), who will assist in shipping these types of materials. You should advise the MPC that an MTA is being prepared for the transfer of these materials.)**

1. Do you wish to receive reimbursement for costs of production and/or shipping of Material?

 Yes[ ]  No[ ]  If yes, indicate amount here. \_\_\_\_\_\_\_\_

1. Do you want the MTA to restrict their use to a particular research project or lab?

 Yes[ ]  No[ ]  **Explain if yes**:

1. Were the Material(s) developed under sponsorship (government, industry or other)? Yes[ ]  No[ ]  If yes, please provide grant/sponsor details:
2. Will you be disclosing any Confidential Information about the Material(s) to the Recipient? Yes[ ]  No[ ]
3. If Material(s) is human derived, are you providing de-identified subject/patient information of Limited Data Set (as defined under HIPAA)? Please indicate which applies.
4. Has the Material been published? Yes [ ]  No[ ]
5. Is the Recipient providing results from the research or any other deliverables back to you? Yes[ ]  No[ ]
6. Can the Recipient receive the Material from any other source? Yes[ ]  No[ ]
7. Do you have a financial/proprietary interest and/or any other obligation to a company/outside entity associated with this MTA or related research? Yes[ ]  No[ ]

 If yes, provide entity/contact name and description of the type of relationship:

1. One potentially contentious provision of MTAs relates to ownership of inventions and intellectual property the Recipient develops using PSU’s Material(s). Among many variations, three general scenarios are outlined below. **Please identify the scenario under which you would want PSU to negotiate and proceed**:

[ ]  **Scenario A**: PSU MTA Template starts with the proposition that any and all

 intellectual property developed by the Recipient using PSU’s Material(s) **shall be**

 **jointly owned**.

[ ]  **Scenario B**: The University’s “Simple MTA,” which implements the terms of The Uniform Biological Material Transfer Agreement (UBMTA) is premised on the basis that the Recipient solely owns all intellectual property the Recipient develops using Provider’s Material(s) (i.e. materials provided by PSU).

[ ]  **Scenario C**: A middle ground created by our Office requires the Recipient to agree to share with PSU revenues derived from future intellectual property developed by the Recipient using PSU’s Material(s), even though the future inventions are owned solely by the Recipient.

1. Please answer “Yes” or “No” to the following question:

 In the event if the Recipient rejects Scenario A and Scenario C as described above, will you still want to send out the Material under Scenario B? Yes[ ]  No[ ]

1. Please add any other information that you believe is relevant to this transfer.