

Guidebook of IP/Technology Transfer

Track 4

Technology Transfer Directors & Managers

Topic 4.4

Signature Authority

IP-based contracts are the foundation of true technology transfer

- They create legal obligations and rights for the parties
- Make very clear the precise property rights, the rights granted for their use
- Stipulate the *quid pro quo* of rights granted, in exchange for consideration (\$\$), and obligations of performance
- Provide the economic and legal power to implement concrete technology transfer

IP-based contracts are the foundation of true technology transfer

- They provide the institution the legal tools to:
 - assure diligence in commercialization,
 - control the destiny of its IP/technology
 - protect the interests and reputation of the institution and its inventors
 - guarantee compensation

IP-based contracts are the foundation of true technology transfer

- Non-disclosure & confidentiality
- Material Transfer
- Joint IP Ownership
- R&D Collaboration
- Option
- License

- The authority to sign contracts related to IP is fundamental to the IP-based technology transfer process
- Ideally, those that understand the IP-based tech transfer process best, should have the authority to negotiate and sign these contracts
- However, in many institutions, the TTO does not have signature authority
- Signature authority often resides with institution leaders and/or in-house legal

When signature authority resides with institution leaders and/or in-house legal:

- TTO must work with signature authorities to assure close cooperation between TTO/negotiator and signature authority
- TTP/TTO must finesse the negotiation and delivery of a signed agreement
- TTP/TTO should have full control over negotiation of IP, financial, and business terms and conditions of the agreement

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Thank you