Working with Industry
Contracting & Compliance
Research Enterprise

2013 Research Awards by Sponsor

- Federal
- State
- Industry
- Non-Profit
- Local/Regional
- Other

$397 MIL
$35 MIL
$58 MIL
$51 MIL
$7 MIL
$24 MIL
## Where Universities and Industry Differ

<table>
<thead>
<tr>
<th>University</th>
<th>Industry</th>
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<tbody>
<tr>
<td><strong>Core Mission</strong></td>
<td>Discover &amp; disseminate new knowledge – publish &amp; teach</td>
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<td><strong>Short vs long term</strong></td>
<td>Research provides a foundation for future research</td>
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<tr>
<td><strong>Budgets</strong></td>
<td>Cover actual costs – we don’t “make up” for losses in other areas, we just lose.</td>
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<tr>
<td><strong>Deliverables</strong></td>
<td>Research has uncertain outcomes. Working with graduate students</td>
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More on the Differences

Intellectual Property, Confidentiality & Publications

• They want to own the outcomes and limit their competitors from knowing or they wouldn’t be investing in this line of work
• We need to be able to disclose, to publish. They want to keep as much quiet from their competitors
• Who else is funding your work? Conflicting IP provisions in contracts?
• How far along is their IP (are you product testing or providing critical input to early stage applied research)?
• Are graduate students involved? Does this limit their thesis work?
More on the Differences

Budgeting

• *Don’t sell your budget short. If they could afford to do it in house, they would. They need you*

• Small business versus large business
  – Can they pay their bills on time
  – Template contracts versus no contract department

• **Understand differences in budgeting**
  – Fixed fee pricing estimates and UF effort reporting
  – F&A (overhead or IDC) versus G&A
Compliance Issues to Think About

• Research work
  – Good Laboratory Practices or Good Manufacturing Practices

• Consulting Agreements
  – Outside Activity Reporting

• Research Agreements
  – Perhaps developed from consultation
  – Potential Conflict of Interest issues
  – Complex if not using standard University templates
  – Federal flow-downs may be complicated (federal to industry to academia)
Compliance Issues (contd.)

- International research
  - Is work in foreign country?
    - Lack of knowledge base on campus for various international research requirements
  - Is company a foreign entity?
    - Export control issues

- Military/classified work
- Export control issues
- Publication restrictions
- Foreign national restrictions
What to Remember

• University-Industry partnerships
  – Can be win-win situation
  – Excellent source of funding *if* research interests are similar
  – Can be restrictive in terms of scope, research freedom
  – Different “mode” of research
    • Documentation, time-lines, deliverables
    • They mean it!!
What to Remember

• Network, find out who can help you
• Know what you can/will give up or gain
• Engage us early
  – We have the expertise to assist
  – Involve us - the sooner, the better
• Use our template agreements, if possible
• Do not commit to any terms (verbally or in writing)
  – Engage us to help review the scope, budget, deliverables, compliance requirements, and contract terms
Resources

• University Industry Demonstration Partnership (http://sites.nationalacademies.org/PGA/uidp/PGA_055253)
  – Guiding Principles
  – Partnership Consortium
  – Researcher Guidebook

• UF Template Agreements
  – Research, Clinical Trial and Testing at: http://research.ufl.edu/faculty-and-staff/forms/templates.html
Questions?

• Stephanie Gray, Sponsored Programs
  – 352-392-3516
  – slgray@ufl.edu

• Irene Cooke, Compliance
  – 352-294-1632
  – irenecooke@ufl.edu

http://www.research.ufl.edu/