International Negotiations
A Case Study

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Previous vs. New agreement

**PRO’s**

- UCLA had an existing relationship with sponsor
- Both parties eager to continue relationship and project
- Provided a position to start from
Previous vs. New agreement

CON’s

• Existing and new agreement *vastly* different

• Three UC campuses received differing terms from one another
Previous vs. New agreement

CON’s

- Staggered contracts (Campuses couldn’t coordinate a response)

- Problematic language due to the evolution of the scope of work
External Challenges

• Sponsor took offense to “standard” language for US institutions
  • “help facilitate” = “lack of competency”
External Challenges

- Returned multiple times with signatures and made changes which had not been agreed upon – more casual approach than US institutions
External Challenges

• C&G counterpart changed multiple times – difficult to establish a working relationship

• Appearances of conflict of interest

• Lack of transparency
Internal Challenges

• Multiple interpretations of IP language within UC

• Too many “cooks in the kitchen” (27 distinct individuals involved during negotiation)
Internal Challenges

• Pressure from highest levels at School/Dept.
  - Interjected themselves into negotiation process

• Divisive tactics
  - PI was threatened with loss of funding
  - Campuses were pitted against each other
Final Outcome........
What works?

- PI involvement
  - Face-to-face interaction
  - Relating problematic terms to their project and in ‘lay’ terms
  - Faculty may have established relationships
What works?

• PI’s ‘negotiating’ on behalf University
  • Facilitator versus obstructionist

• Detailed budget and scope of work
  ▪ Not US centric
  ▪ US dollars
What works?

- Risk Assessment and Management
  - Ensure safeguards and protections for faculty and students
  - Proper and sufficient insurance

- Recognize Differing Expectations
  - Pomp and circumstance – signing ceremonies
Questions?