Research Policy & Compliance

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Preview of Coming Attractions

- Revisions to the University of California Patent Agreement/Acknowledgment

- Revisions to the Public Health Service Regulations on Objectivity in Research
Revision of the UC Patent Agreement/Acknowledgment

Prompted by a recent U.S. Supreme Court case: Stanford v Roche

Stanford patent agreement said “Shall assign” [future tense] and required the separate action of assigning ownership to the University

Cetus (now Roche) Visitor Confidentiality Agreement said “hereby assigns...inventions...made as a consequence of access” [present tense]

Stanford faculty member had signed both – created problems
UC Patent Agreement/Acknowledgment

- Current language indicates that UC employees agree “...to assign inventions and patents...” and acknowledge their obligation “...to promptly report and fully disclose the conception and/or reduction to practice of potentially patentable inventions...’ [future tense]
UC Patent Agreement/Acknowledgment

- Language will be modified to indicate that employees “…do hereby assign” [present tense]
- New employees will sign new agreement
- Current employees will be asked to sign updated agreement
A revised UC Patent Agreement/Acknowledgment will be available to the campuses by November 1, 2011 for use by new employees.
Current employees hired on or before October 31, 2011, will be expected to sign an updated agreement on-line between late November, 2011, and the end of February 2012.
In the interim...

- Some concerns about avoiding problems between now and March 2012
- Developed a case-specific amendment
- Researchers *may* be asked to sign an amendment in connection with specific research agreements
PHS Regulations on Objectivity in Research

- Deals with financial conflicts of interest in research
- Final Rule issued in August 2011
- Revised regulations must be implemented by August 24, 2012
- Will require revisions of UC policy and UCLA procedures
Major Changes

- Mandatory education
- Reduction in threshold for disclosure of financial interests
- More explicit guidance about what is included or excluded from disclosure
Major Changes continued

- Broadened disclosure requirements: financial interests related to an investigator’s institutional responsibilities
- Public accessibility requirement
- Expanded reporting requirements
- Monitoring and retrospective reviews
Status

- Examining current procedures and forms
- Exploring options for revising processes
- Identifying ways of streamlining the disclosure and review processes with the goal of automation
Contacts for Questions

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