



## MATERIAL TRANSFER AGREEMENT POLICY

### PURPOSE

The Institute is committed to complying with all laws and regulations applicable to the shipment and receipt of research material.

### DEFINITION

A Material Transfer Agreement (“MTA”) is a legal contract that documents the terms for a transfer of tangible research material from one party to another for use in research that is independent of the providing party. MTAs specify the rights, obligations, and restrictions of both parties with respect to issues such as:

- Use of Material
- Confidential Information
- Research Results
- Publication
- Inventions (patentable or not)
- Warranty and Liability

### POLICY

All research material shipped from Salk to another party must be accompanied by a signed MTA or another agreement that includes similar provisions signed by an authorized member of the Office of Technology Development (“OTD”), and some types of material require an additional export license if shipped outside of the United States. There may be other restrictions, such that certain material cannot be shipped to restricted or banned parties or embargoed countries. Penalties for violating export control laws are significant and may include personal fines and criminal charges. Anyone found in violation of this policy or applicable laws will be subject to disciplinary action.

### PROCESS

OTD is responsible for reviewing, drafting, negotiating and signing all MTAs on behalf of Salk. The appropriate member(s) of OTD will work closely with the individuals involved in the shipment process to ensure the terms and conditions of each MTA are in compliance with all applicable laws, regulations, academic principles and any pre-existing contractual or funding obligations.

To Transfer Material from Salk to an External Party:

E-mail the following information to [mta@salk.edu](mailto:mta@salk.edu):

- Requesting PI's name and email
- Name of requesting PI's organization
- Itemized description of all material
- Was the material developed solely by Salk?
- Has the material been published?

OTD will draft and email the MTA to the requesting PI. Once signed by both parties, a copy of the fully executed MTA will be distributed and the material can be sent.

#### To Receive Material from an External Party:

Obtain an MTA from the other party and e-mail it to [mta@salk.edu](mailto:mta@salk.edu). OTD will review, negotiate (if necessary) and process the MTA for signatures. Once signed by both parties, a copy of the fully executed MTA will be distributed.

#### Research Collaborations with External Parties

If the exchange of material between parties meets any of the following criteria, a collaboration agreement, sometimes referred to as a Joint Research Agreement (“JRA”), will typically be necessary. An award of funding to be shared by two or more parties generally does not eliminate the need for a JRA between the parties. E-mail [otd@salk.edu](mailto:otd@salk.edu) if any of the following apply:

- The research project was developed by individuals at more than one organization
- Individuals at two or more organizations will contribute in some way to the research project (e.g., hands-on research, data analysis, experimental design)
- The research will involve a bi-directional transfer of research materials
- Results generated by one organization will be shared with an individual at another organization
- Results will be published jointly with authors from another organization