

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Reassignment Agreement between the University of Michigan and Yifang Chen

Action Requested: Approval of Reassignment Agreement

Preamble:

A statutory conflict of interest situation was identified by the Office of Technology Transfer while reviewing the technology transfer agreement that then triggered a review by the Medical School Conflict of Interest Board.

This proposed reassignment agreement (“Agreement”) falls under the State of Michigan Conflict of Interest Statute because Mr. Yifang Chen is an employee of the University of Michigan (“University”) and a direct party to an agreement with the University. The law permits such an Agreement provided it is disclosed to the Board of Regents (“Regents”) of the University of Michigan and approved in advance by a 2/3 vote.

Background:

Mr. Yifang Chen, a Physician Assistant in the Department of Radiology, has asked to have rights to the following technologies granted to him personally:

UM OTT File No. 2018-396, entitled: “Implantable Central Venous Port with Cuff” (Inventor: Yifang Chen)

UM OTT File No. 2018-502, entitled: “A Central Venous Catheter with a Sealed Hub or with a Hub Having a Valve Inside” (Inventor: Yifang Chen)

The Office of Technology Transfer negotiated the terms of the proposed Agreement in accordance with University policy and its accepted principles related to reassignment procedures.

Parties to the Agreement:

The Regents of the University of Michigan and Mr. Yifang Chen

Agreement Terms Include:

Agreement terms include assigning to Mr. Yifang Chen the University’s rights in the technologies and patent rights referenced above. Mr. Yifang Chen will reimburse the University for its patent costs, pay all future patent costs, and pay to the University a percentage of any royalty revenue he receives from licensing or commercializing the technologies.

No use of University services or facilities, nor any assignment of University employees, is obligated or contemplated under the Agreement. Standard disclaimers of warranties and indemnification apply, and the Agreement may be amended by consent of the parties. University procedures for approval of these changes will be followed and additional conflict of interest review will be done as appropriate.

Pecuniary Interest:

The pecuniary interests of Mr. Yifang Chen arise from receipt of a reassignment agreement to the technologies.

Net Effect:

The Office of Technology Transfer has negotiated and finalized the terms of a reassignment agreement for patents related to UM OTT File Nos. 2018-396 and 2018-502 for all fields of use. Mr. Yifang Chen will obtain use and commercialization rights to the above listed University technologies.

Recommendations:

This matter has been reviewed and approved by the Medical School Conflict of Interest Board. In light of this disclosure and our finding that the Agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve the Agreement between the University and Mr. Yifang Chen.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'S. Hu', is written over the typed name.

S. Jack Hu
Vice President for Research

October 2018