



Tangible Research Property (TRP)

Boston College Office of Technology Transfer and Licensing

What is Tangible Research Property (TRP)?

Unpatented research products (or not otherwise protected by law) which are difficult or expensive to create

E.g., biological materials, reagents, engineering drawings, integrated circuit chips, prototype devices

May be transferred among parties or to dedicated repositories (e.g., Addgene, ATCC) to manage widespread distribution

Foundational to productive collaborations

Ownership of Tangible Research Property (TRP)

Per the Boston College Intellectual Property Policy, “ownership of Tangible Research Property normally resides with the University”

Terms of a grant or sponsored project agreement may apply

Where a grant agreement is silent, the tangible research property remains owned by the University

Transfer of Tangible Research Property (TRP)

Tangible research property is shared via a material transfer agreement (MTA), which addresses:

- Ownership rights

- Publication and priority (who gets to publish first)

- Intellectual property (who owns improvements and new inventions relating to materials)

- Permitted use and liability

Transfer to academic collaborators may sometimes be done without an MTA, but transfers to industry must always be in writing

Transfer can also be managed by a third party repository, e.g, Addgene or ATCC. Ask OTTL.

Do I need an MTA?

Always yes for commercial transfers (to prevent the company from using your intellectual property in a product for sale without compensation, and to avoid liability)

Always yes for human-derived, genetically modified, or hazardous materials (to avoid liability)

Sometimes yes for other collaborations. Things to consider:

- Does the material require special protocols or handling?

- Do I want anything in exchange for the materials (other than shipping costs)?

- Is any component of the material proprietary and do I want it kept confidential?

- Am I preparing my own publication relating to the material?

- Could the results of recipient's research be commercialized?

- Is any component of the material potentially patentable?

- Is any component of the material owned by a third party?

- Is the material currently licensed?

Among academic institutions, template agreements are often used to minimize friction (e.g., UBMTA, NIH SLA)

Do I need to disclose my TRP to OTTL?

TRP created under a sponsored project or other research agreement may need to be disclosed, depending on the terms of the agreement. Ask OTTL. Per the Intellectual Property Policy, any TRP which is potentially patentable or copyrightable, or which is being transferred to a commercial entity, must be disclosed to OTTL promptly after its creation.

If disclosure isn't required, it is always necessary to know if the TRP contains third-party owned material. OTTL will ask that question when preparing an MTA.

Do I need to disclose my TRP to OTTL?

TRP created under a sponsored project or other research agreement may need to be disclosed, depending on the terms of the agreement. Ask OTTL. Per the Intellectual Property Policy, any TRP which is potentially patentable or copyrightable, or which is being transferred to a commercial entity, must be disclosed to OTTL promptly after its creation.

If disclosure isn't required, it is always necessary to know if the TRP contains third-party owned material. OTTL will ask that question when preparing an MTA.