Springboard

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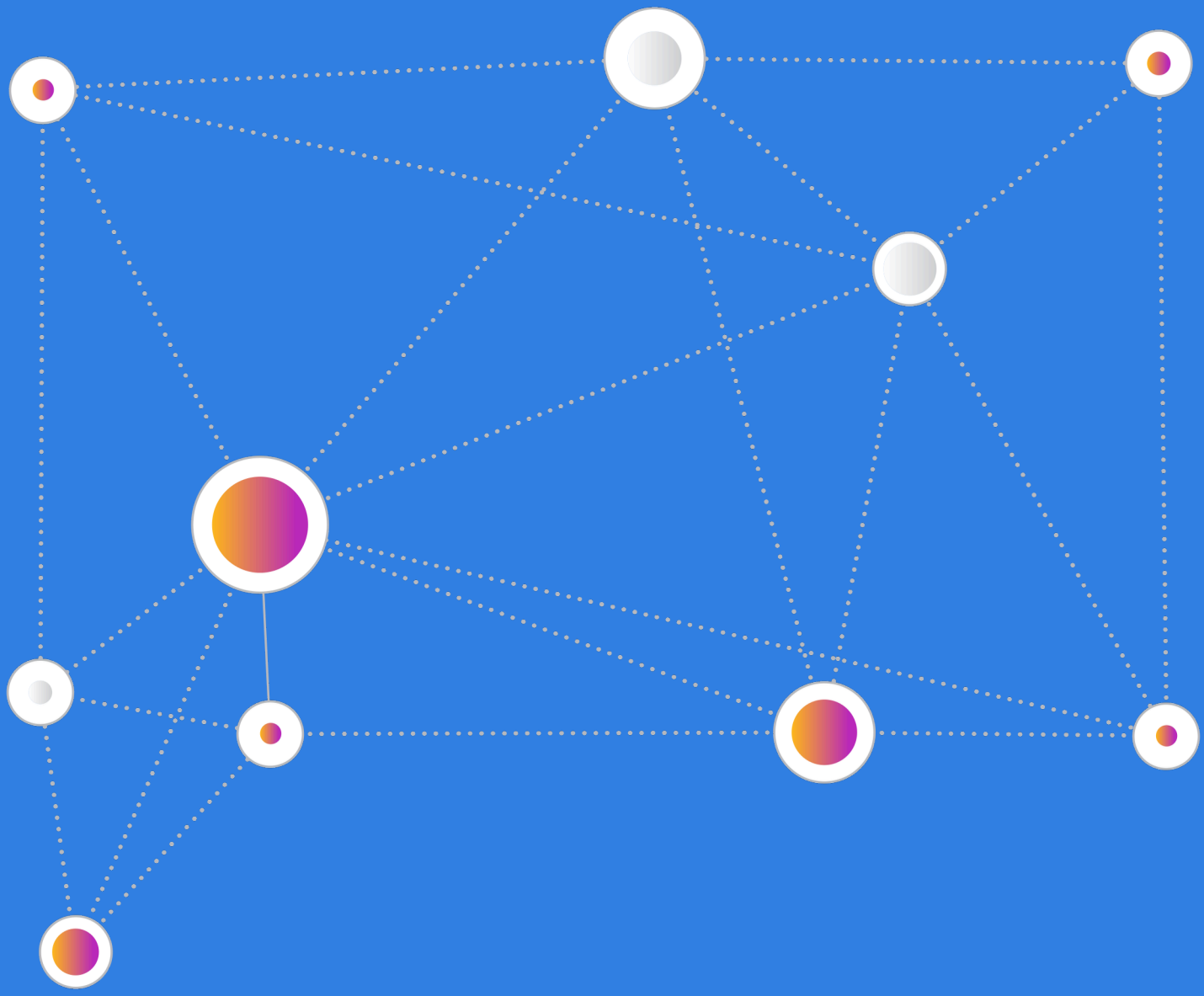

Creator's Guide to Technology Transfer

A field guide to commercializing research

MEMORIAL UNIVERSITY

RESEARCH INNOVATION OFFICE

Translation for Impact at Memorial

Memorial University has supported and led innovation and innovative thinking in Newfoundland and Labrador for decades. The innovative culture at Memorial provides an essential catalyst for social and economic development and global competitiveness. Healthy innovation systems can provide the conditions for more ideas, more action and more innovation.

Memorial's Research Innovation Office (RIO) works with faculty, students and staff to move their ideas toward opportunities via industry connections, funding, intellectual property support and programming. RIO encourages an environment which helps bring research ideas to market.

The Creator's Guide to Technology Transfer provides a comprehensive overview of the fundamental aspects at Memorial involved in moving ideas from the lab toward commercial opportunities.

The Guide aims to address the most frequently asked questions received by RIO while offering a comprehensive overview of the technology transfer process and the range of related services accessible to faculty, students and staff at Memorial.

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RESEARCH INNOVATION OFFICE

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What is technology transfer?

Technology transfer is the process by which ideas and discoveries originating from universities, research institutions, hospitals or government labs are transformed into practical applications or commercial products. It involves the transfer of knowledge, intellectual property and expertise from the academic or non-profit sector to businesses or entrepreneurs who can further develop and market the innovations. The transfer can occur through avenues such as publishing research findings, graduates embarking on their professional journeys and researchers establishing collaborations with government bodies, non-profit entities and various industry stakeholders. Within the context of this guide, technology transfer refers to the commercialization of innovations.

The goal of technology transfer is to bridge the gap between scientific research and real-world implementation. It requires collaboration between researchers, creators, technology transfer professionals and industry partners. At Memorial, technology transfer professionals are located in the Research Innovation Office (RIO). They play a crucial role in managing the technology transfer process, including protecting intellectual property rights; negotiating licenses; and supporting industry- academia partnerships and the creation of new ventures based on research findings.

Successful technology transfer can lead to the commercialization of IP, which creates opportunities for economic growth, job creation and improvements in various sectors. By facilitating the transfer of cutting-edge knowledge and breakthrough discoveries into practical applications, technology transfer plays a vital role in advancing society and positively impacting people's lives.

What is IP?

IP includes all Data, documents, reports, analyses, tests, specifications, charts, plans, drawings, inventions, creations, schemes, communications, lists, manuals, technology, techniques, methods, processes, routines, systems, procedures, practices, operations, modes of operations, know-how, trade or other secrets, contracts, financial information, engineering reports, environmental reports, field notes, sketches, photographs, computer programs, software, specifications, models, database rights, service marks, technical advancements, improvements, products, designs, prototypes, samples, technical information, materials, works of authorship, patterns, and the media on which such IP is stored.

What are IP rights?

IP rights are legal rights that relate to IP and include rights granted under federal legislation such as the Copyright Act, Patent Act, Trademarks Act and Industrial Design Act. Memorial's IP Policy is largely creator-owned in that it is based on the notion that ownership of IP should reside with the creators of that IP, subject to certain encumbrances (refer to the IP ownership and disclosures section for more information). The rights that apply to a particular IP usually depend on the nature of that IP. For example, copyright exists in books, movies, computer programs and other forms of expression. Among other things, the holder of the copyright has the exclusive right to prevent others from copying or publishing the IP that is the subject of the copyright. Patent rights exist in certain inventions and give the patent holder the exclusive right to make that invention. Trademark rights protect the use of particular brands in association with particular goods and services.

Intellectual property (IP) and technology transfer

What is encumbered IP?

IP is said to be encumbered if its ownership is subject to rights or interests that have been granted to people or organizations other than the creators. There are many ways in which IP can become encumbered, including:

1. The creation of IP during research or work that is the subject of a contract between Memorial and a third party;

2. The execution, by its creators, of a Research Participation Agreement (RPA), in which case certain rights or interests in that IP will be granted to Memorial and/or third parties;

3. The creation of IP during a work term or other employment with Memorial (except in the case of Academic Staff Members; ASMs);

4. The creation of IP during work commissioned by Memorial; or

5. The creation of IP under a contract with Memorial.

How does Memorial support technology transfer?

Memorial supports technology transfer through various initiatives and resources such as:

→ **RIO support:** RIO serves as a catalyst for fostering innovation and creativity by guiding faculty, students and staff in moving their ideas toward opportunities. It plays a pivotal role in facilitating industry-academia connections. In addition, RIO provides funding, programming and resources for research commercialization and IP protection, helping researchers navigate the process of transforming their innovations into marketable products or services.

→ **Other services:** Groups such as Genesis, Memorial Centre for Entrepreneurship (MCE), Memorial Centre for Social Enterprise (CSE), Navigate Entrepreneurship Centre and the School of Graduate Studies' Entrepreneurship Training Program (ETP) provide support and programming to develop entrepreneurial skills.

By providing these resources and support systems, and fostering a culture of innovation and entrepreneurship, Memorial aims to facilitate the successful transfer of research outcomes from the academic setting to the broader community, benefiting society and contributing to the economic development of Newfoundland and Labrador.

Why participate in the technology transfer process?

There are several reasons to participate in the technology transfer process:

→ **Professional development:** Creators gain valuable skills in IP management, business development, negotiation and entrepreneurship. These can enhance professional development and career prospects for students, faculty and staff, both within academia and in industry.

→ **Collaboration and networking:** Technology transfer often involves collaboration with industry partners, entrepreneurs and other professionals. Creators establish valuable connections, expand their network and benefit from their expertise and resources.

Intellectual property (IP) and technology transfer

- **Entrepreneurial opportunities:** If creators have a passion for turning research into viable products or services, participating in technology transfer can help them gain the necessary skills, mentorship and support to start their own venture or be involved in a start-up company.

- **Funding and resources:** It can open doors to additional funding opportunities, including some specifically designed to support technology transfer and commercialization activities.

- **Recognition and prestige:** It showcases the creator's ability to produce impactful research, enhancing their reputation and attracting further collaborations and opportunities.

- **Societal impact:** It allows creators to see that their research outcomes have a tangible impact on society, which can lead to improved quality of life, enhanced healthcare, increased environmental sustainability, and overall societal progress.

- **Accelerated innovation:** By engaging with industry partners, creators can leverage their expertise to develop products and services that address market needs more quickly.

- **Monetary benefits:** Whether it is through licensing fees, royalty payments or the sale of IP, creators may receive monetary gains through the transfer of their technology.

- **Job creation and economic growth:** By transforming research into marketable products or services, commercialization stimulates economic growth, fosters entrepreneurship and generates employment opportunities within local and global communities.

Overall, participating in technology transfer provides a unique opportunity to bridge the gap between research and real-world applications. It enables creators to make a more direct impact, collaborate with industry partners, explore entrepreneurial ventures, access additional resources and advance their careers while contributing to societal and economic development.

How is IP transferred to Memorial?

The transfer of IP involves a structured process facilitated by RIO under the guidelines of Memorial's IP Policy. Here's an overview of how IP transfer occurs:

- IP disclosure: When research produces a new process, material, or product with commercial potential, it is important to submit an IP disclosure to RIO, especially before any public disclosure, e.g. publications or poster presentations. The IP disclosure includes detailed information about the IP's technical aspects, contributors, potential applications and commercial viability. More information regarding the IP disclosure process can be found here.

- **Evaluation:** RIO assesses the creator's contributions and obligations to any sponsors or partners. The market potential and novelty will also be assessed.

- **Assignment:** If the creators desire the university's assistance through RIO to commercialize the IP and if RIO wishes to pursue the commercialization of the IP, the IP needs to be assigned to Memorial. This is accomplished by completing an assignment agreement which will be provided by a RIO advisor. Once the assignment agreement is executed, the IP is transferred to Memorial.

Intellectual property (IP) and technology transfer

What steps occur after the IP assignment to Memorial is completed?

The technology transfer process advances through several key stages:

1. **Determine IP protection:** RIO will determine the need for IP protection (e.g., patents, trademarks, copyrights) and work with the creators on filing the relevant IP applications.

2. **Explore commercialization options with RIO:** Various commercialization pathways will be assessed such as licensing the IP to existing companies, establishing a start-up company to commercialize the IP and collaborating with industry partners for joint development and commercialization.

3. **Negotiate commercialization agreements:** RIO will negotiate agreements with potential licensees or partners and consider terms related to financial arrangements, milestones, royalties and IP rights. RIO aims for agreements that benefit both the creators and Memorial.

4. **Monitor and support commercialization:** RIO will provide the necessary support, information and updates to the creators to ensure successful technology transfer.

5. **Royalties:** Memorial will receive all revenues generated from the licensing or sales of IP assigned to the university. These funds will initially be used to reimburse Memorial for expenses incurred in evaluating, obtaining and maintaining IP protection. The remaining revenues will be distributed by the university to the creators and the university based on the agreement between the creators and the university.

What is the creator's role in the process?

Memorial's IP policy states that creators are responsible for disclosing their IP or creations to RIO. Creators are expected to provide complete and accurate information about their IP including details on its novelty, co-creators, and associated funding and/or collaborations.

After the IP assignment is completed, the creators' role involves collaborating with RIO or relevant stakeholders in evaluating the commercial potential of the IP, determining appropriate protection and exploring avenues for commercialization. The creators may participate in discussions, negotiations, or agreements related to the licensing, assignment, or commercialization of the IP.

Do creators have to assign their IP rights to Memorial?

No; however, creators are required to submit an IP disclosure form to RIO to clarify the ownership of the IP and determine obligations to any sponsors or partners. Any creator of IP that commercializes IP on their own without first seeking a review by RIO violates university policy and takes on unnecessary legal risk, as the IP may be encumbered. If there are no obligations to a sponsor and the creators wish to retain personal ownership, RIO will provide the creators with a letter stating that Memorial has no interest, right, or title in or to the IP.

IP ownerships and disclosures

Memorial's policy on IP ownership

Memorial's policy states that unless the IP is encumbered (refer to What is encumbered IP? for more information), faculty and students own the IP they create and when there are two or more co-creators, they shall co-own such unencumbered IP. Conversely, if an RPA has been completed, the IP is considered encumbered.

IP created by Memorial University staff (excluding Marine Institute research scientists), hired to provide administrative, scientific or technical support is owned by the university. If staff are being paid under a project with terms and conditions that affect IP, the terms and conditions of the project apply.

Note that as there are many exceptions to IP ownership, it is recommended to discuss it with RIO.

What is an IP disclosure form?

An IP disclosure form is a document that contains a description of a creator's IP. Its purpose is to clarify ownership of research results (the IP), determine obligations to any sponsors or partners a creator may be working with and help identify opportunities outside of Memorial to advance the work even further. The IP disclosure form is located on the RIO webpage and instructions on how to complete and submit it are located within the form itself.

When should a creator submit an IP disclosure form to RIO?

As soon as possible after any IP that has commercial potential has been created and before any public disclosure of the IP (e.g., abstracts, presentations, publications). Here are some key points to consider regarding the timing of submitting an IP disclosure form to RIO:

→ **Prompt disclosure:** Promptly ensures that RIO can evaluate and, if appropriate, protect the IP rights associated with the IP.

→ **Pre-publication considerations:** If creators plan to publicly disclose IP that has commercial potential, it is recommended to submit the IP disclosure form to RIO before the disclosure takes place. This allows RIO to assess the IP's commercial potential and determine the need for IP protection measures like patents.

→ **Non-confidential discussions:** Creators may engage in discussions with external parties where enabling information regarding the IP is shared. In these cases, it is important to disclose the IP to RIO, so RIO can support those discussions, including the drafting of confidentiality agreements.

→ **Ongoing collaboration:** If creators are collaborating with other researchers or have received funding or resources from external entities for research with commercialization expectations, it is essential to review any agreements or contracts to understand the IP ownership and disclosure requirements. In some cases, those agreements might stipulate specific timelines for IP disclosure.

IP ownerships and disclosures

What if creators created something without using Memorial's resources?

In general, IP ownership would belong to the creators. However, if applicable, it is important to review any agreements, contracts, or policies with Memorial to ensure there are no provisions that could impact IP ownership.

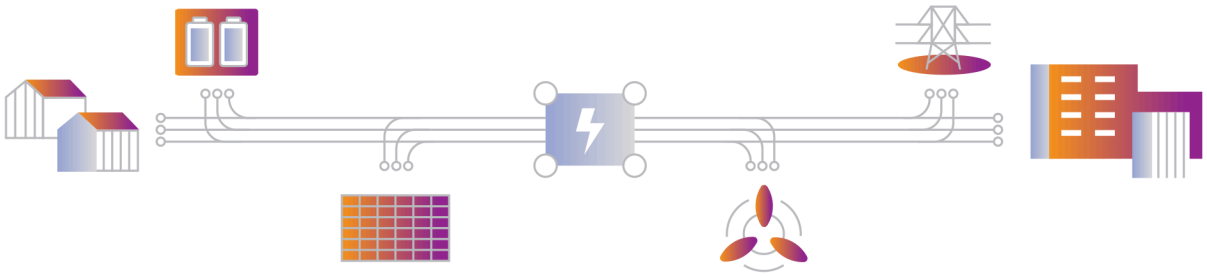
What happens after creators submit an IP disclosure form?

RIO will contact the creators to acknowledge receipt of the disclosure. If the creators have a research partner or sponsor who has the option to license the IP, RIO will inform them that an IP disclosure has been submitted and wait for their response before taking further action.

If there are no obligations to a sponsor and the creators wish to retain personal ownership, RIO will provide the creators with a letter stating that Memorial has no interest, right, or title in or to the IP (some exceptions apply; refer to section 2.6 of Memorial's IP policy). If there are no obligations to a partner and the creators wish to assign the IP to Memorial, RIO will assess the IP to determine if Memorial will be interested in taking ownership. The sharing of information during this process is conducted under confidentiality measures.

Can creators publish research and still protect the commercial value of the IP?

Yes, however, certain forms of IP require novelty to qualify for protection. If creators believe there is commercial potential for their IP, check with RIO to establish an appropriate strategy to allow publishing while taking appropriate steps to protect the IP.



Scenario: Assigning IP to Memorial University

Professor Juan Martinez, a faculty member at Memorial, has developed a novel prototype for optimizing renewable energy distribution in microgrids. Professor Martinez believes that this innovation could have a significant impact on sustainable energy systems. He engages Memorial for support to commercialize the IP.

Engage with RIO

Professor Martinez contacts RIO to understand the research commercialization process.

IP disclosure

Professor Martinez fills out an IP disclosure form, detailing the nature of the IP, any agreements or funding sources and any contributors to the IP.

RIO evaluation

RIO reviews the IP disclosure and finds there are no conflicting agreements or circumstances related to the IP, confirms the list of inventors and does a preliminary patentability search. RIO determines that the IP is not encumbered, it has commercial potential and does not have any prior art restricting patentability. RIO agrees to support the commercialization of the IP.

Assigning IP ownership

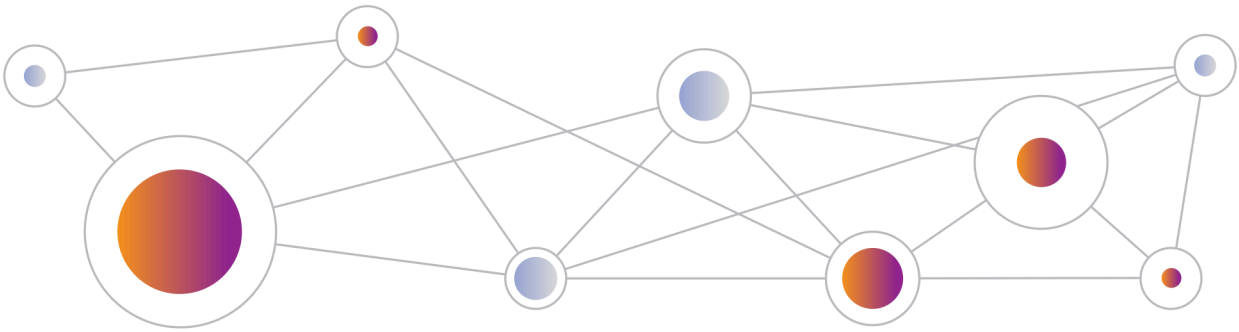
Professor Martinez completes the assignment agreement provided by RIO.

Funding and legal advice

RIO attempts to secure funding for patent and legal advice and contacts Professor Martinez to obtain all relevant publications and documents related to the IP. These are forwarded to patent agents who complete a thorough patentability search and/or initiate the patenting process.

Result

Memorial University holds the IP rights to the prototype. In collaboration with Professor Martinez, the university through RIO determines how the IP is managed, protected and commercialized.



Scenario: Retaining ownership of IP

Emily Grayson, a graduate student at Memorial, has developed a unique software application that enhances online collaboration among researchers. Emily believes that the innovation could be valuable in academic and professional settings and wishes to retain ownership of the IP and leverage it to create a company.

Engage with RIO

Emily engages with RIO to understand the process of retaining ownership of the developed IP.

IP disclosure

Emily discloses the IP to RIO by filling out an IP disclosure form. The form details the nature of the IP, related agreements or funding arrangements and contributors.

Administrative review

RIO reviews Emily's disclosure and confirms that it meets the criteria outlined in the IP policy for retaining ownership. This includes ensuring that Emily's work did not involve any significant documented contribution from the university, that it is not encumbered and that there are no co-inventors.

Documentation

Upon approval, RIO formalizes a letter that outlines Emily's ownership of the IP.

Record Keeping

The university maintains records of the agreement for administrative and legal purposes. This ensures transparency and consistency in managing IP matters.

Result

Emily retains ownership of the IP and has the right to decide how to use, protect and commercialize the software application. Emily can explore an IP strategy with the support of Atlantic IP Advantage, partnerships, or other avenues to bring her innovation to the market.

Patents

What is a patent?

A patent is an exclusive legal right pertaining to an invention. It is governed by federal legislation, such as the *Patent Act*. A patent grants the holder the exclusive right to make, use and sell the invention for a limited period, typically 20 years from the filing date of the patent application. Patents are intended to protect new and useful inventions, which can be processes, machines, compositions of matter, or improvements thereof. By obtaining a patent, inventors can prevent others from making, using, or selling their IP without their permission.

What can be patented?

Several types of inventions and discoveries can be eligible for patent protection, including:

→ **Processes:** New methods or processes for producing or achieving a particular outcome, such as manufacturing processes, chemical reactions, or computer algorithms.

→ **Machines:** Novel devices or machines with specific functions or capabilities, including mechanical, electrical, or electronic inventions.

→ **Compositions of matter:** New chemical compositions or materials, such as pharmaceutical compounds, alloys, or polymers.

→ **Improvements:** Enhancements or modifications to existing inventions that result in new and useful features or functionalities.

→ **Designs:** Unique and ornamental designs for manufactured products or visual elements of an object.

Not all inventions are eligible for patent protection. The patentability of an invention depends on several criteria, including novelty, non-obviousness and applicability. Members of Memorial can reach out to RIO advisors for guidance regarding patentability and the patent application process.

Inventorship and authorship for patent purposes

A patent can only be issued when an invention meets certain legal requirements, whereas the authorship of an academic paper is often determined based on academic custom. Like joint authorship, it is possible to be a joint inventor. However, because authorship is more expansive than inventorship, it is probable that the list of co-inventors does not include all the co-authors. A rule of thumb is that an inventor is often someone who contributes to the conception and reduction to practice of one or more of the claims in a patent application or patent. RIO advisors can help Memorial members determine who is an inventor for a particular IP.

What is the importance of properly defining inventors on a patent?

Properly defining inventors on a patent is very important. The inappropriate naming of an inventor on a patent may be grounds for a court to invalidate the patent. An inventor's contribution must relate to at least one claim in the patent document. A rule of thumb is that an inventor is someone who contributes to the conception and reduction to practice of one or more of the claims.

Patents

Who is responsible for patenting IP at Memorial?

If the IP creators request assistance from the university, RIO will evaluate the IP for patentability and commercialization potential. If Memorial wishes to pursue commercialization of the IP, the IP will be assigned to the university and the university will support the costs of evaluating, obtaining and maintaining IP protection subject to an agreement reached between the university and the creators. RIO will begin by enlisting the services of patent agents to ensure the appropriate safeguarding of the IP. The creators will work in collaboration with RIO and patent agents to develop patent applications and handle inquiries from patent offices worldwide.

What information can be disclosed and what should remain confidential?

To maintain the novelty and non-obviousness requirements for obtaining a valid patent, researchers should refrain from disclosing enabling information about their invention before filing a patent application. In particular, creators should refrain from disclosing how the IP functions, as well as its novelty. Publication of research papers, presentations, demonstrating the invention publicly or sharing enabling information about the invention on publicly accessible websites or forums are considered public disclosures. Any public disclosure made before filing a patent application can jeopardize the novelty of the invention. In Canada and the United States, there is a one-year grace period that provides protection if public disclosure is made before a patent can be filed.

What is the timeline of the patenting process?

The time it takes to obtain a patent can vary depending on various factors, including the complexity of the invention and the type of patent being issued. On average, the patenting process can take anywhere from one to three years. Patent protection lasts up to 20 years from the date of first filing; however, regular maintenance fees are required to keep the patent active.

Who decides what IP will be protected under patents?

If the IP has been assigned to Memorial, the decision regarding which IP should receive patent protection is made by RIO. RIO evaluates IP based on its commercial potential, novelty, inventiveness and marketability. They work closely with creators and other stakeholders to assess the patentability and potential value of the technology.

What does it cost to obtain a patent?

The cost can vary depending on factors such as the complexity of the invention, the type of patent, jurisdiction and the services provided by patent attorneys or agents. However, in general, the cost of obtaining a patent in Canada ranges from $10,000 – $20,000 CAD and recurring maintenance fees are required to keep the patent active.

Patents

Is Memorial obliged to patent and commercialize my IP?

No, RIO will determine if Memorial pursues IP protection and/or commercialization of the IP upon reviewing and assessing the IP disclosure form.

Click to view video : I have an invention, what to do next?

Other types of IP

What is a copyright?

Copyright exists in books, movies, computer programs and other forms of expression. Among other things, the holder of the copyright has the exclusive right to prevent others from copying or publishing the IP that is the subject of the copyright. Copyright protection in Canada is governed primarily by the Canadian Copyright Act, which outlines the rights and limitations associated with copyright. The registration is administered by the Canadian Intellectual Property Office (CIPO), which is responsible for the administration and examination of applications.

Copyright protection grants the creator the exclusive rights to reproduce the work, publish it, perform it in public, communicate it to the public and make adaptations or translations of it. These rights are granted automatically upon the work's creation and do not require registration or formalities. Protection in Canada typically lasts for the lifetime of the creator plus an additional 70 years after the year of their death. The work then enters the public domain, allowing anyone to use it.

What is a derivative work?

Derivative works, in the context of copyright, refer to creative works based on or derived from an original work that is protected by copyright. A derivative work is created when someone takes an existing copyrighted work and transforms it into a new work by adding original creative elements or making substantial modifications to the original work.

What is a trademark?

A trademark is a unique symbol, word, phrase, design, or combination that serves to identify and set apart the origin of goods or services provided by one party from those of others. It must be distinctive and not deceptive. Trademark rights protect the use of brands in association with goods and services. Initially, trademark registration is valid for 10 years from the date of filing. However, to maintain the registration, the trademark owner must file a renewal application every 10 years.

What are trade secrets?

Trade secrets can include a wide range of information, such as manufacturing processes, formulas, recipes, customer lists, marketing strategies, financial data and other proprietary knowledge that is not generally known or easily discoverable. In Canada, trade secrets are protected primarily through common law and contractual measures rather than specific legislation. There is no specific statute in Canada that governs trade secrets. To maintain trade secret protection, businesses must take reasonable steps to keep the information confidential.

Other types of IP

What is industrial design protection?

Industrial design protection refers to the legal protection granted to the visual or aesthetic aspects of a product's design. It can correspond with such things as lines, colours, shapes, patterns or ornamentation. The protection aims to safeguard the unique and non-functional features of a product that contribute to its overall appearance. In Canada, industrial design protection is granted through registration with CIPO. To be eligible for protection, an industrial design must meet certain criteria, such as being new and having originality in its visual appearance. The protection can last up to 15 years in Canada.

Click to view video : Memorial's intellectual property policy

Commercialization and revenue

Does RIO market IP?

Yes, when creators at Memorial develop innovative technologies, products, or other inventions, RIO helps commercialize and market the IP, if assigned to Memorial.

How does Memorial market and find licensees for assigned IP?

Licensees are typically found through industry networks, past and current collaborators and partners, market research and analysis and direct outreach.

How long does it take to find a potential licensee?

Finding a licensee is often a dynamic and iterative process that requires ongoing effort, adaptability and collaboration between RIO, creators and potential licensees. The timeline can range from months to years, depending on the unique factors involved in each licensing opportunity.

Can there be more than one licensee?

Yes, and in some cases, multiple licensees may be interested in utilizing the invention for different applications or in different geographic regions. This can happen when the invention has broad applicability or when different companies or organizations see value in licensing the technology for their specific needs.

What will happen to my IP if the licensee is unsuccessful in commercializing it?

Depending upon the agreement, if the original licensee is unsuccessful, the rights of the IP may revert to the creators or Memorial, new licensees may be sought and/or the IP may be re-evaluated and modified to explore new avenues for commercialization.

How are license royalties distributed?

If the creators desire the university's assistance through RIO to commercialize the IP, it will need to be assigned to the university. Memorial will receive all generated revenue and will ensure the following distribution:

→ Revenues obtained will first be utilized to reimburse the university for the out-of-pocket expenses incurred in evaluating, obtaining and maintaining IP protection;

→ Thereafter, revenues will be distributed by the university to the creators based on the agreement between the creators and the university.

Licenses and other agreements

What is a license agreement?

It is a legal contract between the owner of the IP (licensor) and another party (licensee). It allows the licensee (the person or entity receiving the license) to exercise specific rights related to the IP, such as using, reproducing, distributing, or selling it, as defined in the terms and conditions of the license agreement.

How is a licensee chosen?

The selection of licensees is primarily based on the licensee's ability to effectively commercialize the IP. The aim is to choose a licensee that has the expertise, resources and market reach to successfully bring the IP to market and maximize its impact.

What can creators expect to gain if their IP is licensed?

Some potential gains are financial rewards, recognition and reputation, industry collaboration and knowledge exchange, societal impact and commercialization support.

What is the relationship between the creators and a licensee?

The licensee and creators may engage in collaborative efforts during the licensing process and beyond. Regular communication between the creators and licensees is essential to ensure the IP is effectively transferred and commercialized.

What other types of agreements and considerations apply to tech transfer?

The following list highlights some of Memorial's other agreements. For a detailed description of each, please refer to the Research Initiative and Services' website.

- → Partnership and Network Applications and Agreements
- → Sponsored Research Agreements
- → Collaborative Research Agreements
- → Clinical Study Agreements
- → Non-Disclosure Agreements (NDAs)
- → Data Transfer/Sharing Agreements
- → Material Transfer Agreements (MTAs)
- → Funding Transfer Agreements
- → Subcontracts

Navigating conflict of interest (COI)

How does Memorial define a COI?

A COI exists in any situation where there is a potential divergence between an individual's personal interests and their obligations to the university such that an independent observer would reasonably question whether the individual's behaviour or decisions are in any way motivated by considerations of personal interest, financial or otherwise. A conflict of interest may be real, perceived or potential. Please, refer to Memorial University's COI Policy for more information.

When should a creator seek guidance on COIs?

An individual should seek guidance on a conflict of interest when they are uncertain whether they are in conflict when a situation arises that creates or may be perceived to create a conflict of interest, or when they need clarification on a conflict of interest. Seeking guidance is important to ensure that any potential conflicts are appropriately addressed and managed. It is recommended that individuals seek guidance from their Unit Head, who can provide further clarification and assistance in assessing and disclosing conflicts of interest.

What are examples of a COI?

The following are some examples that are defined by the policy:

- → Entering/having the involvement of an agreement on behalf of the university in which the individual or an associate of the individual has or has had within the previous five years, a personal interest.
- → Use of information for personal or professional gain as a result of the individual's university-supported activities or communicating this information to those not authorized to receive it.
- → Entering into a research contract with a company in which the individual or associate of the individual has a financial interest.
- → Accepting gifts or gift certificates from individuals or firms with which the university does business or with which it is contemplating doing business.

Start-up companies

What is a start-up company and why choose to create one?

A start-up is a newly established business venture with a focus on innovation and growth potential. Individuals choose to create start-ups to pursue innovative ideas, address market needs and have the freedom to build something of their own. Start-ups offer the opportunity for personal fulfillment, the potential for high returns on investment and the chance to make a significant impact in their respective sector and society.

Can creators begin a start-up from IP created at Memorial?

Yes, if the IP is unencumbered. The first step is to complete and file an IP disclosure form with RIO. RIO will help clarify the ownership of the IP and determine obligations to any sponsors or partners of the project.

Who decides whether to form a start-up?

The decision to form a start-up is typically made by individuals or a group of individuals who have the entrepreneurial vision and resources to bring a new business idea to life. In some cases, this decision could be made by the founders or co-founders of the company, or by a team of stakeholders, including investors or advisors, who see the potential value in the idea.

Will Memorial issue a license to a start-up?

If the IP has been assigned to Memorial, and a start-up or entrepreneur is interested in a license, they need to contact RIO. To facilitate negotiations, the start-up or entrepreneur needs to present a feasible plan for successfully bringing the IP to market.

What role do creators usually play in a company?

A creator's role can vary depending on their specific expertise, the nature of the IP and the needs of the start-up. Some common roles are founder/co-founder, technical lead, product developer and/or investor.

Available Programs & Funding

Opportunities offered by RIO

Translational Research and Development

The Translational R&D Program supports graduate students in exploring their research through an innovation and commercialization lens. Graduate students will evaluate the potential of their research for commercialization, complete courses and receive coaching. Applications for the 100-hour program open in May and the program takes place over three semesters starting July. Graduate students participating in the Program will receive a $4,500 fellowship.

Lab2Market

Memorial University is a Lab2Market (L2M) partner and a leader for Lab2Market Oceans. L2M's four program streams, including Discover, Validate, Build and Launch exist to guide participants through every step of the entrepreneurial journey. They are aimed at inspiring researchers to venture beyond the traditional academic trajectory and explore the realms of innovation, entrepreneurship and commercialization. By participating in the program, researchers embark on a path to uncover their entrepreneurial passion, cultivate essential entrepreneurial skills and forge valuable connections within the network required to transform their ideas into thriving enterprises.

The application window for L2M Oceans is typically from June to July, with the program beginning the following January.

Insight Business Consulting Program

The Insight Business Consulting Program is offered each semester and matches local start-up companies with Master of Business Administration (MBA) students to assist with projects. The program provides companies with creative solutions, new insights, knowledge and resources. Students will gain real-world experience and industry connections.

A full-time MBA student will consult for a start-up company for one semester and provide expertise in specific areas of the start-up process, e.g., market analysis, setting up accounting systems, financial projections, etc. This program is free for start-up companies and full-time MBA students will receive a $4,500/semester fellowship. Applications are open a month before each semester (e.g., August for the Fall semester).

Springboard Innovation Mobilization

As representatives of Springboard Atlantic at Memorial, RIO works with researchers to access funding through Springboard's Innovation Mobilization (IM) program. The program aims to advise and advance knowledge transfer, push or pull, and support industry engagement. The IM program has four funding categories:

1. **Industry Engagement (IE) Fund:** Used to foster strong partnerships between academic institutions and industry, facilitating the transfer of technology and knowledge.
2. **Proof of Concept (PoC) Fund:** Provides funding to validate the IP's commercial potential. It aims to support the development of early-stage commercial prototypes from a lab bench to a working prototype or equivalent.
3. **Patent & Legal (P&L) Fund:** It provides funding to assess, establish, or strengthen early IP protection.
4. **Market Validation (MV) Fund:** Supports the validation of IP, ensuring a successful entrance into the market-place, or may be used to attract the right commercial partner or venture funder for the developed IP.

RIO applies for funding in collaboration with Memorial researchers who require assistance in commercialization. Please contact RIO to learn more about the various program streams.

Available Programs & Funding

Other opportunities

Atlantic IP Advantage

The Atlantic IP Advantage program is specifically crafted to enhance the IP capabilities of accelerators and incubators in Atlantic Canada, thereby strengthening the overall Canadian innovation ecosystem while ensuring supports are accessible and inclusive. Its primary objective is to provide training opportunities that assist start-ups in formulating and executing effective IP strategies. Their team of Regional IP Counselors works with accelerators and incubators to provide information and training sessions and connect them with IP service providers to execute IP strategy. Additionally, the initiative encompasses funding provisions for IP protection to further support the participating start-ups.

springboardatlantic.ca/ipadvantage/
lcarew@springboardatlantic.ca

Genesis

Genesis empowers start-ups across every phase of idea development, from initial concepts and refining business models to preparing for investment. They facilitate connections between companies and esteemed mentors and advisors, while also providing essential resources like marketing assistance, funding opportunities, office spaces, and technical support. The overarching mission of Genesis is to foster economic prosperity in the province by nurturing and empowering technology-driven entrepreneurs.

genesiscentre.ca
info@genesiscentre.ca

Memorial Centre for Entrepreneurship (MCE)

MCE strives to support each Memorial University student in discovering and nurturing their inner entrepreneur. It encourages students from various backgrounds and fields to tackle real-world local and global challenges through inventive business approaches, fostering collaboration and expediting innovation. MCE's team of start-up experts provides educational programs, events, mentorship, co-working space, and funding support to inspire, educate, connect, and accelerate entrepreneurs from all Memorial University campuses and disciplines.

mun.ca/mce
mce@mun.ca

Centre for Social Enterprise (CSE)

Established through a distinctive partnership involving the Faculty of Business Administration, the School of Social Work, and the School of Music, the CSE aims to enrich human experiences via social enterprise and innovation. Through inventive approaches, it fosters social entrepreneurs, reinforces social enterprises, and promotes social innovation across Newfoundland and Labrador. Its shared principle revolves around prioritizing an economy centred on care.

mun.ca/social-enterprise
socialenterprise@mun.ca

Available Programs & Funding

Other opportunities

Navigate Entrepreneurship Centre

Offered at Memorial's Grenfell campus, Navigate Entrepreneurship Centre serves as a vibrant hub for aspiring entrepreneurs seeking guidance and resources to launch their ventures. With a focus on fostering innovation and collaboration, Navigate offers a comprehensive array of support services, including mentorship, networking opportunities, and access to funding, to nurture and accelerate the growth of promising start-ups.

navigatesmallbusiness.ca
navigate@grenfell.mun.ca

Entrepreneurship Training Program (ETP)

Memorial's ETP provides a specialized platform for graduate students aspiring to initiate their ventures or acquire essential entrepreneurial knowledge. It facilitates the exploration of entrepreneurial possibilities and imparts adaptable skills crucial for the pursuit of diverse career paths. Interactive sessions and workshops led by accomplished entrepreneurs and faculty form the cornerstone of the program, delving into critical entrepreneurship aspects including problem- solving, design thinking, lean start-up methodology, as well as sales, marketing, and financial planning.

mun.ca/etp/
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ATLANTIC IP ADVANTAGE