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## **What is a Material Transfer Agreement (MTA)?**

A Material Transfer Agreement (MTA) is a contract between two or more institutions that governs the rights and responsibilities relative to a piece of tangible research property (e.g., plasmid, reagent, cell line) or hardware (e.g., prototype) that is being given or exchanged. Research thrives on collaboration, but legal complexities can arise when scientists are sharing their materials. An MTA can resolve issues relating to intellectual property ownership rights, academic publication and priority (who gets to publish first), intellectual property (who owns improvements and new inventions relating to materials) and permitted use and liability.

## **Why do I need an MTA?**

In the case of a transfer to a commercial company, an MTA is always required to prevent the company from using your intellectual property in a product for sale without proper compensation to you and your lab. In the case of a transfer to an academic or other non-profit partner, an MTA is always necessary for human-derived, genetically modified, or hazardous materials. Otherwise, you should think carefully about whether an MTA can protect your interests.

## **Questions to consider**

If your answer to any of these questions is “yes,” consider contacting OTTL to prepare an MTA.

- Is the recipient a for-profit entity?
- Is the material human-derived, genetically modified, or hazardous?
- 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?

If you are unsure about any of the above, please contact OTTL ([nilssons@bc.edu](mailto:nilssons@bc.edu)) to discuss in depth.

## **Negotiations**

MTA terms among academic institutions are fairly standard, and most have signed onto institutional agreements (such as the Uniform Biological Material Transfer Agreement) which allow quick transfer without negotiation. But agreements between Boston College and commercial entities tend to be far more complex, particularly when the University is preparing to receive a company’s products. OTTL prioritizes the quick and fair exchange of rights and materials, consistent with the University’s Intellectual Property Policy.