

Material Transfer Agreements (MTAs) for CALS

A Material Transfer Agreement (MTA) governs the exchange of materials to be used in research from one party to another. MTAs are used to protect materials that may be proprietary and/or embody a trade secret. MTAs also cover issues such as ownership of the transferred materials and modifications and derivatives made by the recipient, limitations on use of the materials, confidentiality of information related to the materials, and rights to inventions and research results. If an investigator wishes to enter into an MTA with another entity, the investigator should contact The Office of Technology Transfer (OTT) for assistance. The OTT has signature authority to sign MTAs on behalf of the University. **Principal Investigators are not authorized to sign an MTA on behalf of NCSU.**

Why Should Your MTA Be Reviewed?

The MTA customarily defines the rights of the provider and the recipient in the transferred materials, any derivatives, and “downstream” materials or inventions discovered with the use of the transferred materials. All MTAs must be reviewed to ensure that the conditions imposed will not interfere with downstream rights of the University and our investigator(s) or impose unacceptable liabilities and/or limitations. Please note that MTAs with for-profit companies typically require additional review and negotiation to protect the University’s and your interests, which may be counter to the commercial interests of companies.

Guidelines:

- As soon as you are aware that you are to receive or send materials to another party, please contact CALS NC Agricultural Research Service (NCARS) for College Level Approval of the exchange of materials. OTT cannot process CALS MTAs without NCARS approval.
- Principal Investigators should not negotiate the terms of an MTA. This is the responsibility of the OTT with counsel from the Office of Legal Affairs as needed.
- Principal Investigators should not send nor receive materials until an MTA has been executed by all parties.
- NCARS website: <http://harvest.cals.ncsu.edu/research.cfm>
- NC State Standard MTAs: www.ncsu.edu/ott/resource.html
- Frequently Asked Questions about MTAs: www.ncsu.edu/ott/agreement_faqs.html

Quick Steps:

- 1** Alert the NCARS Office that you require an MTA: 919-515-2717
- 2** Once processing is approved by NCARS, OTT’s Agreement’s Manager will contact you to complete the appropriate form.
- 3** Once the review is completed and the terms of the agreement finalized, all parties listed on the signature page must sign the agreement to fully execute it.
- 4** All parties will then receive a copy of the fully-executed agreement for their records.