

## Material Transfer Agreements (MTA)

### What Is a Material Transfer Agreement (MTA)? When Is an MTA Needed?

Biological materials (antibodies, cell lines, mouse lines, etc.) can have substantial commercial value. Therefore, it is important not to provide such material to third parties unconditionally. Material Transfer Agreements (MTAs) regulate the terms of material exchanges, in particular:

- what the recipient is allowed to do with the material;
- what the property situation is;
- who is liable for damages;
- and how to proceed in the case of publications and inventions.

There are two categories of MTAs:

- **MTA-OUT** regulating material transfers from the DKFZ to third parties
- **MTA-IN** regulating material transfers from third parties to the DKFZ.

### What to Do When You Want to Obtain Material from Outside Sources (MTA-IN)

Send the MTA that you have received to the Office of Technology Transfer. Some MTAs of third parties try to considerably restrict your rights relating to publications or inventions you have made with the material. Therefore, Technology Transfer personnel will closely examine the MTA and negotiate better terms, if necessary. All MTAs-IN need to be signed by us.

### What to Do When You Are Asked by a Third Party to Supply Material (MTA-OUT)

Send the recipient of the material a DKFZ standard MTA. Do not send out any material before both parties have signed the MTA.

## Where to Find Sample MTA Forms of the DKFZ

Sample forms of the standard MTA (MTA-OUT) for the transfer of biological materials are available for download on the Intranet at <http://www.dkfz.de/en/techtrans/availabletechnologies/materials.html>.

Please note that there is a separate MTA for the transfer of animals. Please contact us immediately if material is to be transferred to third parties for commercial use or to business enterprises.

## How to Complete an MTA-OUT

In the MTA sample form you need to provide the following information in the colored areas:

- "RECIPIENT": the receiving institute; please give the name and full address of the institute that will receive the material.
- "RECIPIENT SCIENTIST": Please give the full name of the scientist who will receive the material. (It is helpful if you also provide, in parenthesis, an email address and telephone number of the RECIPIENT SCIENTIST.)
- PURPOSE: Please define the purpose for which the recipient obtains the material. Try to delimit the research area as exactly as possible. If necessary, ask the recipient to complete this field.
- CREATED BY...: Please provide the names of the investigators who have developed the material. (The following questions need to be considered: Have you received the material from third parties and not developed it yourself at the DKFZ? Have you brought the material from another institute when you joined the DKFZ? Are investigators of other institutes involved in its production? If the answer to one of these questions is "yes", please contact Technology Transfer.)
- ORIGINAL MATERIAL: Please give a readily understandable (non-technical) name of the material which sufficiently defines the material. As the name alone will frequently not be sufficient to describe the material, please provide a short description (What? Plasmids, antibodies, hybridoma, etc.; Origin of sequences? Human, murin, etc.) and/or a reference that describes the material. Should the material have been patented, this needs to be stated, too. In this case, please contact Technology Transfer.
- Who needs to sign the MTA?

MTAs must be signed by the department head and by Technology Transfer.

### **What to do next after completing the MTA:**

- You are requested to send the MTA in electronic form to the recipient of the material and a copy to the Office of Technology Transfer (r.otto@dkfz.de).
- If the material recipient agrees to the content of the MTA, he or she should print out two copies of it, sign both and return these to you. Once the MTA has been signed by the DKFZ, the recipient will be sent one of the completely signed copies; the other one is for us.
- Should the recipient request changes in the MTA, please contact us.
- PLEASE SEND US ONE COPY OF EVERY COMPLETELY SIGNED MTA!
- If the DKFZ gets money for the material transfer it is important that you notify us in writing (email is sufficient) when you have sent out the material. Only then can the finance department generate an invoice and only then will the recipient pay.

### **You Should Definitely Contact the Technology Transfer Office, if:**

- the material concerned is patented;
- you want to obtain material from outside sources (academical institutes or companies);
- you are planning to send material to a company;
- you want to send out material that contains material obtained from outside sources;
- the material was produced in collaboration with third parties;
- you are planning to send out animals;
- the recipient requests any changes in the MTA.

### **To Produce Your Material, Have You Used Materials Obtained from Outside Sources Obtained Under an MTA?**

Under an MTA, the recipient will usually be obliged not to transfer the material received to third parties. This also applies to material from outside sources that you have incorporated in the material developed, such as DNA constructs in the production of transgenic mouse lines. If you wish to transfer such material, it is necessary to ask the provider of the incorporated material for permission. We will do this for you. Therefore you should always notify us if you are planning to transfer material that contains material obtained from outside sources.