UNIVERSITY OF CALIFORNIA

Instructions for Use of
UBMTA Implementing Letter
For Transfer of Biological Materials (Outgoing)
to Universities and Nonprofit Institutions

The *UBMTA Implementing Letter* is authorized for use by University of California Principal Investigators or administrators when transmitting outgoing biological materials with potential commercial value to other universities and nonprofit institutions for <u>non-commercial research purposes</u>.

A.   When to use this *UMBTA Implementing Letter*

1.   When University of California biological materials with potential commercial value will be sent (outgoing) to others.

2.   When materials will be used for non-commercial research purposes only.

3.   When materials will be transmitted to universities or nonprofit institutions that have signed onto the UBMTA "treaty" (check the internet for list of signatories). [Until internet location is established, Contract & Grant Offices can provide list].

4.   When no patent application relating to the materials will be or has been filed.

B.   When NOT to use this *UBMTA Implementing Letter*

1.   When a patent application has been filed on the materials or the materials are being considered for licensing or have been licensed to a commercial institution. Contact your campus technology transfer office or the systemwide OTT at (510) 748-6600 for instructions.

2.   When living plants or portions of them will be transferred. A separate "Testing Agreement for Plant Varieties" is available for use with these materials.

3.   When a change in the wording of the *UBMTA Implementing Letter* is requested. Any change must be reviewed and approved by your [CAMPUS LOCATION] or the systemwide OTT before acceptance.

4.   When commercial use of the materials is intended. Contact your campus technology transfer office or the systemwide OTT. A commercial license may be required, and releases from sponsors may be necessary.

C.   How to use this *UMBTA Implementing Letter*

1.   Enter in Section 1 a precise description of the biological materials that are being provided under this Agreement.

2.   Enter in Section 2, if desired, a termination date. This is the date by which the Recipient Scientist must, upon the direction of the Provider Scientist, return or destroy any remaining biological materials. [NOTE: If no date is entered here, the Provider Scientist may, at any time, provide 30 days written notice to the Recipient Scientist to terminate use of the material. In this case, however, the Recipient Scientist may defer such termination and continue to use the material for an additional twelve months to complete research in progress.]

3.   Enter in Section 3, if appropriate, the amount of the required transmittal fee to reimburse Provider Scientist for preparation and distribution costs. [NOTE: The Provider Scientists should consult local departmental or campus officials on how to handle receipt of such transmittal fee.]

4.   Enter in Section 4, The Regents of the University of California, [CAMPUS LOCATION ADDRESS].

5.   Enter in Section 5, the requested information and signature of the Provider Scientist.

6.   Enter in Section 6, the Recipient Scientist name and address to whom the material will be provided.

7.   Section 7 must designate the name of the Recipient institution and the name and title of the authorized official who can legally commit that institution [NOTE: Generally, this will <u>not</u> be the Recipient Scientist]. Section 7 should be completed by the Recipient institution and signed by the authorized Recipient official.

8.   Make two copies of the *UBMTA Implementing Letter*; sign both at Section 5; send the UBMTA Implementing Letter in duplicate to the Recipient Scientist; and request that a fully executed Implementing Letter be returned to your attention. DO NOT SEND THE MATERIALS AT THIS TIME.

9.   Upon receipt of a fully executed *UBMTA Implementing Letter* and the transmittal fee, if any, forward the material to the Recipient Scientist.

10.   Maintain the fully executed *UBMTA Implementing Letter* in your files, and send one copy to [CAMPUS LOCATION.]