

# Report from Network Supported Intellectual Property (NSIP) Advisory Committee

**Dr. Diana Royce**  
NSIP Advisory Committee Chair  
Managing Director & COO  
AllerGen NCE Inc.

**Tuesday, February 17, 2009**



Allergy, Genes and Environment Network  
Le réseau des allergies, des gènes et de l'environnement



# NCE Mandate

## Knowledge and Technology Exchange and Exploitation (KTEE)



# AllerGen's Goal

To catalyze and facilitate the development of new:

- Research platforms
- Tools
- Processes
- products and services

arising from discoveries, and **promote their commercialization, their use** and their influence on public policy

# NSIP Advisory Committee Mandate

Created by the RMC as standing advisory committee to:

- Undertake a detailed review of AllerGen's KTEE opportunities,
- Provide advice to RMC re: opportunities relevant to AllerGen's mandate of generating social and / or economic benefit to Canada through Network-supported research

# NSIP Advisory Committee Mandate

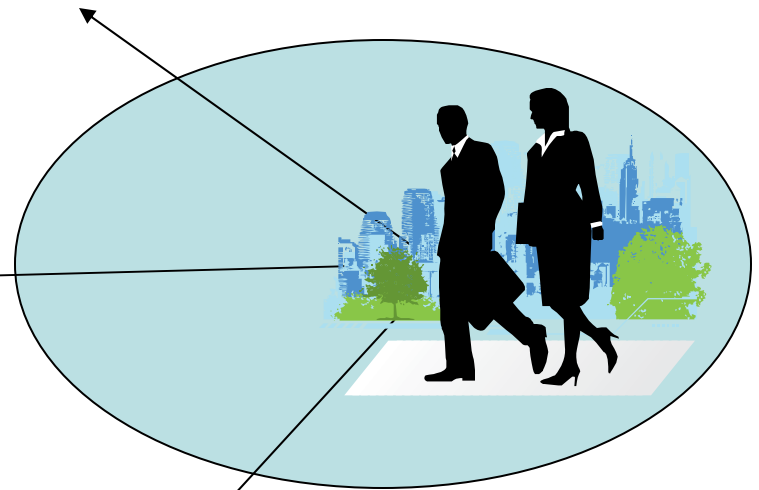
- Identification of research that contains NSIP of commercial or social value
- Ensuring identification and exploitation of all opportunities for leveraging Network funding for partnership, commercialization, technology transfer, KT and KM
- Identification of business development opportunities that benefit Allergan and facilitate the achievement of its objectives.

# NCE Agreement Disclosure Requirements

- Simultaneous disclosure - Network (Managing Director) and Network Member Institution
- “Lead University” for IP
- Team policy re: IP discussed and documented up-front
- 30 days to meet and develop action plan for IP

# 3 Targeted Seed Funding Programs

- Knowledge Transfer
- IP Protection
- Commercialization



# Partnership

- Across all sectors, Allergan has 251 partners across all years 2005-08
- 110 active partners in 2007-08

**29 - Not for profit**

**27 - Industry**

**17 - University**

**13 - Research Institutes**

**11 - Provincial Government**

**10 - Federal Government**

**3 - Hospital**

# IP Feb 2009 (Yr 4)

Disclosed	<b>9</b>	
	Prog A	1
	Prog B	8
Pending	<b>1</b>	
	Prog B	1
Premature	Prog A	1
	Prog B	2
Full Patents	Prog B	<b>1</b>
Provisional Patents	Prog B	<b>2</b>
Patents Pending	Prog B	<b>1</b>
SOPS CIC	CIC	<b>1</b>
Partnership Agree'ts	CIC	<b>10</b>
Canadian Start-up	Adiga Circassia	<b>1</b>

# 3 Regionally Based IP Expert Consultants

- **Kevin McDuffie, Di-Namic Enterprises, Vancouver, BC**
- **Beverley Sheridan, Technology Now Inc., Calgary, AB**
- **Marcel Mongeon, Mongeon Consulting Inc.**

# Knowledge and Technology Exchange and Exploitation

Positioning your Intellectual  
Property for Commercialization

# Technology Transfer Defined

- Activities which enable research results *within academe* to be used *outside academe*.
- What is transferred?
  - Intellectual property
  - Know-how
  - Undocumented knowledge

# Avenues of Technology Transfer

- Publishing
- Targeted communication (knowledge transfer) Conferences, Abstracts, Posters
- IP Protection
- Technology licensing
- Creation of spin-off companies
- Industry-sponsored research

# Less Obvious Methods

- Training students / faculty sabbaticals
- Informal discussions with industry
- Conference presentations
- *Use of Facilities* arrangements

# Why Disclose?

- it's the starting point – gets the technology commercialization due diligence rolling
- formally records information which will be needed later
- establishes dates that will be important - bar dates to filing patent applications
- policy compliance

# How to Disclose?

## Disclosure Forms (Report of Invention) Vary

- To your institution's TTO, TDO, UILO, or Research Services Office and Allergan
- Typically on the institution's website
- The form provides sufficient information to perform a preliminary review

# Preliminary Review?

## Adds Value

- Prior art searching
- Investigates patenting and other forms of protection
- IP Policy
- Implications of involvement from collaborators and third party funding
- Where to get funding or matching funds
- Lab record keeping

# The Most Important Question!

**What's the Product?**

How Much of it Can Be Sold?

# Early Stage Evaluation

## Key questions that need answers:

- 1) What is the asset here?
- 2) Can it be made into a saleable product?
- 3) What is the size of the opportunity?
- 4) What are the obstacles?

# Early Stage Evaluation

## This is an Investment Decision

- Everyone has limited resources: time, IP protection budget, prototype development budget.
- What technologies does one (TTO, Allergan, CIHR POP Program, NSERC I2I) devote those resources to?
- This calls for discipline – for organizations and people to invest those limited resources preferentially in those technologies they assess as having the highest potential for commercial impact.

# Early Stage Evaluation

## How to leverage resources

- TTO/TDO/UILO Intellectual Property Protection Funds
- TTO/TDO/UILO Prototyping Funds
- CIHR POP Grants
- NSERC I2I Grants
- NSERC IRAP Grants for SMEs
- Allergen IP Protection and Commercialization Support Program
- Allergen Strategic Initiatives Research Funding Opportunities Program
- Allergen Knowledge Translation Program

# Early Stage Evaluation

## What obstacles remain?

- **What further IP rights or technologies are required to make the product?**
- **What is the competition to solve the same problem?  
What are their cost / performance profiles?**
- **What regulatory approval is required?**
- **Is there a healthy sector of potential receptors for this technology?  
What is the ideal profile?**
- **Is the research team well-suited to technology transfer?  
Do co-owners have to be involved?**

# Other Questions to Ask

- What do we ask for?
- What are We Likely to Get?
- What's a Fair Deal?
- Need Some idea of the Value of our Technology

# Invention Disclosure and Early Stage Evaluation

## Questions?

- **Marcel Mangeon**  
Mangeon Consulting Inc.  
Intellectual Property Coach and Lawyer - Professional Speaker and Trainer  
Telephone: 905-481-0133  
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- **Beverley Sheridan**  
Technology NOW  
Telephone: 403-246-5939  
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DI-NAMIC Enterprises Inc.  
Telephone: 604-790-5623  
Email: kmcd123@shaw.ca

# NSIP Committee Member Value-Added

**Dr. Terry Delovitch**

Senior Scientist  
Laboratory of Autoimmune Diabetes  
Robarts Research Institute  
London, ON

# NSIP Advisory Committee Members

- **Diana Royce (Chair)**, Managing Director & COO of Allergen NCE Inc. *ex officio*
- **Dean Befus**, Professor, Department of Medicine, University of Alberta
- **Terry Delovitch**, Senior Scientist, Laboratory of Autoimmune Diabetes, Robarts Research Institute
- **Judah Denburg**, Scientific Director & CEO of Allergen NCE Inc.
- **John-Paul Heale**, Associate Director, The University of British Columbia, University-Industry Liaison Office
- **Patricia Lorenz**, Financial Consultant and Former Director, Business Development Officer, University of Guelph
- **Brian Underdown**, Managing Director, Lumira Capital

# Knowledge & Technology Exchange & Exploitation (KTEE)

- Exploitation of research platforms – e.g., CHILD, genetics, biomarkers
- Tools – advise re: commercialization of datasets
- Processes, contracts – CIC SOPs
- Protection and commercialization re products and services arising from discoveries
- New spin-off company establishment and financing



# AllerGen

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