

Online NDA / MTA Request System

Webinar

January 19, 2016



Innovation and Partnerships Office



Do you even *need* a
Non-Disclosure
Agreement (NDA) or a
Material Transfer
Agreement (MTA)?



Innovation and Partnerships Office



What do NDAs and MTAs Cover?

NDA: the exchange of **confidential information**, *i.e., information not covered in a patent application*

MTA: the exchange of **any research material**, whether patent-protected or not



So...do you need a NDA
at all?

Could you have a first
discussion without a NDA?

Are you transferring or
receiving any materials?



Innovation and Partnerships Office



If You Do Need a NDA or MTA

- Provide complete information
- Use Berkeley Lab forms in all possible cases
- Mark information to be exchanged

If both a NDA and MTA are needed, you must make **separate requests for each.**



Provide Complete Information

NDA: provide a description of the information being exchanged

Example: "data" in the case of an NDA is not enough. Please also include a brief description of the subject matter for the information being transferred.

MTA: provide a description of the material being exchanged

Example: "strains and plasmids" are not enough. Please include a strain or plasmid name or other brief description of the material.



Use Berkeley Lab Forms

Berkeley Lab's NDA and MTA forms are tailored to unique Lab contracting requirements set forth by The Regents of the University of California and DOE. Therefore,

using Berkeley Lab NDA / MTA forms makes it **easier and faster** to get an agreement in place.



Innovation and Partnerships Office



Mark the Information

The NDA provides protection **only for marked information**, *i.e., written information specifically identified as the confidential information of the disclosing party.*

Follow up spoken, confidential information with a marked, written summary.



What's Negotiable?

Non-negotiable:

MTA-Out

NDA-Out

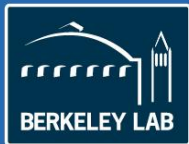


Innovation and Partnerships Office



Summary

1. Decide if you really need a NDA or MTA
2. If you do –
 - Provide complete information
 - Use Berkeley Lab forms, in all cases possible
 - Submit separate requests if both a NDA and MTA are needed
 - Mark all information to be exchanged



Resources

Go to ipo.lbl.gov/innovation-portal to access the Innovation Portal and eLearning

Contact iportal@lbl.gov with questions



Innovation and Partnerships Office

