

# Research Policies

## Research Collaborations (SC-340)

### Scope

This policy applies to all research collaborations involving HHMI laboratories, including laboratories at Janelia Farm Research Campus (“Janelia”).

HHMI laboratory heads referred to in this policy are Investigators and, at Janelia, Group Leaders and Fellows. For purposes of this policy, collaborations of a member of an HHMI laboratory are considered to be collaborations of the laboratory head, regardless of whether the laboratory member is an HHMI employee. For example, a proposed collaboration between a company and a postdoctoral fellow who is in an Investigator’s laboratory but is not employed by HHMI is considered to be a collaboration of the Investigator.

### Policy

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### In General

HHMI recognizes the importance of scientific collaborations between its laboratories and other academic scientists, and strongly encourages such collaborations as an essential part of scientific research.

Collaborations of HHMI laboratories with colleagues at for-profit companies can also be very productive, yielding scientific advances that neither party could achieve alone. HHMI strongly encourages such collaborations as long as they are driven by scientific considerations and the company is making a direct and substantial scientific contribution of its own to the collaboration. A contribution of money is not a scientific contribution; as described in more detail in the policy on company-sponsored research, HHMI does not permit company-funded research in its laboratories.

In addition, because of the importance of keeping HHMI research separate from consulting activities, HHMI does not permit research collaborations between laboratory heads and the companies for which they consult. Please refer to HHMI’s policies on consulting for more information on this point.

### Collaborations with Academic Colleagues

**Documentation:** HHMI ordinarily does not require documentation or any formal approval of collaborations of its laboratory heads with scientists at not-for-profit institutions or government agencies. In some cases, the collaborating scientist’s organization or an Investigator’s host institution may require an agreement documenting the collaboration. HHMI laboratory heads should send any such agreements to the HHMI attorney responsible for their site for review and negotiation. For collaborations involving an Investigator, HHMI will coordinate negotiation of the agreement with the host institution.

**If Collaborator Has Corporate Funding:** With the increased prevalence of corporate funding in academic research, the restrictions that generally accompany such funding raise concerns that a collaboration with an academic colleague who receives corporate funding may have unexpected and unwelcome consequences. For example, the restrictions imposed by a funding company on an academic colleague with whom an HHMI laboratory collaborates may

include delays in the publication of the results of the collaborative research and limitations on the ability to make the results of such research available to other colleagues. In addition, rights in collaborative research may have been committed in advance to the commercial sponsor, which might assert that its rights extend to results generated by the HHMI laboratory.

For these reasons, if an Investigator and an academic colleague are contemplating a significant scientific collaboration (that is, something more substantial and formal than a sharing or exchange of ideas or material), the Investigator is expected to inquire whether the collaborator's share of the project is or may be supported by industry funding; if so, the Investigator should discuss the situation with the HHMI attorney or the scientific officer responsible for the site. Similarly, a Group Leader or Fellow who is contemplating a significant collaboration with an academic colleague should inquire about corporate funding of the project, and if there is such funding should discuss the situation with the Chief Operating Officer or the Director of Administration and Finance, who should consult with the HHMI attorney responsible for Janelia. Depending on the circumstances, a written agreement may be advisable to protect the laboratory head's research and ability to publish his or her results.

***Collaboration/Consulting Concerns:*** HHMI's policy against both consulting for and collaborating with a company may also apply if a laboratory collaborates with an academic colleague who in turn collaborates on the same scientific project with a company for which the laboratory head consults. If an HHMI laboratory head and company scientists are both authors on the publication of the collaborative results, there will be at least an appearance that the HHMI scientist is collaborating with the company. An Investigator should discuss this type of situation with the HHMI attorney or the scientific officer responsible for the site. A Group Leader or Fellow should discuss this type of situation with the Chief Operating Officer or the Director of Administration and Finance, who should consult with the HHMI attorney responsible for Janelia.

## **Collaborations with For-Profit Companies**

***Documentation:*** Any research collaboration with industry colleagues should be documented in advance with an agreement signed by HHMI management on behalf of HHMI. This applies also to extensions or modifications of existing research collaborations with companies. An Investigator wishing to pursue a research collaboration with a company should complete the HHMI Research Collaboration Questionnaire and forward it to the HHMI attorney responsible for the site. A Group Leader or Fellow should discuss the proposed collaboration with the Chief Operating Officer or the Director of Administration and Finance, who should consult with the HHMI attorney responsible for Janelia.

***Terms:*** HHMI's preference is that collaborations with companies be documented using the HHMI Model Research Collaboration Agreement (or, at Janelia, the version of that agreement posted on the Janelia intranet). These agreements normally require negotiation to take into account the details of the specific collaboration. Negotiations are handled by HHMI's Office of General Counsel in coordination with the Science Department or Janelia Farm management, the researchers involved, and the host institution in the case of Investigators.

Companies that enter into scientific collaboration agreements with HHMI will reasonably expect some commercial benefit in return. In most cases, the company will be granted an option to negotiate for a commercial license to some or all of the results of the collaboration. The company will also typically receive a limited right of pre-publication review to protect its intellectual property. The company's rights to the research results must be commensurate with its scientific contribution to the collaboration.

***Gifts and Collaborations:*** As a general matter, HHMI will not approve gifts in connection with research collaborations. Because collaboration agreements typically grant the collaborating company certain intellectual property rights, a payment by the company associated with the

collaboration -- even if designated as a gift -- creates the appearance of sponsored research. As noted above, company-sponsored research is not permitted in HHMI laboratories.

***Equity Ownership:*** Conflict of interest issues may arise where a researcher has an equity interest in a company with which he or she is collaborating. In such a case, HHMI will consider whether it is appropriate for the researcher to engage in the collaboration while holding the equity interest. In evaluating these situations, HHMI will consider such factors as the nature of the collaborative work, the significance of the collaboration to the company and to the laboratory, the amount of the equity interest, how large the company is and whether it is publicly held, and how the equity was obtained. If a collaboration involves human subjects research, there may be additional restrictions on holding an equity interest in the company, as described in HHMI's clinical research policies.

Investigators with questions about the above points should raise them with the HHMI attorney or the scientific officer responsible for the site. Group Leaders or Fellows should raise any questions on these issues with the Chief Operating Officer, the Director of Administration and Finance, or the HHMI attorney responsible for Janelia.

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