

GOSHCC INTELLECTUAL PROPERTY POLICY

GREAT ORMOND STREET HOSPITAL CHILDREN'S CHARITY INTELLECTUAL PROPERTY POSITION

Great Ormond Street Hospital Children's Charity (GOSHCC) gives money towards medical research and other projects to make a difference to the children being treated at Great Ormond Street Hospital (GOSH). It is part of our responsibility as a good funder to encourage the innovation process and reduce delays in moving good ideas into the clinic and for care. Managing the Intellectual Property (IP) that arises from our funded projects is therefore an integral part of our grant-making, to ensure that the money the charity invests in research and other areas is given the best chance to develop into something that will benefit patients as fully as possible. This policy covers intellectual property arising from all charity funded projects.

The charity's portfolio of research and other charitable funding is increasing and diversifying and the charity will play an active role in the successful exploitation of innovations and monitoring of IP. For a funder of our size it is not practical to have in house IP resource, which means that the primary responsibility of the exploitation of charity-funded IP will rest with someone outside of the charity e.g. the university technology transfer office. It is also not practical or necessary for the charity to own its IP; this can be better delivered through the host institution (i.e. the host institution where the research is taking place e.g. GOSH or UCL) and their local technology transfer office (TTO) where the research or other development is taking place. However, the charity Trustees are keen to ensure that there should be no delay to sharing knowledge due to the process of securing IP patents and expect that reasonable steps are taken to expedite the process.

The GOSHCC IP position is in line with the recommendations of the Association of Medical Research Charities (AMRC) and works alongside the policies of UCL and GOSH, who are the primary beneficiaries of the charity's funding.

Revenue Sharing Arrangements

GOSHCC will play an active part in charity-funded IP discussions and keep a watching brief on the exploitation phase. The charity looks at this phase of the process as collaborative and aims to work with others to obtain the best outcome for all sides as quickly as possible.

GOSHCC recognises that most host institutions will need a level of autonomy when engaging and negotiating with commercial partners. The charity expects that as outlined in our Grant Terms and Conditions of Funding that the host institution TTO would seek GOSHCC's consent to exploit, which would normally be conditional on agreeing an appropriate revenue share back to the charity. Once agreed the host institution TTO are free to negotiate fair and reasonable terms with the commercial partner. However, the charity expects that the TTO will keep the charity updated on the strategy for exploitation. This is to allow a conversation about alternative approaches to take place whilst still respecting the autonomy of the TTO.

GOSHCC has agreed the following revenue sharing scheme as outlined in our Grant Terms and Conditions of Funding:

Cumulative Income	Technology Transfer Fee	Remaining Net Amount	
Up to £100k	30%	70%	Split 'remaining net amount' 60:40
£100 - £500k	25%	75%	
More than £500k	20%	80%	

The charity expects that the exact proportions assigned in any revenue sharing scheme are likely to be negotiated on a case-by-case basis and supports a sliding scale of distribution depending upon the income generated. It is anticipated that any organisation that has been responsible for the exploitation (e.g. UCL Business) will deduct the direct costs that have been incurred as a result of the exploitation e.g. patent costs or proof-of-concept funds. The charity will not financially support the costs of patent protection and the process for making decisions on patents, except in the unlikely circumstance where the charity chooses to own the IP. Further, the organisation responsible for exploitation is entitled to receive a technology transfer fee (i.e. the fee paid to the local TTO e.g. UCL Business or MRC Technology) on the net income received. The charity supports the AMRC view that the technology transfer fee should also be on a sliding scale.

The remaining net income is then distributed between the host institution (e.g. GOSH or UCL) and the funder and GOSHCC expect that the institutional: funder share is split 60:40. That is for example, if GOSHCC is the sole funder, then the charity will receive 40% of the 'remaining net amount'. The other 60% is the share of the host institution (e.g. GOSH or UCL) and from this they will allocate revenue according to their own policy, including revenue to the inventors. It is also the responsibility of the host institution to reward inventors of IP from the revenue share according to its own policies and practice. The Grant Terms and Conditions of Funding take priority over any other policies that may be in place.

If the charity is not the sole funder and other funders are involved, it is the responsibility of the host institution where the innovation took place to identify the amount that should be allocated to each funder from the 40% available. Two things are generally taken into consideration when doing this:

- the inventive contribution of the inventors and
- the proportionate funding contributions of the funders

For example if there are two inventors on the patent, one is funded by Arthritis Research UK (Inventor 1) and the other is funded by GOSHCC (Inventor 2). The institution will take into account: (1) the contribution of each inventor to the invention e.g. Inventor 1 - 50% and Inventor 2 - 50%; and (2) the proportionate contribution of each funder e.g. Arthritis Research UK – 50% and GOSHCC – 50%. In this simple example each funder would receive 50% of the 40% available i.e. 20% of the remaining net income.

This charity's position on IP is motivated by a desire to maximise the impact of its research and other innovations for the benefit of children treated at GOSH and elsewhere, by helping to ensure that new ideas do become a real device, diagnostic, treatment, medical software or other invention available to patients, families or clinicians.

Contact Details

Please direct any Intellectual Property related queries to the Head of Grants research@gosh.org; 02072393000.