

## SUBMISSION FORM

### University System/Employee Intellectual Property Joint Participation MUSP 407

This form is to be submitted with any Board of Regents item whereby a campus seeks the approval of an agreement with or arrangement regarding an employee pursuant to 20-25-109 MCA and Regents Policy 407.

When the submission concerns matters of trade secrets or confidential business information, or any other matter entitled to privacy under state or federal law (e.g., the federal statute known as Bayh/Dole) the submitting campus may request consideration of the submission, in whole or in part, in executive session.

The submitting campus should also provide the Commissioner a copy of the contract(s) that form the basis for the cooperative arrangement for which approval is sought. Submission of the contract does not indicate a conclusion that all or part of the contract is a public document and the question of whether it is in whole or in part protected from public disclosure will be evaluated on a case by case basis.

**1. Summarize the nature of the intellectual property that was developed by the employee seeking approval. Indicate the sources of funding for the research that resulted in this invention.**

Funding was obtained from Foundational Biosystems, LLC. While Dr. Laskin does not hold the patents nor was the intellectual property developed at UM, Dr. Laskin holds full rights for the dissemination and publication of the results without any interference of Foundational BioSystems, LLC.

**2. a. Name(s) of the university employee(s) involved.**

Dr. James Laskin

- Under contract by Microceutical, LLC, (now renamed as Foundational BioSystems, LLC) performed the preliminary research that facilitated the successful patent application.
- Associate Professor, School of Physical Therapy and Rehabilitative Sciences
- Equity holder and Board Member in Foundational Biosystems, LLC (5%)

Dr. Laskin has a Conflict of Interest Management Plan that is overseen by the Research Compliance Officer. The purpose of the plan is to outline the potential and actual conflicts in writing, identify satisfactory oversight mechanisms, and provide transparency. The COI Management Plan will be periodically reviewed and revised if necessary.

**b. Name(s) of business entity(ies) involved.**

Foundational Biosystems, LLC, an Illinois limited liability company.

**3. The university and employee(s) are seeking approval for (check as many as appropriate):**

- X  a. The employee to be awarded equity interest in the business entity.
- X  b. The employee to serve as a member of the board of directors or other governing board of the business entity.
- c. The employee to accept employment from the business entity.
- d. Other. Please explain.

**4.**

**a. Summarize the nature of the relationship between the university and the business entity (e.g., the entity is licensing the intellectual property from the university, the entity is co-owning the intellectual property with the university).**

In this instance, the sponsor is the owner of the intellectual property and the University is serving as a quasi-contract research facility for the sponsor in that the sponsor is providing private funding to the University for Dr. Laskin's clinical trial work (sleep studies).

Future work with this sponsor may involve the development of intellectual property by Dr. Laskin that would require the sponsor to license the IP from the University.

**b. The proposed duration of the agreement or arrangement.**

The duration of the agreement is not yet known. The duration of the agreement will depend on the success of the sleep studies.

**c. The conditions under which the agreement may be terminated or dissolved.**

Typically this would be material breach of the agreement or bankruptcy by the sponsor.

**5. Explain specifically how the University System or the State of Montana will likely benefit from the agreement or arrangement.**

- UM
- a. Foundational BioSystems, LLC will bring extramural funding (private and Federal) to
  - b. Foundational Biosystems, LLC will bring increased employment to Montana.
  - c. Foundational Biosystems, LLC will enhance the image and notoriety of UM through applications of research done at UM.
  - d. Foundational Biosystems, LLC will enhance the research mission of UM by collaborating on new research projects.

**6. Summarize the financial terms of the agreement or arrangement. Include:**

**a. The value, nature and source of the University's contribution.**

FBS already has the patents in hand and is asking Dr. Laskin and UM to facilitate the conducting of both clinical trials and basic science research.

**b. The value and nature of the employee's contribution.**

Dr. Laskin will provide the expertise and leadership in the conducting of clinical trials, write and submit federal sponsored research grants, facilitate and develop the relationships with other UM researches to conduct the necessary basic science research, and disseminate the results of the research.

**c. The anticipated revenue to be generated by the project and the time line for generating such revenue.**

At this early stage, anticipated revenues remain unknown.

**d. The manner in which revenue and expenses will be shared by the parties.**

The sponsor is providing 100% funding for the sleep studies.

**e. The nature of each party's equity interest in the project. If none, so indicate.**

Dr. Laskin holds a seat on the Board and a 5% ownership of Foundational Biosystems, LLC