

OFFICE OF INNOVATION AND COMMERCIALIZATION

Guidelines for Conducting International Research

The Office of Innovation and Commercialization (OIC) recognizes that advances in science, academics, and innovation are enhanced through collaborations between United States and foreign institutions and that international researchers are valuable assets that significantly improve the quality and speed of scientific discovery. OIC strongly supports and encourages international partnerships around the world, which facilitate the sharing of diverse knowledge and expertise and provide unique opportunities for commercialization and economic development. However, collaborations with foreign entities may require additional disclosure and review to ensure that the University is abiding by the guidelines of federal funding agencies and United States export control laws, as well as adequately protecting, marketing, and licensing its intellectual property.

These guidelines provide researchers with basic information when considering a collaboration with a foreign researcher and institution.

1. Prior to the collaboration, consider communicating with the Office of Contracts and Grants (OCGA) to facilitate an agreement between UCSD and the foreign entity that describes the exchange of information, data, funding, if any, and intellectual property.¹
2. Communicate with Export Control to determine if an export license is required and to confirm that the researcher or institution is not a federally restricted entity. Consult with Export Control before travelling abroad to the foreign institution.² OIC will also request review of the technology, the institution, and the researcher before commercialization begins.
3. If the collaboration will result in a visit from international scholars, communicate with the Office of Postdoctoral and Visiting Scholar Affairs (OPVSA) and OIC to have the appointment or affiliation appropriately managed.³
4. If the foreign collaboration results in a new invention, discovery or tangible research material, submit a disclosure to OIC, so that OIC can begin the process of patentability and commercialization.⁵
5. If the foreign collaboration results in an invention, prior to commercialization, the institution and UCSD will enter into an inter-institutional agreement stating the rights and obligations of the parties (e.g. sharing of income, revenue and expenses). If the foreign institution is the lead, prior to commercialization, the institution must agree to abide by all US export control laws, to first file any patents in the US, and may not license to restricted entities.
6. If a patent is filed on the invention, at the 30-month anniversary of the first filing, individual patent applications must be filed within each country where rights are to be sought. Be aware that foreign filings are significantly more expensive than US Patents and that, due to the excessive fees, OIC typically only engages in foreign filings when a licensee will offset the cost.

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¹ <https://blink.ucsd.edu/sponsor/ocga/index.html>

² <https://blink.ucsd.edu/sponsor/exportcontrol/>

³ <http://postdoc.ucsd.edu/visiting-scholars/index.html>

⁴ <https://innovation.ucsd.edu/>

⁵ <https://blink.ucsd.edu/research/conducting-research/edisclosure/index.html>