Re: NSERC Engage program at UVic
Date: December 17, 2013

Dear Faculty Members,


The initial stage of Engage provides $25k with no requirement of a cash contribution from the industry sponsor. Following a successful Engage, the participants may apply for further funding under the ‘Engage Plus’ stream where NSERC matches up to $12,500 of the company cash contribution.

With the creation of the ‘Engage Plus’ program, UVic has revised its terms specific to NSERC Engage projects to address the features of the Engage Plus program and to better reflect UVic research policy and applicable NSERC policy. These new terms continue to reflect NSERC’s requirement that arising IP be owned by the company via an assignment of arising IP to the company. The terms also confirm other program terms and include provisions to protect confidential information provided by either party.

In order to process the high volume of Engage and Engage Plus projects effectively and efficiently, ORS has developed a set of standardized non-negotiable terms, which have been incorporated into the UVic application form and posted online. Under this system, the industry sponsor and the UVic researchers agree at the time of application to the terms governing the award.

UVic and other Canadian universities have followed this system with Mitacs Accelerate and Elevate awards since 2010. It has received favourable responses from industry sponsors.

Every effort has been made to balance the interests of the company sponsor (e.g., protection of their proprietary information) and the expectations of UVic researchers (e.g., to publish). The rights accorded to UVic researchers and to UVic in these standardized terms reflect that this is a subsidized program where for the initial Engage 100% of the cash funding is provided by NSERC with indirect costs borne by UVic and with Company ownership of arising IP.


We look forward to continuing to support your applications for NSERC Engage and Engage Plus funding.

Rachael Scarth
Associate VP Research-Operations

Brent Sternig
Director, Research Partnerships & Knowledge Mobilization
FREQUENTLY ASKED QUESTIONS

1. How is intellectual property handled under the NSERC Engage program?

NSERC’s Policy on Intellectual Property (http://www.nserc-crsng.gc.ca/NSERC-CRSNG/Policies-Politiques/ip-pl_eng.asp) applies to NSERC-funded research. Under the NSERC Engage program terms, all intellectual property arising from the project must belong to the company sponsor. Consistent with NSERC’s Policy on Intellectual Property, the researchers and UVic retain rights to use the arising IP for non-commercial research and academic purposes (including publication). Confidentiality terms protect the confidential information provided by a participant.

2. Why can’t UVic negotiate special terms for each Engage project, depending on the industry sponsor?

From time to time, industrial partners have requested UVic negotiate special terms for Engage projects. Given the fiscal and resources challenges facing UVic and the high volume of Engage projects, it is not feasible for UVic to provide the option of reviewing and negotiating third party agreements covering Engage projects or even to negotiate changes to its own agreement form. Committing this level of support to individual Engage projects would mean discontinuing support for other projects or programs or limiting the number of Engage projects which are supported by UVic.

3. What are the advantages of UVic’s approach to papering NSERC Engage projects?

It has been our experience that by posting non-negotiable terms online, potential industry sponsors can self-select out of the program should they require more robust or specialized terms given the nature of the IP involved in the project. Such companies should be directed to alternatives such as a research contract outside of the NSERC Engage program (e.g., directed research agreement or services agreement), or other UVic options such as hiring a co-op student.

The success of this structure in supporting the Mitacs programs demonstrates that taking a clear and defined position on terms ultimately makes it easier for researchers and potential company sponsors. This structure also allows UVic to support a high volume of Engage applications rather than having to limit or restrict the number of NSERC Engage applications which can be supported.

UVic successfully implemented standardized non-negotiable terms with Mitacs Accelerate and Elevate awards in 2010, which were incorporated into the application form and posted online. Under this system, the industry sponsor and the UVic researchers agreed at the time of application to the terms governing the award. This system was also adopted by a number of other Canadian universities and the response from industry partners has been very favourable.