

# Unfunded Agreements (UFA)

- **Data Use Agreements**
- **Material Transfer Agreements**
- **Confidentiality Agreements**

This guidance pertains to agreements that are not associated directly with a sponsored research agreement or contract, and define the rights, responsibilities, and obligations of the collaborating institutions regarding issues such as permitted use, ownership, publications, intellectual property, and liability.

These formal agreements often are necessary when materials and/or data are transferred (shared) between institution.

All such agreements must be reviewed and signed by an official authorized to bind the university. Investigators cannot sign these types of agreements on behalf of the university.

## **Data Use Agreements (aka Data Sharing or Data Transfer)**

A Data Use Agreement (DUA) is a contract used to govern the transfer of research data between institutions. DUAs are used when transferring confidential, protected, or restricted data from one institution to another.

### **Processing Procedure**

USC investigator is **receiving** data covered by a DUA from an external institution:

1. Upon receiving a DUA, the USC investigator should send, via email, the agreement to the Office of Research Compliance (ORC) - [tcoggins@mailbox.sc.edu](mailto:tcoggins@mailbox.sc.edu). The agreement must be signed by the investigator or accompanied by a statement confirming that he/she has read the document, understands and will comply with the terms of use. The data provider's contact information also should be provided.
2. ORC will review the agreement and, as appropriate, negotiate with the data provider if modifications are required.
3. ORC will return the signed DUA to the investigator who will obtain signatures from the data provider.
4. USC investigator sends to ORC a copy of the fully executed (signed by all institutions) agreement. ORC serves that the institutional repository for DUAs.

USC investigator is **providing** data to an external collaborator:

1. A USC investigator wishes to share his/her data with a collaborator at another institution.
2. The investigator should contact the USC Technology Commercialization Office (TCO) to determine if a DUA is necessary.
3. Based on the circumstances, TCO will draft, negotiate and execute an appropriate DUA.

4. TCO Contact Information:

Tiffany Beverly-Edwards, Associate Director, [TBEVERLY@sc.edu](mailto:TBEVERLY@sc.edu)

Carolyn Page, Patents and Contracts Manager, [pagecs@mailbox.sc.edu](mailto:pagecs@mailbox.sc.edu)

### **Material Transfer Agreement (MTA)**

Material Transfer Agreements (MTA) are used to govern the transfer of tangible materials between the provider and receiver, such as tissue samples, biological materials, chemical compounds, or certain types of software between institutions. MTAs are executed when proprietary materials are transferred in or out of the university.

#### **Processing Procedure**

1. USC investigator collaborating with an individual at another institution wishes to transfer or receive research materials.
2. MTA's, whether USC is receiving or providing, are processed through the Technology Commercialization Office (TCO).
3. Based on the circumstances, TCO will draft, negotiate and execute an appropriate MTA.
4. TCO Contact Information:

Tiffany Beverly-Edwards, Associate Director, [TBEVERLY@sc.edu](mailto:TBEVERLY@sc.edu)

Carolyn Page, Patents and Contracts Manager, [pagecs@mailbox.sc.edu](mailto:pagecs@mailbox.sc.edu)

### **Confidential Disclosure Agreement (CDA) or Non-Disclosure Agreement (NDA)**

CDA and NDA are used to protect intellectual property rights during discussions with outside parties and facilitate the open exchange of proprietary information. For example, a CDA may be required by a company when the company wishes to disclose its proprietary information to an USC investigator who is considering collaborating on a research project.

#### **Processing Procedure**

Confidentiality and disclosure agreements are processed through TCO, which drafts, negotiates and executes confidentiality agreements.

#### TCO Contact Information:

Tiffany Beverly-Edwards, Associate Director, [TBEVERLY@sc.edu](mailto:TBEVERLY@sc.edu)

Carolyn Page, Patents and Contracts Manager, [pagecs@mailbox.sc.edu](mailto:pagecs@mailbox.sc.edu)