

## Did you know there are several types of non-monetary agreements?

There are three types of non-monetary agreements:

- Material Transfer Agreement (MTAs): For UTHealth to send or receive material (animal models, biospecimens, cell lines, etc.) from another entity. Material is for research purposes only and there is no research collaboration between the parties exchanging material.
- Data Use Agreement (DUAs): When UTHealth is sending or receiving Clinical/Patient data. Typically as a limited data set (where specific patient identifiers, photos, are removed from the data.)
- Confidentiality Disclosure Agreement (CDA): A contract governing the obligations of the parties who receive and/or disclose confidential information.
- Equipment/Construction: when an outside entity to loan/lend equipment to UTHealth (purchasing equipment falls under procurement roles and is not handled by SPA)

If have a topic you would like to add or have additional questions please contact Lenora Trujillo, [Lenora.G.Trujillo@uth.tmc.edu](mailto:Lenora.G.Trujillo@uth.tmc.edu), in the Office of Research at the School of Dentistry.

## READ BELOW TO LEARN MORE ↓↓

Types of Non-Monetary Agreements and how they are processed:

### **MATERIAL TRANSFER AGREEMENT**

A Material Transfer Agreement (MTA) is a contract that establishes terms and conditions governing the transfer of research-related materials between the University and another institution or company. An MTA between a providing entity and a receiving entity should be fully-executed before any materials are sent or received.

There are two types of MTAs:

MTAs In (RECEIVING MATERIALS)	MTAs Out (PROVIDING MATERIALS)
An MTA or DUA-In must be completed when a University PI has requested materials or data from another entity. Typically, the providing entity will provide its own MTA template for University's review and execution.	An MTA -Out must be completed when a University PI desires to send materials or data to a researcher at another entity. In these instances, a University MTA template will be sent to the receiving entity for review and execution. The University may choose to utilize its MTA template or, for material transfers, it may choose to utilize a <a href="#">Uniform Biological Materials Transfer Agreement (UBMTA)</a> , if appropriate.

### PROCESSING MATERIAL TRANSFER AGREEMENT (MTA)

If a UTHealth PI has requested material to be transferred to him/her from another entity or if another entity has requested material to be transferred from the UTHealth PI, the PI will need to contact SOD's Office of Research

– Lenora Trujillo, Sr. Grants & Contracts Specialist. Guidance will be provided to process a completed Transfer form and any necessary approval letters to SPA in UT Start. **NOTE: SPA will negotiate the legal terms and conditions of the MTA with the entity. Do NOT sign any agreement without SPA’s review and approval.**

#### **DATA USE AGREEMENT**

A Data Use Agreement (DUA) is a contract that establishes terms and conditions governing the transfer of research-related data between the University and another institution or company. **A DUA between a providing entity and a receiving entity should be fully-executed before any data elements are sent or received.**

<b>DUA In (Receiving Data):</b>	<b>DUA Out (Providing Data):</b>
DUA-In must be completed when a University PI has requested data from another entity. Typically, the providing entity will provide its own DUA template for the University’s review and execution.	A DUA-Out must be completed when a University PI desires to send data to a researcher at another entity. In these instances, a University DUA template will be sent to the receiving entity for review and execution. The University may choose to utilize its DUA template.

*All DUAs should be forwarded to the [preaward@uth.tmc.edu](mailto:preaward@uth.tmc.edu) for review.*

#### **PROCESSING DATA USE AGREEMENTS (DUA)**

If a UTHealth PI has requested data to be transferred to him/her from another entity or if another entity has requested data to be transferred from the UTHealth PI, he/she will need to contact SOD’s Office of Research – Lenora Trujillo, Sr. Grants & Contracts Specialist. Guidance will be provided to process a completed Transfer form and any necessary approval letters to SPA in UT Start. **NOTE: SPA will negotiate the legal terms and conditions of the DUA with the entity. Do NOT sign any agreement without SPA’s review and approval.**

#### **CONFIDENTIALITY DISCLOSURE AGREEMENT**

A CDA is a contract governing the obligations of the parties who receive and/or disclose confidential information. For example, an industry sponsor may wish to disclose a study protocol to a PI for a feasibility review but the protocol may include confidential information that must be safeguarded. These agreements are sometimes referred to as, “Non-Disclosure Agreements” (NDA). The types of CDAs/NDAs are described below:

- **Sponsor-initiated CDA**  
A Sponsor-initiated CDA is required prior to a sponsor releasing confidential information, such as a protocol, to a PI. The terms of the CDA govern the PI’s obligations of confidentiality with respect to the information disclosed. The CDA also protects UTHealth Houston when it is a party to the agreement. This would be considered a one-way CDA.
- **Mutual Disclosure CDA**  
A Mutual Disclosure CDA is entered into when both industry sponsor or academic institution and UTHealth Houston exchange confidential information to determine a business or research relationship. For example, a PI may disclose a protocol he or she designed to an industry sponsor to see whether it will provide a drug or device for the study and the sponsor may share proprietary information about the drug or device. This would be considered a mutual CDA. Mutual CDAs are negotiated through the Office of Technology Management
- **Investigator-initiated CDA**

An Investigator-initiated CDA is entered into when a PI discloses confidential information to industry or an academic institution but they are not disclosing any confidential information to UTHealth Houston. This would be considered a one-way CDA.

PROCESSING A CONFIDENTIALITY DISCLOSURE AGREEMENT (CDA)/

NON-DISCLOSURE AGREEMENTS (NDA)

The pharma/device company will generally send a CDA/NDA to the PI or the department for signature. The SOD faculty will need to contact SOD's Office of Research – Lenora Trujillo, Sr. Grants & Contracts Specialist. Guidance will be provided to process a completed Transfer form in UT Start. **NOTE: SPA will negotiate the legal terms of the agreement. Do NOT sign any agreement without SPA's review and approval.**

**EQUIPMENT/CONSTRUCTION**

A formal agreement between UTHealth and a company so that the company can loan/lend equipment to UTHealth (purchasing equipment falls under procurement roles and is not handled by SPA).

PROCESSING EQUIPMENT / CONSTRUCTION AGREEMENTS

If a UTHealth investigator and/or Department requires equipment, the department should contact the UTHealth Procurement Services Department (website: <https://www.uth.edu/buy/> ).

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