

Terry Fox Research Institute Commercialization Policy



This document sets out the principles the Terry Fox Research Institute (TFRI) follows in supporting research overseen by one or more Principal Investigator(s) affiliated with one or more Institution(s)ⁱ and the commercialization of such research. The TFRI recognizes that commercialization and partnerships with for-profit entities are necessary and desirable components to achieve the overall vision of health improvement of individuals. Commercialization is often the only way for innovations in managing and treating cancer patients to be applied across healthcare systems. The goal of TFRI is to support research and stimulate commercialization activities of Principal Investigator(s) and Institution(s) which are consistent with the vision and mission of TFRI.

The TFRI upholds the principles and practices of the Terry Fox Foundation and the integrity embodied by Terry Fox himself. Terry's *Marathon of Hope* continues to inspire millions worldwide to raise money for cancer research in the hope of finding a cure. His legacy endures today. As a donor-funded organization, TFRI strives to attain the highest standards of transparency and accountability. To this end, we are committed to improving patient care by generating practical outcomes through research and this philosophy underpins our *Mission and Vision*:

- To improve significantly the outcomes of cancer research for the patient.
- To facilitate a highly collaborative, team oriented, milestone based approach to research that will enable discoveries to translate quickly into practical solutions for cancer patients worldwide.

PRINCIPLES

1. The TFRI affirms that it does not wish to own, be assigned or manage intellectual property related to the research that it funds. Neither does the TFRI desire to benefit financially from commercialization of the research it supports.
2. As a minimum standard, each Institution in receipt of TFRI funds must:
 - a. Have a policy to protect intellectual property and a system to disseminate the policy to its faculty and staff.
 - b. Have the capacity to facilitate the commercialization of intellectual property, ie., a technology/ business development or industry liaison office.
 - c. Have or establish a Conflict of Interest policy that applies to research funded by an external sponsor, such as TFRI.

Terry Fox Research Institute

Commercialization Policy



3. The TFRI requires proposed and funded Investigators and Institutions to be transparent and accountable on an ongoing basis about Conflicts of Interestⁱⁱ that exists or may arise. In addition to complying with any Conflict of Interest policy noted in 2(c), the TFRI requires the Principal Investigator and Institution to ensure the following actions are taken:
 - a. To report to TFRI as soon as practicable, any Conflict of Interest that exists or arises during a period of funding.
 - b. In the event of a Conflict of Interest, to work with TFRI to proactively manage the Conflict of Interest.

TFRI will establish a sub-committee of its Board to guide the TFRI on a case-by-case basis concerning Conflicts of Interest. Notwithstanding the actions outlined above, TFRI reserves the right to refuse to consider for funding, or to withdraw from funding research, which it reasonably considers to contravene the principles of this Policy.

4. The TFRI will not endorse or support any product or service of a for-profit entity. For greater clarity, the TFRI will:
 - a. Support research that TFRI expects will significantly improve outcomes for cancer patients, but will not support activities directly required for commercializationⁱⁱⁱ
 - b. Encourage Institutions to complete business agreements which lead to the commercialization of funded innovations.
 - c. Expect that the for-profit entity assumes all the business risks associated with commercialization.
 - d. Not allow use the TFRI name or trademark(s), including the Terry Fox name, in publicity without explicit written permission or in any other manner which advances the commercial interests of the for-profit entity.
 - e. Only support research that promotes publication and dissemination of the results of the research, after steps to protect intellectual property have taken place when appropriate.

Terry Fox Research Institute Commercialization Policy



February 2, 2009

Interpretative Notes

- i. An Institution is one which has the capacity to undertake scientific or clinical research and is, or will be party to a Memorandum of Understanding and/or a Collaborative Research Agreement with TFRI.
- ii. A Conflict of Interest exists when an independent observer, apprised of the relevant facts, would have a reasonable apprehension that the personal, close family or professional interests of the Principal Investigator and/or the Institution (a) are in conflict with TFRI's mission to facilitate milestone-based research intended to translate quickly into practical solutions for cancer patients worldwide (b) may undermine or diminish the integrity or goodwill associated with the TFRI, or (c) may influence or motivate the behaviour and/or decision making of the Institution or Principal Investigator for purposes of personal gain and/or financial gain and/or gain on behalf of a for-profit entity, in preference to TFRI's mission. It is recognized that Conflicts of Interest can arise due to a variety of circumstances and will be managed based on ongoing full disclosure and transparency by all involved and the development of an appropriate Conflict of Interest management plan approved by the TFRI.
- iii. Direct commercialization activities include but may not be limited to work required for regulatory submission, approval and business development.