

# COMMERCIAL COLLABORATIONS ON GRANT APPLICATIONS TO DIABETES UK

## Introduction

There must be a clear reason for the involvement of a commercial entity on a grant application to Diabetes UK and a justification for why the company could not develop the research independently of the charity funding. In addition, the potential outcomes of the proposal must clearly contribute to meeting Diabetes UK's charitable objectives and not provide a disproportionate benefit to the commercial entity.

## Applicants

Diabetes UK will only accept applications from Principal Applicants based at an academic or NHS not-for profit organisation. While commercial organisations may have involvement in a Diabetes UK grant, or hold collaborator status on a Diabetes UK application, it is subject to specific conditions.

## Specific conditions associated with applications involving a commercial collaborator

1. In line with Charity Commission guidance, Diabetes UK will only consider funding research where the potential benefit to people with diabetes, and potential to meet our charitable objectives, outweighs any benefit to the commercial organisation.
2. Diabetes UK will not endorse any specific product.
3. Diabetes UK must have sight of any commercial agreements in place at the time of application or arising during the application and/or award period which may affect the ownership of intellectual property, any restrictions on publication or future use of results or any distribution of revenue or equity resulting from the results of any award.
4. Diabetes UK will not accept an application involving a commercial collaborator whose objectives or activities are fundamentally incompatible with its vision, mission and values, or where the association with the commercial collaborator could cause significant damage to its integrity, public image or professional reputation.

## Potential conflicts of interest

Applicants and academic institutions will be required to declare any potential conflicts of interest during the application process. For example, where any of the applicants have provided consultancy or hold shares or options in commercial organisations who may have an interest in commercialising, or an interest in, the outcomes of the research. While a conflict of interest is not a bar to receiving funding, Diabetes UK will require information to be provided on how any conflict will be appropriately managed to avoid jeopardising the ethical conduct of research, the delivery of research or the future use of the outputs of the research.

## Background IP

Further discussion is needed where there are any agreements in place which mean that the academic institution receiving the award does not have freedom to operate and achieve public benefit independently to meet its charitable objectives. Examples of when this may apply include cases where:

- the award application utilises IP or technology owned by a third party and the terms of that use include any restriction on the foreground IP or the publication of results (e.g. material transfer agreement)
- the award application requires the use of background IP developed by the academic institution, over which the academic institution has granted (or is in negotiations to grant) rights to a third party
- the results of the award application directly support a commercial product in a way which provides commercial benefit to the owner, for example provide data for a change of medical use or provide clinical data to support the use of a product

## Foreground IP

Commercial organisations involved in an application to Diabetes UK must review the [Diabetes UK Grant Conditions](#) and note the clauses relating to exploitation of foreground intellectual property and the standard revenue share agreement.

## **Application processes**

Principal investigators applying to Diabetes UK for research that involves a commercial organisation will be required to complete a set of additional questions during the application process. We would advise that those applicants who have any questions relating to this policy contact Diabetes UK to discuss their application in advance of applying.

Applicants should consult with the contracts team and/or technology transfer office at their institution when completing these questions.

The Diabetes UK Research Committee will give specific consideration to whether the potential benefit to people with diabetes, and potential to meet our charitable objectives, outweighs any benefit to the commercial organisation.