



Ref. FOI/20181009/4

12 November 2018

Reply to request for information under Freedom of Information of Act	
Your Ref	Email of 9 October 2018
Address	request-525203-25e384e9@whatdotheyknow.com
Request	See annex A.

Dear Aydin

I write in response to your email of 9 October. Please find the information requested under the headings below, and in the attached spreadsheet (annex B).

Information has been provided in regards to the IP managed for the University by [Oxford University Innovation](#) (OUI), where OUI is the party filing patents and licensing IP on behalf the University. OUI, as the University's solely owned technology transfer company that was set-up to manage the University's IP, is the preferred partner for leading on patent filing and licensing where there are no pre-existing contractual arrangements for an external third party (such as a collaborating institution) to take on this role. Almost all patents and licences covering Oxford's IP are managed by OUI, however, there are some situations where University generated IP is patented or licensed by an external third party. The University does not hold the information requested in these cases, as it is held by those third parties.

Item 1:

Please find a link to the relevant policy at the following link:
<https://researchsupport.admin.ox.ac.uk/policy/oxford/medicines>

Item 2:

Please see annex B.

Item 3:

Please see annex B. All the patents on this spreadsheet are health technologies where new patent applications have been filed in the past year. We have redacted the titles and application numbers of those which are priority applications as these are unpublished, and we are therefore not obliged to disclose this information under section 43 FOIA, which provides for an exemption to disclosure where the information would prejudice commercial interests. Section 43(1) provides an exemption for information that is a trade secret. Section 43(2) exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity). Trade secrets include inventions, manufacturing processes and engineering and design drawings. As such unpublished priority filings are trade secrets and there is no need to show prejudice for the exemption to apply. Further guidance is provided by the ICO at the following link: <https://ico.org.uk/media/for-organisations/documents/1178/commercial-interests-section-43-foia-guidance.pdf>. "Project title" in column E is OUI's internal working title for the project. It may differ from the formal title of the corresponding patent.

Item 4:

The University has shared its best practices for promoting access to medicines through non-exclusive licensing by carrying out the following activities:

- Published an article, guidance, or other literature on access licensing practices;
- Formally presented on access licensing practices at an academic or professional event, or at another university;
- Informally shared or discussed access licensing practices with administrators at other universities;
- Other: Built online licensing platform to facilitate non-exclusive licensing.

Item 5:

The following actions have been undertaken by the technology transfer office (TTO) in the past year to improve access to the technologies they license in low- and middle-income settings:

- Crowd funding for clubfoot intervention project suitable for low income settings;
- Social impact seed fund launched;
- Extended capabilities of on-line licensing platform for non-exclusive licensing.

INTERNAL REVIEW

If you are dissatisfied with this reply, you may ask the University to review it, by writing to the Head of Information Compliance at the following address:

University Offices
Wellington Square
Oxford
OX1 2JD

Alternatively, you may request a review by e-mailing foi@admin.ox.ac.uk.

THE INFORMATION COMMISSIONER

If, after the internal review, you are still dissatisfied, you have the right under FOIA to apply to the Information Commissioner for a decision as to whether your request has been dealt with in accordance with the FOIA. The Information Commissioner's address is:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Tel: 0303 123113

Yours sincerely

FOI OXFORD

ANNEX A

Dear University of Oxford,

The FOI request below is being filed on behalf of UAEM-UK. Please note that the answers to these questions will be used to determine the university's score in the forthcoming Global Health Ranking of leading UK universities by Universities Allied for Essential Medicines (UAEM) UK.

We encourage you to read this background briefing before compiling your response:

<https://docs.google.com/document/d/1GMzHFy5pN5gN1eST0YcC0O-QNIJPnpGcQL4EHZ2VnKA/edit?usp=sharing>

Thank you very much for your time & best wishes, Aydin Koksall - Universities Allied for Essential Medicines UK

START FOI

For the purpose of clarity, please adhere to the following definitions when answering these questions:

Definitions

Low and middle income country: A country that is defined as 'low', 'lower-middle' and 'upper-middle' income by the World Bank for the year 2018. Income status defined by GNI per capita.

Source: World bank, available online [<https://tinyurl.com/jr6s6fm>]

Patent: A form of intellectual property (IP) rights protection, whereby a government grants to the inventor, the right to stop others from making, using or selling the product without their permission for a limited period.

Source: Upcouncil, available online [<https://www.upcounsel.com/copyright-trad...>]

Licence: Contracts that transfer IP rights from the owner of the rights to a third party for use.

Source: Upcouncil, available online [<https://www.upcounsel.com/copyright-trad...>]

Exclusive Licence: A licence that allows only the named licensee to exploit the relevant IP rights, the licensor is also excluded from exploiting these IP rights.

Source: TaylorWessing, available online [<https://united-kingdom.taylorwessing.com...>]

Non-Exclusive Licence: A licence that grants any number of licensees to exploit the IP.

Source: TaylorWessing, available online [<https://united-kingdom.taylorwessing.com...>]

Health Technology: 'Health technology as defined by the WHO: "A health technology is the application of organized knowledge and skills in the form of devices, medicines, vaccines, procedures and systems developed to solve a health problem and improve quality of lives.' Source: WHO, available online [<http://www.who.int/health-technology-ass...>]

Q1. Has the university committed to licensing its medical discoveries in ways that promote access and affordability in Low- and Middle- Income Countries? If yes, please provide a link or PDF to the relevant policy document.

Q2. Please provide an Excel spreadsheet with headings as displayed below with all the health technologies LICENSED by the university in the past year AND specify which countries they were licensed in AND specify whether they are exclusive or non-exclusive licenses.

Health Technology Licensed | Country of Licensing | Type of License (Exclusive or Non-Exclusive)

Q3. Please provide an Excel spreadsheet with all the health technologies PATENTED by the university in the past year AND specify which countries they were patented in.

Q4. Has the university shared its best practices for promoting access to medicines through non-exclusive licensing by carrying out any of the following activities?

- ☐ Contributed sample clauses to the AUTM Global Health Toolkit
- ☐ Published an article, guidance, or other literature on access licensing practices
- ☐ Formally presented on access licensing practices at an academic or professional event, or at another university
- ☐ Informally shared or discussed access licensing practices with administrators at other universities
- ☐ Other
- ☐ None

(Tick as appropriate)

Q5. What actions has the technology transfer office (TTO) undertaken in the past year to improve access to the technologies they license in low- and middle-income settings?

END FOI

Yours faithfully,
Aydin Koksai