

RECLAMATION

Managing Water in the West

Research & Development Office

Material Transfer Agreement (MTA) Guide

Technology Transfer



**U.S. Department of the Interior
Bureau of Reclamation**

September 2017

Material Transfer Agreement (MTA) Guide

This MTA guide provides a brief description of MTAs, guidelines, steps to develop and execute, and an approval checklist for entering into MTAs.

For more information, please visit: https://www.usbr.gov/research/technology_transfer/partnerships.html.

Introduction to MTA

The MTA is an agreement under which a quantity of a unique, specialized, or experimental material (natural or synthetic) may be transferred between Reclamation and a non-federal partner for commercial evaluation, testing, or other uses with or without reimbursement, pursuant to 15 U.S.C. § 3710a(b)(3)(A) of the Federal Technology Transfer Act (FTTA) of 1986.

MTA Guidelines

MTAs may be the appropriate agreement to enter into if the following guidelines are met. These guidelines are obtained from the FTFA, 761 Department Manual 1, and Directives and Standards RES 01-01.

Please check the following as it applies.

- The testing description/purpose conducted under the MTA meets Reclamation's mission requirements, policies and procedures, and serve the public interest.
- The MTA will be used to exchange a unique or experimental material between Reclamation and an MTA partner to determine if there will be future interest in conducting research under a CRADA or commercialization under a license agreement.
- The MTA will not be used to endorse and or purchase the MTA partner's products and services before, during, or after the term of the MTA.
- Reclamation has some unique and experimental material that are not available from the private sector.
- Reclamation is not authorized to contribute funds to the Partner. However, the MTA partner may contribute funds under the MTA, called Transfer of Material, CRADA.
- Adequate funding exists to complete the testing description under the MTA.

Develop and Execute an MTA

An MTA generally consists of 1) purpose 2) general provisions or the legal framework and /or 3) testing description.

The following steps may be used to develop and execute an MTA:

- Determine the need for the MTA using the MTA guidelines under **MTA Guidelines**.
- If the MTA is a go, Reclamation's researcher should contact the Research and Development Office Technology Transfer Coordinator (TTC) to determine next steps.
- Develop the purpose and testing descriptions and negotiate MTA provisions:
 - The researcher should work with the potential partner to develop a draft Purpose and testing description.
 - The TTC negotiates MTA provisions with the potential partner as needed.
 - The final MTA will go through the approval process under **MTA Approval**. The approval process takes about 1 to 2 weeks depending on the complexity of the testing description and negotiations or changes made to MTA provisions.

MTA Approval

The approval process is explained in the table below:

Description	Approval/Signatory
Technical Group	Researcher's Supervisor
	Researcher
Research & Development	Research Coordinator
	Technology Transfer Coordinator
Office (R&D)	Chief, R&D
	Science Advisor
DOI General Counsel	Intellectual Property Solicitor

More Information

For more information, please contact Samantha Zhang, Technology Transfer Coordinator, Research and Development Office at (303) 445-2126 or email szhang@usbr.gov.