

CDA & MTA Quick Facts

Confidentiality Agreements	Material Transfer Agreements
<p>Often referred to as: NDA – Non-Disclosure Agreement, CDA – Confidential Disclosure Agreement PIA – Proprietary Information Agreement</p>	<p>Generally referred to as an MTA Similar to a Data Use Agreement (DUA)</p>
<p>Q1- <u>Mutual or one-way:</u> Who will be providing confidential information? Generally, each party will want to be able to provide confidential information to the other party (mutual).</p>	<p>Q1- <u>Incoming or Outgoing:</u> Will materials be provided into NDSU or out to another entity? Generally, one party will provide materials, but the exchange of information may be mutual.</p>
<p>Q2 – <u>What Information:</u> A non-confidential description of the nature of the information that the parties will share, including reference to any proprietary technologies.</p>	<p>Q2 – <u>What Materials/Data:</u> A non-confidential description of the materials or data should be provided to accurately identify what is being transferred.</p>
<p>Q3 – <u>Purpose:</u> Information, Data, and Materials exchanged between the parties can only be used for the limited purpose(s) that is stated in the agreement. Common purposes include discussing research opportunities of mutual interest; unfunded research collaboration; material evaluation/characterization; collaborative proposal preparation; materials use as a research tool, or commercial evaluation.</p>	
<p>Q4 – <u>Timing:</u> There are two periods of time you need to consider. First: the period of time during which you can exchange and use the information or materials (period of exchange). Second: the period of time after the exchange during which you must protect the information/data/materials from dissemination to any other third party, sometimes forever (protection period).</p>	
<p>IMPORTANT: <u>Marking:</u> All proprietary/confidential information and materials that are exchanged must be marked as “Confidential”. If any proprietary/confidential information is disclosed orally or visually, such disclosure should be identified as confidential at the time of disclosure and later reduced to writing, marked as “Confidential” and provided to the other party within a reasonable period of time (usually 10-30 days – check your agreement!)</p>	
<p>REMEMBER: These agreements must be approved and signed by the Business Development Office. Neither faculty nor staff have authority to sign any CDA/MTA/contract or license on behalf of NDSU.</p>	
<p style="text-align: center;">Any Questions? Contact -- Joycelyn Lucke 701-231-5624 Joycelyn.Lucke@NDSU.edu</p>	