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## BUSINESS AND REGULATORY NEWS

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### NIH tech transfer rules

Julie Grisham

The US National Institutes of Health's Office of Technology Transfer has released final guidelines for promoting greater sharing of research tools. The draft guidelines were set up in May 1999 to help recipients of NIH funding achieve balance between restrictions on research tools that are needed to protect proprietary interests and restrictions that can stifle dissemination of new discoveries and limit future research. The policy sets forth four principles: ensuring academic freedom and publication; minimizing administrative impediments to academic research; ensuring dissemination of research resources developed with NIH funds; and ensuring appropriate implementation of the Bayh-Dole Act, legislation passed in 1980 to encourage technology transfer. Universities and larger pharmaceutical companies have generally supported NIH's plan, but some believe it may encourage smaller biotech companies that acquire revenue from selling research tools—such as reagents, cell lines, proteins, and monoclonal antibodies—not to share materials with scientists that receive NIH funding. NIH says it has left "considerable discretion to recipients" in determining appropriate distribution of research tools.

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