**Access Planning Requirements**

**Access**. The [ ]Foundation requires that the innovations, products and information developed with Foundation funding be both created and managed so that they are accessible (in cost, quantity and supply) to people and organizations most similar to those targeted by the proposed project.

**Access Strategy.** As a condition of making a grant, the Foundation may require that the grantee develop a strategy for how best to accomplish this objective, given the particular circumstances of the project. The Foundation acknowledges that a grantee may decide that seeking IP protection for certain technology or information in certain markets is an appropriate component of a Strategy, provided that this IP is managed in such a way as to ensure the broadest possible access for the intended beneficiaries of the project. The Strategy should be signed by all project collaborators, either collectively (e.g. through a collaborative research agreement) or individually (e.g. through incorporation into each subgrant or subcontract), because Access commitments should be passed through to all subs under the grant. The Strategy should address the following six essential components:

**Background IP Rights[[1]](#footnote-0):** (i) due diligence to identify background technologies and IP relied upon through the research, development and distribution phases of the Project; (ii) development of specific strategies to secure all necessary license rights and terms of use in order to achieve the project objectives and (iii) actually securing the rights necessary to conduct the project;

**New Invention Identification:** establishment of a coordinated plan for reporting both within the project and to the Foundation all new inventions developed under the project;

**New Invention IP Protection & Management:** strategy for managing IP rights associated with both sole and joint project inventions, including details describing anticipated cross-licensing, territory splits, field of use distinctions, and market segmentation and leveraging strategies;

**Materials & Data Sharing:** management of material transfers and data sharing among project collaborators;

**Publication:** prompt and broad publication of research results (including data) and establishment of Foundation rights in those publications and data; and

**Post-Project Development:** anticipated plans for post-project development, distribution, commercialization and sustainability in order to ensure the long-term success of the project’s goals.

If a grant is awarded, the Grant Agreement will establish specific Access requirements concerning milestones, reporting obligations and other necessary provisions for the achievement of Access.

1. “IP Rights”: includes without limitation (i) patented materials, methods, processes; (ii) copyrights; (iii) trademarks; or (iv) unpatented materials that were obtained under a Material Transfer Agreement allowing the Recipient to use those proprietary materials under specific terms. [↑](#footnote-ref-0)