

## START-UP COMPANY CHECKLIST/QUESTIONNAIRE

- This **Start-up Company Checklist/Questionnaire** is intended to help KU researchers identify key issues in the decision to form a start-up company based on KU research.
  - The document [Creating A Company](#) gives additional general information, answers to frequently asked questions and links to a variety of resources that may help you in your decision to form a company.
- **The Licensing Process for Start-up Companies**

In order to license KU intellectual property for commercial use, your start-up company's business plan must be reviewed and approved by the KU Vice Provost for Research and Graduate Studies.

  - To request a review, complete this form, schedule a meeting with the Executive Director of the KU Center for Technology Commercialization, bring a draft or completed business plan. All key personnel of the proposed company should attend the meeting.
  - If the business plan is approved, negotiation of a license agreement will follow. (See [website link](#) for more information about licensing KU technology)
- **Licensing Terms and Issues**
  - The following are some of the terms that will be negotiated with the company in the License Agreement with the University.
    - a. University royalty position
    - b. University equity position
    - c. Payment of continuing patent fees (including fees already expended by KU)
    - d. Milestone events
    - e. Milestone fees
  - The following are some of the issues that must be included in the License Agreement with the University.
    - a. Indemnification of University by Licensee/Company
    - b. Company product liability/insurance coverage
    - c. Company diligence in getting the technology to the public (commercialization)
    - d. Reservation of rights for the University to practice the invention for academic and research purposes
    - e. If federal funding is involved, reservation of rights for the federal government
- **Managing conflicts of interest**
  - Start-up companies that involve KU employees frequently create relationships that pose potential conflicts of interest. Employees considering creating a company based on KU technology are encouraged to disclose the prospective interest and meet with Research Integrity personnel as early as possible so that an individualized plan can be developed and company-KU relationships can be managed with respect to all applicable policies, regulations and laws.
  - For further information about conflict of interest reporting and management:
    - a. Consult the Conflict of Interest web page <http://www.rcr.ku.edu/coi/> or
    - b. Contact the Compliance Coordinator, Research Integrity, 785-864-4148 or [sumac@ku.edu](mailto:sumac@ku.edu) .

### Technology Transfer at KU

To start the licensing process, return the completed form to:

James Baxendale, MS, MBA

Executive Director, KU Center for Technology Commercialization

KUMC campus

Wescoe Pavilion, MS 1039

Tel: 785-864-7783 Fax: 785-864-5272

Email: [jbaxendale@ku.edu](mailto:jbaxendale@ku.edu) <http://www.ctc.ku.edu>

**START-UP COMPANY CHECKLIST/QUESTIONNAIRE**

For office use:

Rec' by:		
Date:		
<b>Primary contact for this worksheet</b>		
Name:	Phone:	e-mail:
Campus mail address:		<input type="checkbox"/> Lawrence <input type="checkbox"/> Medical Center

**The Technology**

1. What technology or technologies developed at KU is the company interested in licensing?

<b>Title</b> ⇒			
Technology disclosure ID(s) ⇒		Date(s) disclosed⇒	(month/year)
Brief description ⇒			
IP Protection (check any that apply)⇒	<input type="checkbox"/> Patent pending <input type="checkbox"/> Patent awarded <input type="checkbox"/> Copyright <input type="checkbox"/> Copyright registered		
Will development of the technology require human clinical trials?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Current stage of development ⇒			

**Continuing Research**

2. What is the current plan for ongoing research activities at KU that will relate to the company? For instance, will the technology or related projects continue to be the subject of research at KU?

(type response here)

**The Company**3. **Description:** What is the purpose of the proposed company? How will the technology will be used or commercialized by the company?

(type response here)

**4. Organizational Structure**

<b>Name of company</b> (legal or proposed):			
Has company been legally formed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date (or anticipated date) of formation ⇒	
State of Incorporation:			
<b>Type of company:</b>			
<input type="checkbox"/> Sole Proprietorship		<input type="checkbox"/> Corporation (Inc.) <input type="checkbox"/> Limited Liability Corporation (LLC)	
<input type="checkbox"/> not yet determined		<input type="checkbox"/> not for profit corporation (501c3) <input type="checkbox"/> other: _____	
<b>Legal Business Address</b>		<b>Laboratory or other address</b>	
Address 1			
Address 2			
City/state/zip			
Phone	fax	Phone	fax
e-mail		e-mail	
web		web	

## Company Personnel and Key Players

**5. Company owners/principals/officers.** Please complete as much as possible for all owners and any current principals or officers not already listed. Either Company Role or Company Ownership % may be "none." Company roles include positions such as President, Vice President, General Manager, CEO, COO, CTO, etc.

	Name (owners, principals and/or officers only)	KU employment	Company ownership	Is this individual a spouse or household member of a KU owner?
	Address	Inventorship	Company Role(s)	
1	Type name here Type address here	KU employee? <input type="checkbox"/> yes <input type="checkbox"/> no Inventor? <input type="checkbox"/> yes <input type="checkbox"/> no	Ownership % Role(s):	<input type="checkbox"/> yes <input type="checkbox"/> no
2		KU employee? <input type="checkbox"/> yes <input type="checkbox"/> no Inventor? <input type="checkbox"/> yes <input type="checkbox"/> no	Ownership % Role(s):	<input type="checkbox"/> yes <input type="checkbox"/> no
3		KU employee? <input type="checkbox"/> yes <input type="checkbox"/> no Inventor? <input type="checkbox"/> yes <input type="checkbox"/> no	Ownership % Role(s):	<input type="checkbox"/> yes <input type="checkbox"/> no
4		KU employee? <input type="checkbox"/> yes <input type="checkbox"/> no Inventor? <input type="checkbox"/> yes <input type="checkbox"/> no	Ownership % Role(s):	<input type="checkbox"/> yes <input type="checkbox"/> no
5		KU employee? <input type="checkbox"/> yes <input type="checkbox"/> no Inventor? <input type="checkbox"/> yes <input type="checkbox"/> no	Ownership % Role(s):	<input type="checkbox"/> yes <input type="checkbox"/> no

**6. Inventor involvement in the company.** Please identify any inventors who are not listed above and the involvement of each, if any, in the company. Examples of roles in the company: employee or consultant.

Inventor Name	Role in the company?
	<input type="checkbox"/> no <input type="checkbox"/> yes ⇨
	<input type="checkbox"/> no <input type="checkbox"/> yes ⇨
	<input type="checkbox"/> no <input type="checkbox"/> yes ⇨
	<input type="checkbox"/> no <input type="checkbox"/> yes ⇨
	<input type="checkbox"/> no <input type="checkbox"/> yes ⇨

**7. Advisory Boards** Have the following been formed?

Board of Directors	<input type="checkbox"/> Yes, listed below*	<input type="checkbox"/> Not at this time	<input type="checkbox"/> Not applicable
Name	Occupation/employment	Address	Is this individual a spouse or household member of a KU owner? <input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
Scientific Advisory Board	<input type="checkbox"/> Yes, listed below*	<input type="checkbox"/> Not at this time	<input type="checkbox"/> Not applicable
Name	Occupation/employment	Address	Is this individual a spouse or household member of a KU owner? <input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

**8. Professional Services** Have the following services been secured?

Legal Counsel	<input type="checkbox"/> No <input type="checkbox"/> Yes	(name, firm, address)
Accountant	<input type="checkbox"/> No <input type="checkbox"/> Yes	(name, firm, address)

## Capitalization and Development Resources

**9. How is the company currently capitalized?** What plans have been made to capitalize the company in the future?

*(type response here)*

**10. Economic development resources:** Have you sought assistance from economic development organizations? *(check any that apply)*

- ☐ ARMF    ☐ Angel Investors    ☐ KBA    ☐ KTEC    ☐ KTEC Technology Commercialization Fund  
☐ SBIR    ☐ STTR    ☐ Venture Capital    ☐ Other \_\_\_\_\_

*(comments)*

**11. Corporate partners :** Have corporate partners been secured for research funding and/or investment?

☐ No ☐ Yes, listed below

Name	Type of Organization	Address

## Company Development

**12. Market analysis:** Have markets been identified for the technologies or services the company will offer?

☐ Yes    *(description or comments)*  
☐ No

**13. Business Plan:** Is a Business or Product Development Plan available?

☐ Yes, a plan is attached    *(description or comments)*  
☐ No

**14. Product Development:** Does the company plan to sponsor research at the University to develop the technology?

☐ Yes    *(description or comments)*  
☐ No

**15. Business Services:** Other than business office space and equipment, what facilities or services will the company require? Examples include laboratories, computer infrastructure and specialized instruments.

*Type response here*

Does the company anticipate that facilities or services will be outsourced through KU or other entities?

☐ Yes    *(description or comments)*  
☐ No

**E. Conflict of Interest Management**

**17. Conflict of Interest report update:** According to Board of Regents policy (LINK), current or prospective financial interests or time commitments related to your research and educational activities must be reported on an ad hoc basis via the conflict of interest reporting forms. Have you and your KU colleagues filed an ad hoc conflict of interest report to disclose your financial interest and time commitments in the company?

☐ Yes      ☐ No (visit this site to start reports online⇒ <https://www.research.ku.edu/apps/ra/coi/> )

**18. Managing Conflicts of Interest:** According to the policy on Managing Inventor Conflicts of Interest (LINK), a faculty owner/inventor should not normally act as Principal Investigator (PI) for research on the licensed technology which are sponsored by the company of ownership. If the company plans to sponsor research at KU, has a colleague or supervisor without interest in the company been identified to assume the role of Principal Investigator? (For more information about sponsoring research at KU, see LINK)

☐ Yes (name of designate⇒)

☐ Not at this time (comment ⇒)

**19. Employment of students and KU staff:** The policy on Employment of Students in Faculty-owned businesses (LINK), describes acceptable relationships and forms required for employing students. The KU Faculty-Staff Handbook, section (LINK), describes guidelines and issues for employment of subordinates in an outside interest.

Does the company currently employ or anticipate employing KU students? ☐ Yes ☐ No

Does the company currently employ or anticipate employing KU staff? ☐ Yes ☐ No

**Signatures**

_____ Inventor:	_____ Date
_____ Inventor:	_____ Date
_____ Inventor:	_____ Date
_____ James Baxendale Executive Director, KU Center for Technology Commercialization	_____ Date

For office use: ☐ Copy sent to Research Integrity (date) \_\_\_\_\_