

From: Freedom of Information

Sent: 24 November 2020 14:03

To:

Subject: Freedom of Information Response (Our Ref: K/20/456)

Dear

Freedom of Information Response (Our Ref: K/20/456)

Thank you for your Freedom of Information (FOI) request dated 6 November 2020, reference K/20/456.

Your request read:

“We have previously sent FOI requests asking for information about the licensing practices of UK universities. This was concerning the time period 18th October 2018 to 18th October 2019. We are now looking to update the information for the following year, 19th October 2019 to 19th October 2020.

The updated request is listed below:

For the purpose of clarity, please adhere to the following definitions when answering these questions:

Definitions

Low and middle income country: A country that is defined as ‘low’, ‘lower-middle’ and ‘upper-middle’ income by the World Bank for the year 2018. Income status defined by GNI per capita.

Source: World bank, available online [<https://tinyurl.com/y5dwc2qv>]

A patent grants an inventor the exclusive rights to his or her invention. A patent holder can stop other people from selling, manufacturing, producing, or using the invention for a certain period of time.

Source: Upcouncil, available online [<https://www.upcounsel.com/what-is-a-patent>]

Licence: Permission for the licensee to use the intellectual property rights

Source: TaylorWessing, available online [https://www.taylorwessing.com/download/article_dos_and_donts_licensing.html]

Exclusive Licence: A licence that allows only the named licensee to exploit the relevant IP rights, the licensor is also excluded from exploiting these IP rights.

Non-Exclusive Licence: A licence that grants any number of licensees to exploit the IP.

Source: TaylorWessing, available online
[https://www.taylorwessing.com/synapse/commerical_exclusive_nonexclusive.html]

Health Technology: 'Health technology as defined by the WHO: "A health technology is the application of organized knowledge and skills in the form of devices, medicines, vaccines, procedures and systems developed to solve a health problem and improve quality of lives.'

Source: WHO, available online [<https://www.who.int/health-technology-assessment/about/healthtechnology/en/>]

START FOI request:

Q1. Has the university committed to licensing its medical discoveries in ways that promote access and affordability in Low- and Middle- Income Countries? If yes, please provide a link or PDF to the relevant policy document.

Q2. Please provide an Excel spreadsheet with headings as displayed below with all the health technologies LICENSED by the university in the period 19th October 2019 to 19th October 2020 AND specify which countries they were licensed in AND specify whether they are exclusive or non-exclusive licenses.

Health Technology Licensed | Country of Licensing | Type of License
(Exclusive or Non-Exclusive)

Q3. Please provide a list of patents granted to your organization in the period 19th October 2019 to 19th October 2020, listed by patent family, indicating countries/regions in which the patent has been granted.

Q4. In the period 19th October 2019 to 19th October 2020, has the university shared its best practices for promoting access to medicines through non-exclusive licensing by carrying out any of the following activities?

- Contributed sample clauses to the AUTM Global Health Toolkit
- Published an article, guidance, or other literature on access licensing practices
- Formally presented on access licensing practices at an academic or professional event, or at another university
- Informally shared or discussed access licensing practices with administrators at other universities
- Other

None

(Tick as appropriate)

Q5. What actions has the technology transfer office (TTO) undertaken in the period 19th October 2019 to 19th October 2020 to improve access to the technologies they license in low-and middle-income settings?

END FOI request.”

The University of Leeds may hold some of this information.

As you have set out in your email, your organisation has previously requested this information from the University of Leeds in October 2018. We responded to you and refused the request under the terms of section 12(1) of the FOI Act due to the amount of time which would be required to locate and retrieve the information you requested. Your organisation submitted a very similar request in February 2020, which was identical but for the fact that question five (from your original October 2018 request) had been removed.

We have reviewed your new request and compared it to that which was submitted in February 2020. We note that you have reinstated question five, and that the timeframe for your request has been updated. However, in all other respects your request is the same. In response to your October 2018 request, we advised that no information regarding question five is held. In February 2020, we advised that we are unable to respond to your request within the appropriate limit set out at section 12(1) of the FOI Act, for the same reasons as those set out in our October 2018 response. However, we hope that the following, additional information is helpful to you.

The information you have requested at parts two and three of your request is not centrally collated. Therefore, each school/faculty/department (varying on a case-by-case basis) would need to examine their individual records in order to identify and locate any information which potentially falls within the scope of your enquiry. Because there is no central record of this information, there are no means by which searches could be targeted. As such, it is not possible for us to provide an estimate of how long this would take.

In the hope that it is helpful, we can advise that information regarding patents can be found [online via the gov.uk website](#). From here, you can find information on worldwide patents, as well as patents held within the United Kingdom. This information may serve to resolve part three of your request. In relation to part two of your request, we may be able to provide further information if you were to substantially limit the scope of your request, e.g. by reducing the timeframe.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle
Deputy Secretary
The University of Leeds
Leeds
LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University's response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Chloe Wilkins
Freedom of Information Officer

Secretariat
University of Leeds