

MATERIAL TRANSFER AGREEMENT 2.0 TEMPLATE

— VERSION 1.0

The Material Transfer Agreement template (referred to as “**MTA 2.0**”) developed by Swiss Biobanking Platform (SBP) consists of two documents, namely a Master Legal Instrument (referred to as the “**Master Legal Instrument**”) and a Project Agreement template (referred to as the “**Project Agreement**”).

These two documents govern the transfer and use of human biological material and associated data (referred to as “**Original Biological Resources**”) that are made available by a provider to a recipient wishing to use these resources for its own research purpose.

Each organization planning to sign a Project Agreement has to agree beforehand to be bound by the terms of the Master Legal Instrument. The Master Legal Instrument offers a general basis for any transfer of Original Biological Resources occurring between organizations. The Project Agreement, on the other hand, is specific to a research project, and is therefore filled in by the organizations’ project leaders, who are offered several options to meet their particular needs. Those options concern topics such as intellectual property rights, publication of results, or transmittal fees. The Project Agreement must be executed by legal entities, which are to be bound by its contractual provisions, and not by the organizations’ project leaders only, since the latter might not be able to guarantee the implementation of the contractual obligations.

This template shall be used by SBP partners, which work in compliance with the governance principles issued from the applicable ethical and legal requirements, and follow the professional biobanking standards as stated in their biobank regulation. Yet, SBP encourages anyone working with biological resources to adopt it.

In the majority of instances, this template will be suitable without making adaptations. Marked fields are to be completed. In certain settings, modifications will be necessary. In case of need, specific legal advice should be sought. Any use of this template is exclusive responsibility of the respective user.

Should you have additional questions, please contact SBP at info@swissbiobanking.ch

Swiss Biobanking Platform

WHICH DOCUMENT DO I NEED?

