# RMIT logo 35mm colLEGAL SERVICES REQUEST FORM

**(Research Contracts)**

***This form is privileged and confidential for the purpose of obtaining legal advice***

**Your Details:**

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| **Date:** |  |
| **Name:** |  |
| **Position Title:** |  |
| **Contact Number:** |  |
| **School/Group/Centre:** |  |
| **Portfolio:** |  |

**Authority:**

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| **Has this legal request/project received appropriate internal approval?** |
| **Yes**  | **Provide Name & Title of appropriate approver:** |
|  |  |
| **No**  | Seek appropriate internal approval and re-submit request at that time. |

**You require Legal to:**

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| **Draft a New Research Agreement** | **[ ]**  | *Complete Section A* |
| **Review Research Agreement from External Party** | **[ ]**  | *Complete Sections A & B* |

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| **Is this request related to or similar to an existing Legal file?** | **Yes / No** |
| **If Yes,** please provide more details such as Legal File Reference Number, name of the other party or who at Legal Services assisted you previously. |  |

**Details of Legal Request:**

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| *The following questions provide Legal Services Group (LSG) the information we require to draft or review a research agreement.**The notes below each question are prompts to help assist you in evaluating common legal issues arising from RMIT’s research arrangements. They are not intended to be exhaustive, so please add anything else you think is important for us to know.* |

***SECTION A***

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| 1. **Provide details of the other party**
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| **Legal Entity or Party Name:** |  |
| **ACN or ABN:** |  |
| **Street Address:** |  |
| **Contact Name:** |  |
| **Telephone:** |  |

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| 1. **What is RMIT’s role in conducting the research?**
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| *Consider the forms of participation RMIT undertakes in conducting its research and briefly describe, for example:* * *Is RMIT participating:*
* *as a contract research organisation, with a commercial focus; or with a collaborative focus with other educational institutions*
* *as a Subcontractor, or engaging a Subcontractor*
* *in a Centre of Excellence, CRC, CRC-P or other MIA?*
* *Is RMIT conducting:*
* *PhD training*
* *research arising from Competitive Grant applications (either RMIT’s or another Institution/Organisation’s)?*
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| 1. **What does RMIT’s seek to achieve from this relationship?**
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| *Consider the following commercial drivers for RMIT’s involvement in the research activities.* *Describe RMIT’s anticipated commercial outcomes arising from its participation, such as:** *Is this an area in which RMIT has considerable expertise & looking to expand?*
* *Is this an area in which RMIT is looking to build up its expertise?*
* *Is RMIT seeking to develop a relationship with the other party where that relationship will lead to additional opportunities for student placements/training/research funding?*
* *Is the research central to a researcher’s or research group’s broader portfolio?*
* *Is the project/relationship intended as leverage for a larger project?*
* *Is RMIT looking to commercialise the research?*
* *Is the goal of participation solely to train/educate?*
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| 1. **What are RMIT’s operational requirements in respect of the agreement?**
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| *Consider the following examples of common operational requirements and RMIT’s involvement in the research:** *What are funds to be used for (eg student scholarship, salary for research assistant or post doc, consumables)?*
* *Are there any conflicts of interest?*
* *If terms have not been agreed with the other side, have representations been made during discussions regarding the use of the Project IP or commercialisation?*
* *What is RMIT’s position on Project IP in respect of IP ownership, licences to use, commercialisation etc?*
* *What is RMIT’s position on Background IP?*
* *Does RMIT have the right to provide it for use in this project?*
* *Is the BIP being used for other projects?*
* *Is the BIP licenced to another party?*
* *Does the other side require a licence to the BIP?*
* *Is the Project IP required for another phase of research (or commercialisation) after delivery of this agreement?*
* *Does RMIT require or likely to require the Project IP for another project with another organisation?*
* *Have we enquired as to the other party’s broader plans to leverage the research output?*
* *Is there Student involvement, and if so, what is it?*
* *Is RMIT required to publish, and if so, on what basis?*
* *Are there any inherent OHS risks due the nature of the research?*
* *Are there any regulatory, ethical or compliance issues?*
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| 1. **Further details of the other party, and any other parties involved**
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| *Please provide any additional information, such as:** *Is the other party going to be accommodated on RMIT premises? (if so, please outline the arrangements)*
* *Have RMIT had compliance issues with the other party in the past?*
* *Have dealings with the other party been easy or challenging?*
* *Do you have any other pertinent information regarding the other party?*
* *If additional parties are involved, provide details as to their Legal entity name/s and ABN/s.*
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| 1. **Please include with your submission all related documents to support the drafting of the agreement.**
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***SECTION B***

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| 1. **Please confirm:**
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| 1. You have read the agreement provided by the External Party.
 | Yes / No |
| 1. It meets with your commercial understanding of the arrangement.
 | Yes / No |
| 1. The University can comply with its obligations under the agreement.
 | Yes / No |

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| 1. **Outline any concerns you have with the External Party’s agreement.**
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| *For example:** *Are there any ambiguities or conflicts with your understanding of the commercial arrangements?*
* *Have you identified terms that are ambiguous, complex or troubling which require legal input?*
* *Are there changes to the agreement which you believe should be made to better reflect the arrangement?*
* *It there anything you have identified that is missing from the agreement?*
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| 1. **Please attach the complete agreement (including any Schedules and Annexures), along with all related documentation.**
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**Conclusion and Submission**

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| **Turnaround Times** |
| Turnaround times are highly dependent upon the nature and complexity of the matter at hand, and the adequacy of instructions provided to Legal Services. As a guide, Legal Services will often be in a position to provide at least preliminary advice within ten (10) working days of receipt of a Legal Services Request Form.If this matter is urgent or subject to specific deadlines, please advise:  |
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| **Acknowledgement Receipt** |
| You should receive **email notification** from Legal Services within 1-3 days of lodgement of your Legal Services Request Form. This notification will provide you with a **Legal File Reference Number** for your request.If after 3 days you have not received this email notification, please follow up directly with the Legal Services Group administrator to ensure your submission has been received. |

Please submit your Legal Services Request Form (and associated documentation) to: legalservices@rmit.edu.au

or via Internal Mail: Building 21; Level 4; Room 7