

INSTRUCTION SHEET

General Information:

The purpose of this Invention and Technology Disclosure is to record what was invented and the circumstances under which the invention was made or the technology created. It provides the basis for a determination of patentability and for drafting a patent application. It is a legally important document which should be prepared carefully.

An invention is a novel and useful idea relating to processes, machines, articles of manufacture and compositions of matter. It may cover such things as new or improved devices, circuits, systems, chemical compounds, drugs, etc.

Technology, for the purpose of this document, would include patentable software, integrated circuit designs, biological organisms, and the like, which may have commercial utility. To be patentable, the invention must not be obvious to a worker with average skills in that particular technology. In addition, it must not have been used by others in this country, or patented or described in a printed publication anywhere, prior to the date of conception.

An Invention and Technology Disclosure should be made when something new and useful has been conceived or developed, or when unusual, unexpected, or non-obvious research results have been achieved.

The following instructions apply to the correspondingly numbered sections on the Invention and Technology Disclosure form:

1. Use a brief title, sufficiently descriptive, to aid in identifying the invention.
2. Please provide a non-confidential abstract describing the invention for the purpose of initial marketing efforts.
3. In describing the invention, attach material which covers the following points:
 - A. General purpose of invention and the problem it solves;
 - B. Technical description of invention;
 - C. Features believed to be new; and advantages and improvements over existing methods, devices or materials;
 - D. Emphasize aspects of the invention that make it unique and non-obvious;
 - E. Possible variations and modifications, as well as products and processes that could result from the invention;
 - F. Describe any competing technologies, including: current solutions for the same problem; how and how much better your invention is (e.g. X times faster, more efficient, less expensive); related technical papers or patents embodying similar technology or part of the invention; degree of research interest in the field of the invention (Le. is the field heavily researched?);
 - G. Describe the stage of development, including the current state of the research (e.g. prototype, in vitro data, model system), and additional steps needed for commercialization;
 - H. If the invention includes software, please describe any novel algorithms used. If the invention includes a database, please describe any novel features of the structure.
4. Commercialization possibilities - list any companies that might be interested in the technology (include contact names if available); your suggestions for commercialization (e.g. broad licensing as research tool, new company formation, exclusive licensing); and potential

"end users" of a product based on the invention (e.g. researchers, household consumers, larger companies);

5. List any relating prior art information available. Key word searches on published patent can be done at the US Patent & Trademark Office, www.uspto.gov.
6. List all available references pertinent to this invention.
7. It is very important to name the correct inventors or the patent will be invalid. Include the names of all presumed inventors or developers. Because inventorship is a legal determination based on the claims of a patent, named inventors may change from the original disclosure. Generally, an inventor is an individual who has conceived an essential element of the invention either independently or jointly with others, during the evolution of the invention concept. For software, a developer is an individual who wrote the code.
8. Indicate what funds were used to develop the invention. If sponsored, give the names of all sponsors and the full applicable contract or grant numbers. Attach Inventions and Copyright section if you have it. Give the names of all Principal Investigators, whether or not they are inventors. (See item 13 also.)
9. Indicate yes or no - was the invention made under any other third party agreements? If yes, indicate the name of the company involved in the collaboration or providing the material. This is critical in determining intellectual property rights.
10. In recording the history of the invention, give particular attention to the legally important events of:
 - A. **Initial idea;**
 - B. **Conception** (the date when all the essential elements of an invention were formed in the inventor's mind);
 - C. The first actual **reduction to practice** (i.e. first successful demonstration of the invention);
 - D. Establishment of a **publication bar** (see http://web.mit.edu/tlo/www/community/preserving_patent_rights.html for more information). For **past printed disclosures**, include date of proposal or manuscript submission, date of publication, and any information you have on electronic publication of the journal. For past **oral disclosures**, include date of conference, convention, speech, etc. and indicate if any information is distributed prior to the presentation. For electronic disclosures or www postings, include the date of electronic publication; and
 - E. Describe any **disclosures planned in the future**. For **future printed disclosures**, include date of proposal or manuscript submission, date of proposed publication, and any information you have on the proposed electronic publication of the journal. For **future oral disclosures**, include date of conference, convention, speech, etc. and indicate if any information will be distributed prior to the presentation. For electronic disclosures or www postings, include the probable date of electronic publication.
11. List faculties who would be able to assist in evaluating the technical merits of this technology.
12. All inventors named in item 3 should sign. Any submission accepted by the Office of Technology Transfer requires an assignment to Notre Dame by Notre Dame's inventors.

13. Arrange for signing by a faculty member who has read and understood the Invention and Technology Disclosure. The faculty member should be the Principal Investigator if he or she is not an inventor. The form should also be signed by the Department Chair or the Dean of the College.

Please attach any additional information that may affect Notre Dame's patent rights or the patentability of this invention.

NOTE: An Invention and Technology Disclosure must be prepared and submitted for each potentially patentable invention conceived or first reduced to practice in whole or in part by members of the faculty or staff (including student employees) of the University in the course of their University responsibilities in accordance with the University's Intellectual Property Policy.

For general information on Notre Dame policies, see the Notre Dame Faculty Handbook
<http://provost.nd.edu/handbook/documents/Faculty%20Handbook%202003.pdf>

If you have any questions please contact the Office of Technology Transfer at (574) 631-7432, or visit our website http://www.nd.edu/_research/TechTransfer/TTindex.html