



Critical Materials Institute

AN ENERGY INNOVATION HUB

Guidelines on Protecting Inventions

To assist in protecting intellectual property, researchers should:

- Disclose, through their home institution(s), all inventions conceived or reduced to practice.
 - Inventions include the discovery or creation of: a new material, a new process, a new use for an existing material, a new use for an existing process, or, an improvement of any of these. In certain circumstances, computer software also considered a patentable invention.
- Disclose inventions to your home institution before making a public disclosure.
 - Written publications, poster sessions, slides, lectures, seminars which are open to the public, letters, even conversations can count as a public disclosure and bar to patentability--depending on the country.
 - Announcing that you have made an invention is not, by itself, a "public disclosure" of the invention. In order to act as a patent bar, the disclosure must be "enabling" which means it must contain enough information to teach someone "of ordinary skill in the art" how to actually duplicate the invention.
- Request a Non-Disclosure Agreement (NDA) from your home institution if you want to speak with any outside entity before a patent application is filed.
- Assist your home institution with all requests for additional information as they prepare your patent application.
- Assist your home institution as needed in the licensing process.

In Proposals:

Use the following legends to protect your intellectual property if you submit a proposal that contains any potentially patentable information:

- State on your Coversheet (in **BOLD** or **Red** text):

This proposal contains potentially patentable information under 35 USC 205 and 37 CFR 401 and should be treated as confidential. Pages containing such information are duly marked as such and should not be reproduced.
- Then place the following statement on EACH page (in **BOLD** or **Red** text) containing potentially patentable information:

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Patent Caution

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