

Recordkeeping and Publication Guidelines for Inventors

OVERVIEW

To safeguard the possibility of patenting inventions, University researchers are encouraged to:

- Thoroughly record invention development and
- Coordinate the release of any publications relating to an invention with the patent disclosure process. See *Executive Policy Manual EP38*, Section II.

RECORD KEEPING

To help prove facts and priority dates relative to invention conception, the inventor is encouraged to commit the details of the invention to writing at or near the time of invention conception. Each page should be signed and dated by the inventor and a disinterested witness who understands the contents.

Daily Record

Ideally, the author should maintain an accurate daily record of research activities in a bound laboratory notebook, concurrent with the work.

This practice provides legal evidence of conception, diligence, and reduction to practice and thus maximizes the possibilities of eventually obtaining and successfully defending patent rights.

All notes should be kept in ink and any errors should be corrected by crossing out and rewriting rather than by erasing.

Each page should be dated and signed by the inventor and a disinterested witness who understands the contents (not a co-inventor or collaborator).

Before destroying any samples, run sheets or records of any kind, the inventor should make certain that the discarded records are of no value to the University or to anyone associated with the project.

PREMATURE PUBLICATION

A prior publication by the inventor which describes the invention can invalidate a patent application. Patent applications to the U.S. Patent Office must be filed within one year of the first public disclosure of the invention.

Disclosure to and evaluation by the Office of Commercialization (OC) must occur before publication occurs. The OC must provide authorization before potentially patentable inventions are publicized.

Proposals

Including data concerning a potentially patentable invention in a proposal may constitute publication if a sponsoring agency makes the information available to the public at large.

Recordkeeping and Publication Guidelines for Inventors

Proposals (cont.)

When agencies receive requests from outside parties to review grant or contract applications, most attempt to contact the submitting investigator to ascertain that the requested documents do not contain invention data the rights to which could be adversely affected by disclosure.

If the principal investigator believes the data concerning a potentially patentable invention is contained in a proposal, the investigator should clearly indicate that the proposal contains proprietary or confidential information which, if released, could jeopardize valuable rights of Washington State University and/or the author(s).