

TECHNOLOGY DISCLOSURE FORM INSTRUCTIONS

The Office of Technology Commercialization (OTC) reviews all Technology Disclosure forms as they are received from members of the Rutgers community. Where appropriate, the OTC endeavors to license Rutgers inventions to industry for further development and commercialization. Any royalties derived from any such license are shared with the inventor(s) and their departments according to Rutgers Policy 50.3.1.

The purpose of this form is to notify the OTC of your potential invention and any relevant sponsorship and publication history. The form also serves to establish a legal record of the date of conception of the invention. This form should be submitted to the Office of Technology Commercialization when something new and useful has been conceived or developed, or when unusual, unexpected or unobvious research results have been achieved and can be used.

Significant use of Rutgers administered resources-whether funds or facilities – will normally give rise to Rutgers ownership rights in an invention. See Rutgers *Policies and Procedures* for further discussion of significant use.

The following instructions apply to the numbered sections on the **Technology Disclosure Critical Data Form**:

- Contact Information:** If there are potential co-inventors fill out the **Inventors Contact Information section on Page 2**. Include the names of any possible co-inventors. A co-inventor is an individual who has conceived or contributed an essential element of the invention, either independently or jointly with others, during the evolution of the technology concept or reduction to practice.
- Technology Title:** Use a brief descriptive title to aid in identifying the technology.
- Non-confidential, plain language summary:** Briefly describe how this invention can be used commercially and what it enables the end user to do. In describing the technology, address the following points: general purpose, technical description, advantages and improvements over existing methods, devices or materials, and possible commercial applications.
- Key Dates:** In patent law “**Conception**” involves the formulation of the complete means for solving a problem, in the mind of the inventor. The mere recognition of a desirable result, or of a problem, or of a general approach to solving the same, without the formulation of the physical structure to accomplish that result or to solve the problem, will not suffice to constitute conception. The “**Experimental Verification**” and “**Prototype, Model, or Test Sample**” sections involve the concept of “**Reduction to practice**”. In other words, the actual and complete use of the invention for its intended purpose. Such reduction to practice generally involves physical construction of the invention and testing the physical embodiment to determine whether it performs as contemplated, but this is not always necessary if the invention can be fully described. **Typically, mechanical inventions can be described without construction of a prototype, while chemical and biological inventions require experimental verification, as these areas are less predictable.**
- Documentation:** A person who has read and understood your disclosure should witness your lab books and/or other records of your technology.
- Public Disclosure and Third Parties:** In the United States, a patent application must be filed no later than one year after public availability of a printed publication disclosing the invention in detail (presentations including slides, use of overheads or blackboards, or website postings may be considered written disclosures). In other countries, filing must take place before either oral or printed publication is made available to the public; however, where there has been a U.S. filing before any oral or printed publication, generally a one-year grace period is granted for foreign filing. The term “**first publication**” means the first time any member of the general public (those outside of co-inventors / collaborators), without restriction of confidentiality, would have been able to legally gain access to your written or oral enabling description of the invention. **Note that such publication includes the cataloguing of a thesis in the Rutgers libraries or the presentation of work at a seminar on campus.** The anticipated date of publication should be entered, as well as the date any documentation was submitted for review for possible publication.
- Other Information:** If an inventor is supported by the Howard Hughes Medical Institute, list both HHMI and the department. A list of commercial entities that may be interested in the invention will assist the OTC in identifying potential licensees for the technology. Please include names and addresses of specific contacts if known.
- Possible Inventors Contact Information:** Non-Rutgers inventors are not required to sign this form, but their contact information must be provided. It is required that this form be witnessed. If the principal investigator is not an inventor/author, he or she is often the best witness. **It is important to provide your country of citizenship and home (residential) address, as these will be necessary to complete the forms used in filing your patent application.**