

Invention Disclosure Form

WHO SHOULD COMPLETE THIS FORM?

You should complete this form if you

- have invented a product or process for which a patent may be sought, or
- have conducted/are conducting research from which a product or process results, for which a patent may be sought.

DIRECTIONS FOR COMPLETING THIS FORM:

1. Complete the questions on this form which pertain to your invention.
2. Attach references such as notebook pages, test reports, technical reports, test data, printouts, patent literature, journal articles or other relevant information. Include any inconsistent data.
3. At least one submitter/inventor of the disclosure should sign and date this document.
4. Have the disclosure witnessed and dated. The witness should have a technical background and should not be an inventor.

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DATE: _____

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WORKING TITLE: _____

Names of persons connected with the work. A patent attorney will determine inventorship when the patent application is prepared.

Submitter name: _____ Signature: _____ Date _____

Home Address : _____ Citizenship: _____

Submitter name: _____ Signature: _____ Date: _____

Home Address : _____ Citizenship: _____

Submitter name: _____ Signature: _____ Date: _____

Home Address : _____ Citizenship: _____

Any additional contributors, including any non-Northern Michigan University staff, employees, or consultants:

READ AND UNDERSTOOD

Witness (not a possible co-inventor):

Name: _____ Signature: _____ Date: _____

1. General Description of the Invention

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- A. Provide a general statement of what the invention is. Describe the features of the invention and improvements over existing technology. Additional description may be attached to the Invention Disclosure Form, if necessary. Add research notebook page numbers, if appropriate.
- B. If the invention involves compounds, provide a list of compound numbers or names and the chemical structures for all compounds including intermediates where appropriate. Identify the source of the compounds if not Northern Michigan University. Identify with a generic formula the class of compounds contemplated by this disclosure. List all notebook entries that are relevant to this invention.
- C. For chemical processes, describe the method of preparation, by either formulae or prose, indicating the reactants, solvents, process conditions, catalysts, etc. List all notebook entries that are relevant to this invention.
- D. For biotechnology inventions, include schematic drawings illustrating the appropriate structure(s) and their functions. Name each specific gene made, tested or formulated. Identify the source of the structures if not Northern Michigan University. List all notebook entries that are relevant to this invention.
- E. For new compositions or mixtures, list the composition of the new formulation(s). Also describe how the new formulation is made, i.e. preferred order of addition, special

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equipment, and Lot Numbers of chemicals. List the composition and proportion of the new mixture(s). Are there any required process steps in making the formulation? List all notebook entries that are relevant to this invention.

- F. For new or improved mechanical device inventions, include drawings showing novel features of the invention. List all notebook entries that are relevant to this invention.

2. Other Related Work

State all known related work (yours and the published work of others). For chemical compounds, show the structure of compounds in the related work closest in structure to the new compounds. How does the invention differ from the related work? Describe the relationship of this invention to other technology programs and/or contracts. Describe all manual or computer searches of patents and/or published literature that have been made. Such literature might include Chemical Abstracts, journal articles, SciFinder searches, etc. Attach copies of search reports and of the most relevant references.

3. Publication

Has the subject matter of the invention been published anywhere? If so, provide the citation for the publication. If not yet published, is publication scheduled or in progress? Has a manuscript been prepared?

4. Public Use or Sale

Has this subject matter been made available in any form to anyone outside the company by submission of samples, printed publication or by written or verbal disclosure? Has the thing or

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idea which you have described in this record been tried experimentally, used in company operations or been offered for sale? If yes to any of these questions, provide dates and details.

5. Utility

Describe the utility of the invention. In the case of chemical inventions include a description of potential biological relevance of the invention. List the test report numbers and test dates or analogous relevant information when new use was first observed.

6. Planned Future Work

Describe current and planned work on this invention where possible.

7. Funding and Agreements

Is the invention related to any federal funding agreements or any other 3rd party agreements? If so, provide a list of all agreements.

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Title 37 Code of Federal Regulations, Section 1.56

Duty to Disclose Information

These regulations provide that a duty of candor and good faith towards the United States Patent and Trademark Office (USPTO) rests on the inventor(s), on each attorney or agent who prepares or prosecutes the application, and on every other individual who is associated with the preparation or prosecution of the application.

All such individuals have a duty to disclose information they are aware of which is material to the patentability of the claims of the application. Such information is material when (1) it establishes, by itself, or in combination with other information, a lack of novelty or unobviousness or (2) it is inconsistent with the reasons the applicant asserts for patentability or supports a reason the USPTO asserts against patentability.

Material information includes information on the invention with respect to whether (1) it is known to others, (2) it has been used or on sale, (3) it is described in a patent or printed publication, (4) there have been any delays in developing the invention, (5) someone other than the named inventor(s) (a) had contributed to the invention in any way, or (b) has indicated that he made the invention, e.g., by prior disclosures in printed publications, etc. and (6) there are test results or other experimental information directed or related to the invention. You may satisfy this duty by disclosing to Northern Michigan University attorneys or staff employees designated to handle intellectual property matters any information which is material to the examination of the application. This duty is on-going and continues throughout the entire time that an application is pending.

The duty of disclosure applies not just to information that is exactly like the invention, but to related items. For example, in a chemical composition case, a patent or article that discloses a compound similar in all respects but one or two is relevant, especially if the use is the same.

Failure to tell the USPTO about relevant prior art or other material information can result in an application being stricken or a patent ruled unenforceable if failure to comply with the duty of disclosure is proved.

However, the duty of disclosure does not obligate you to conduct patent or literature searches for material information. This duty applies only to facts or items already known to you or that become known to you during the pendency of the application.

Please seriously consider this duty and supply all information you believe may be material to the subject application.

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