DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
Public Health Service
National Institutes of Health
Bethesda 14, Md.

PATENT AGREEMENT
(substitute for

Institution:

Investigator(s):

Title of Research Proposal:

The following amended patent agreement is accepted by

and becomes a part of the official application for Public Health Service support, identified as :

"if any invention arises or is developed in the course of the work aided by the grant, the undersigned will refer to the Surgeon General for determination as to whether patent protection shall be sought and how the rights in the invention, including rights under any patent issued thereon, shall be disposed of and administered in order to protect the public interest.

In connection with the compounds to be synthesized and/or developed under the subject grant, which are submitted to a pharmaceutical company for screening purposes, the grantee and the pharmaceutical company hereby agree to the following conditions:

1. The pharmaceutical company shall not make disclosures of the results of testing for a period of 12 months, except with the consent of all parties concerned.

2. The pharmaceutical company shall report the results of testing promptly to the investigator and will furnish to him, for use by the PHS in connection with any application for patent which the PHS may file, the information demonstrating any utility or new use of the compound.

3. The pharmaceutical company shall be permitted to obtain patent rights to new uses of the compounds developed at its own expense, except where the grantee contributed or participated in the conception or reduction to practice of such new use, or where such new use patent would hamper, impede or infringe on the intended use of the invention covered by the product application, or where such new use is within the field of research work supported by the grant.

4. There shall be reserved to the Government under any new use patent obtained by the pharmaceutical company a nonexclusive, irrevocable, royalty-free license to the Government, with power to sublicense for all Governmental purposes."

(Accepted)_____
(Pharmaceutical Company)

(Title) _____

(Date) _____

(Signed)_____
(Principal Investigator or Project Director)

(Accepted)_____
(Institution official responsible for patent matters)

(Title)_____

(Date)_____

U. S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE

PROCEDURE FOR SUBMISSION OF ANNUAL INVENTION STATEMENT
(Please read carefully)

Under Department of Health, Education, and Welfare regulations (45 C.F.R., Parts 6 and 8), Public Health Service patent policy provides that all inventions arising out of the activities assisted by Public Health Service grants and awards shall be promptly and fully reported to the Surgeon General. Whether patent protection on such an invention shall be sought and how the rights in the invention, including rights under any patent issued thereon, shall be disposed of and administered in the public interest shall be determined either (a) by the Surgeon General, or (b) by the grantee institution in accordance with its own policies, where a *separate formal institutional patent agreement* has been reached by the Surgeon General with the nonprofit grantee institution concerned.

When inventions are to be reported, the person concerned should ask the appropriate official of his institution to request of the Division of Research Grants, National Institutes of Health, Bethesda 14, Maryland, the reporting form and pertinent detailed instructions.

In addition to the formal reports described in the first paragraph, an Annual Invention Statement must be provided as part of the *request for renewal* of each type of Public Health Service grant and award. **This Statement must be submitted whether or not an invention has occurred during the period of grant or award support for which renewal is being requested, and whether the invention was partially or fully supported by PHS funds.**

The Statement should include all inventions which might possibly be construed in any manner to be PHS grant or award supported or related.

Should a request for renewal be received without the inclusion of the Annual Invention Statement, the grant or award will not be paid until such time as the Invention Statement has been received.

The Invention Statement does not relieve the grantee institution or the scientist of responsibility for prompt reporting of inventions or discoveries.

When a grant or award terminates and no renewal application is planned, an Annual Invention Statement must be submitted as part of the required final progress report.

The certification statement governing each type of Public Health Service grant and award appears on the attached page. Return original and first carbon to the Division of Research Grants.

With the exception of the Fellowship award, each Statement will require two signatures: (1) the person responsible for the grant or award concerned and (2) the institution official responsible for patent matters. For the Fellow, the signature of the sponsor is also required.

Form Approved; Budget Bureau No. 68R-773

PHS-3945
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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE

ANNUAL INVENTION STATEMENT ON PUBLIC HEALTH SERVICE GRANT OR AWARD

I hereby certify that, to the best of my knowledge and belief, all inventions are listed below which might possibly be construed in any manner to be Public Health Service grant or award supported or related and which were conceived and/or reduced to practice, or made the subject of patent application by persons engaged in the performance of work under Public Health Service grant or award

No. _____ , for the period _____ through _____

(For General Research Support grants the Annual Invention Statement would include only those inventions related to a specific research project aided by such funds. If no inventions have been made under any Public Health Service grant or award, insert the word "None" under Title of Invention.)

NAME OF INVENTOR	TITLE OF INVENTION	DATE REPORTED TO PHS

Use Continuation Sheet if Necessary

Signature, in ink, is required in the space provided below, appropriate to the type of grant or award being supported:

TYPE OF GRANT OR AWARD	SIGNATURES
1. FOR A RESEARCH GRANT	_____ (PRINCIPAL INVESTIGATOR OR PROJECT DIRECTOR)
2. FOR A TRAINING GRANT	_____ (PROGRAM DIRECTOR)
3. FOR THE RESEARCH CAREER AWARD PROGRAM	_____ (AWARDEE)
4. FOR A FELLOWSHIP AWARD.	_____ (a) (FELLOW) _____ (b) (SPONSOR)
5. FOR A GENERAL RESEARCH SUPPORT GRANT *(SEPARATE INVENTION STATEMENT FOR EACH IDENTIFIABLE RESEARCH PROJECT)*.	_____ (PRINCIPAL INVESTIGATOR)

APPROVED:	SIGNATURE *(Institution official responsible for patent matters)*	DATE
	TITLE	MAILING ADDRESS

Form Approved; Budget Bureau No. 68R-773

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	_____ (b) (SPONSOR)
5. FOR A GENERAL RESEARCH SUPPORT GRANT *(SEPARATE INVENTION STATEMENT FOR EACH IDENTIFIABLE RESEARCH PROJECT)*.	_____ (PRINCIPAL INVESTIGATOR)

APPROVED:	SIGNATURE *(Institution official responsible for patent matters)*	DATE
	TITLE	MAILING ADDRESS