NIH Pat policies

SUPPLEMENT TO TITLE 37 - CODE OF FEDERAL REGULATIONS (Jan. 1959)

Part 301. Acquisition and protection of foreign rights in inventions

301.8 When the foreign rights in and to an invention are not assigned to the Government but the Government may, at its option or on request, acquire such rights and determines not to cause an application to be filed in any particular foreign country or otherwise to seek protection of the invention, or fails to take such action (a) within six months of the filing of an application for U.S. patent on the invention, or (b) within 6 months of the declassification of an invention, previously under a security classification, or (c) within six months after disclosure of an invention to the Government pursuant to contract, whichever is later, such determination or such failure to act shall constitute a decision by the Government to leave such rights to the inventor subject, to the extent practicable, to a non-exclusive, irrevocable, royalty free license to the Government in any patent which may issue thereon in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

OUTLINE FOR INVENTORS

1. Title of discovery.

2. Full name of inventor, residence address, business address, and official title or position. (Please give this information for all persons directly contributing to the invention.)

3. Name and address of the facility at which the discovery was made.

4. Contribution of the facility to the discovery in men, money, or materials.

5. Patent policy of the facility.

6. Name and address of any other organization(s) contributing to the discovery.

7. Contribution of the organization(s) in men, money, facilities, or materials.

8. Patent policies of these organizations.

9. Detailed description of the invention.

10. Objectives, advantages, and uses of the discovery.

11. Your opinion of the importance and usefulness of the discovery:
    (a) In the United States.
    (b) In foreign countries.

12. Your personal desires on applying for a patent on the discovery.

13. Reasons, if any, why publication would not be adequate to insure the availability of the discovery to the public.

14. Brief statement on how the invention was conceived, its reduction to actual practice, and the dates of these events.

15. Brief statement concerning supporting evidence which you have at hand which may be used as proof of item 14 — for instance, laboratory notebooks, letters, and the like.

16. Brief statement on disclosure of the discovery to others. (Give names and professional affiliations of persons or groups to whom you have made a disclosure and the dates of such disclosures.)

17. Dates, Current location, and names of persons present, if any, when you were developing your experimental data.

18. All information which you have as to the state of the art and such specific information on the art as to which you may be aware, including any publication already made, or public use being made of the art at the time of the discovery. (Give dates, names, and addresses of publishers and/or users.)