

THE SALK INSTITUTE FOR BIOLOGICAL STUDIES

Invention Disclosure Policy

Invention Disclosures are the first step in the patent and licensing process. We rely on the Institute's scientists to keep us informed of inventions and discoveries so that we can determine whether we need to file for patent protection, as well as whether the technology has commercial potential.

Scientists should fill out an Invention Disclosure Form (see below) before publicly disclosing new technology, i.e., inventions and discoveries that might be of interest to an outside party, whether academic or commercial. For patent purposes, public disclosure is any communication to someone not obligated to keep the communication confidential. This includes published articles, scientific talks, poster presentations and sharing of information in any form with colleagues outside of your Salk laboratory.

Public disclosure of an invention or discovery before a patent application has been filed affects whether or not the Institute can obtain a patent. The United States allows a one-year grace period between public disclosure and filing of a patent application. However, outside the U.S. there is no grace period, which means that most foreign patent rights are lost IMMEDIATELY upon public disclosure. This can affect our ability to license the invention if the market for it is worldwide.

In addition to OTD's responsibility to make the decision on patentability, it is also important to note that the Institute may be able to license an invention, whether or not it is patentable, if commercial entities have an interest in it.

Please fill out an Invention Disclosure form (see below) and submit it to OTD before making your research public. If you have questions, please contact **Michelle Booden** (mbooden@salk.edu or x1612). Though we prefer to receive your form as far as possible in advance of the public disclosure, our office will work with you even at the last minute to make sure patent rights are protected.

Invention Disclosures are considered confidential, and will not be shared with anyone outside OTD.