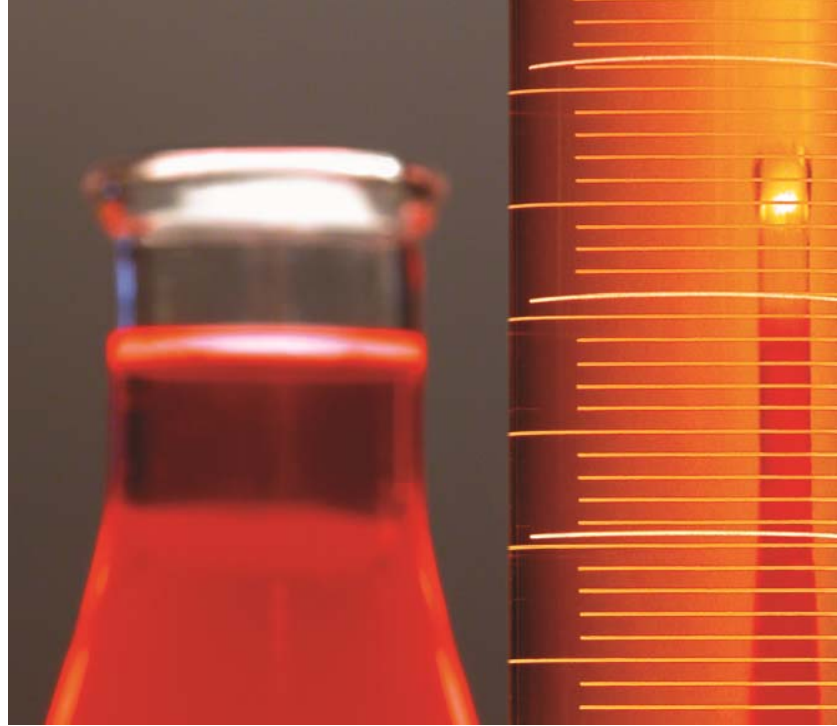
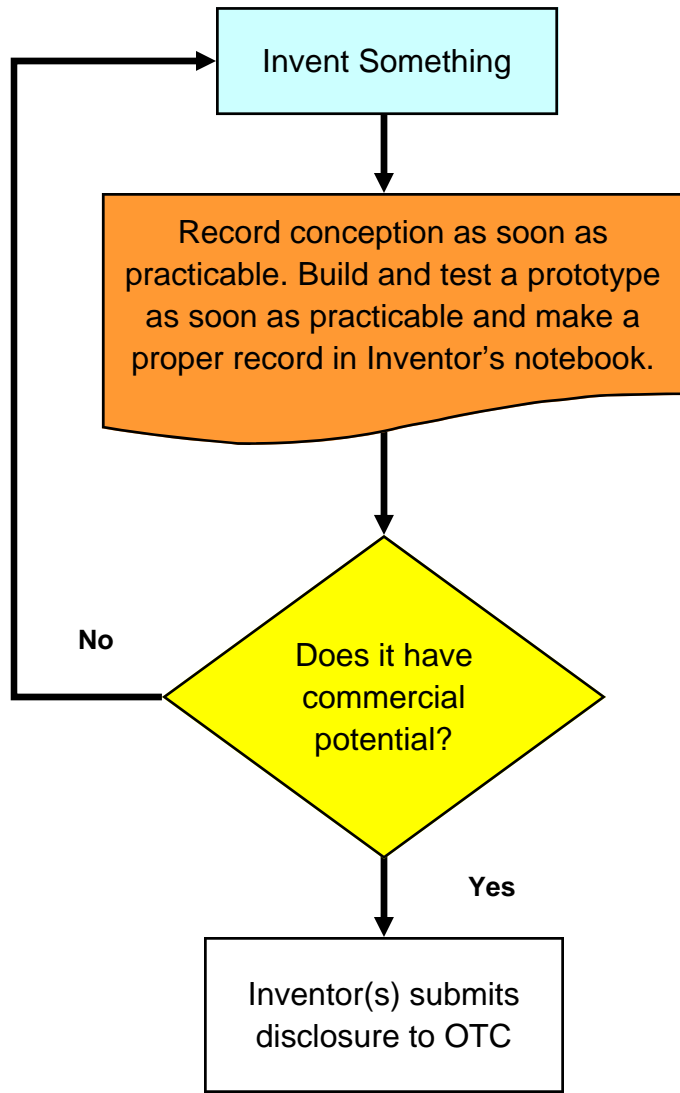
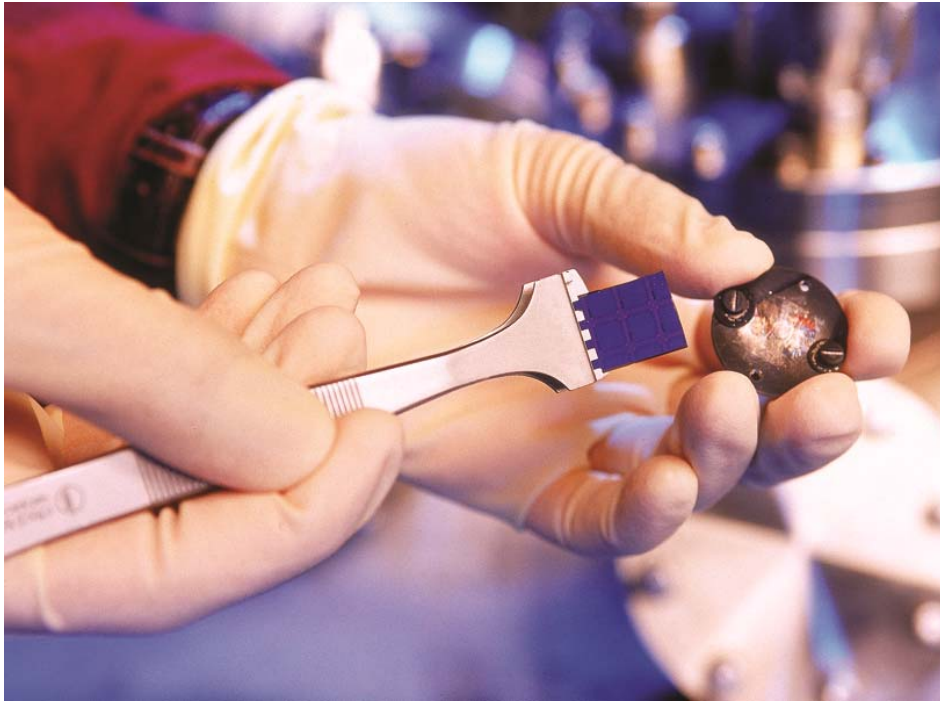


Inventor's Decision Chart



Common Sense Guidelines for Maintaining an Inventor's Notebook



The Office of Technology Commercialization at Rensselaer supports researchers in protecting intellectual property and bringing discoveries into the commercial marketplace. We are dedicated to building relationships with commercial partners to benefit Rensselaer, researchers, and the broader community.

Intellectual Property, Technology Transfer and New Ventures

Intellectual Property, Technology Transfer and New Ventures
 Rensselaer Polytechnic Institute
 110 Eighth Street, J Building
 Troy, New York 12180
 Phone: 518-276-6023
 Fax: 518-276-6380
 E-mail: otc@rpi.edu

www.rpитеchnology.com



Common Sense Guidelines for Maintaining an Inventor's Notebook

Success by an inventor in being able to obtain a patent may depend as much on how carefully he or she has kept a research notebook as on how original and patentable the discovery is. A U.S. patent is granted to the inventor who was the first to fully conceive an invention and reduce it to practice. Being able to prove when you made an invention and were the first to invent may be vital to getting a patent. In addition, patent claims are increasingly challenged by competitors. In such situations, inventors may have to present their notebooks for inspection. Any irregularities in record-keeping become red flags to an opponent's attorney.

University researchers generally do not feel the need to follow the strict notebook-keeping rules of their industrial colleagues. They should, nevertheless, take a few common sense steps to protect themselves and their work. These practices cannot only back up patent claims, but also insure against loss of valuable data, provide proof of the fulfillment of contracts, and protect against allegations of conflict of interest or research fraud.



Below are guidelines on what to record in your notebooks and other records and how to keep your records.

- All ideas, including those generated during meetings, noting sources of the ideas, and all research and developmental efforts associated with them.
- Plans for future experiments and their protocols.
- All details of a project, including raw data and final results of experiments, calculations on which the results are based, details of equipment use, and a key to abbreviations used.
- Raw data from recording instruments, drawings, photographs, charts, computer printouts, etc. Permanently attach these to a notebook page. Sign your name so the signature crosses both the attached item and the notebook page.
- Conclusions drawn.

The basic mechanics of keeping a notebook:

- Use permanently bound numbered notebooks with numbered pages; **never remove any pages.**
- Include a table of contents, with necessary explanations for abbreviations, acronyms, or unique codes.
- Start at the top of a page. Do NOT skip pages or leave empty areas. "X" off unused page sections.
- Use permanent, waterproof ink and the same pen for same day entries.
- Make legible entries with an indication the actual date that the work was done.
- Use a new page for a new experiment.
- On each page, write:

"I have directed and/or performed this work and adopt it as my own."

Sign and date each notebook page with your complete name and date.

- Have records reviewed and witnessed as soon as possible, preferably the same day, but within one week, with signature and date. Witness should be objective and provided by one who can understand the science or the content. The impartial witness writes after their review:

"I have read and understood this work."

Do NOT use coworkers, supervisors, or other collaborators in the research. If the reviewer finds a section unclear, make an entry to that effect on the current day's page and proceed to clarify it in writing to the reviewer's satisfaction. Provide the reviewer with a separate copy for their archival and retrieval.

- Store notebooks at the end of the day in a fireproof cabinet.
- Reproduce notebooks on permanent storage media (photocopy, microfilm, carbon copy notebooks, electronic laboratory notebooks, etc.) when complete and store securely in a separate location.
- Graduate students and students should also maintain their own notebook and have their work witnessed and archived, preferably by someone other than their professor, who is likely to be a co-inventor.
- Records should be kept for as long as a researcher wants to be able to verify the legitimacy of their work. If a patent has been applied for, this record should be kept for 20 years plus an additional 10 years.

Rensselaer's IP Policy and Procedures can be found at www.rpotechnology.com. If you have further questions, contact:

Ron Kudla, Ph.D., MBA, CLP
Executive Director of Intellectual Property, Technology Transfer
and New Ventures
(518) 276-3354 kudlar@rpi.edu