

Information on Good Intellectual Property Management Practices

Keep appropriate laboratory records

Laboratory notebooks constitute important evidence when the inventorship is under litigation.

- Describe your observations, original concepts and data in a clear, concise and legible manner with enough detail for someone else to repeat the experiment.
- Begin writing on the top of the first page and continue through continuously numbered pages.
- Use permanent ink.
- Use bound notebooks.
- Date all entries.
- Sign at the bottom of each page.
- At least one non-inventor should sign as a witness that you carried out the work described.
- Do not leave blank pages or spaces (draw a line across if you have to).
- Do not remove pages or erase anything from your laboratory notebook (in case of errors cross them out, make corrections and mark your initials).
- Do not let anybody else make entries into your lab book.
- Any supplementary material/pages must be permanently fixed to the book at the appropriate entry date (shake test: when you shake your notebook, no loose pages should fall out).
- Keep your laboratory notebooks in a safe place – ideally until expiration of the patent.

Thomson JA. 2007. How to Start—and Keep—a Laboratory Notebook: Policy and Practical Guidelines. In *Intellectual Property Management in Health and Agricultural Innovation: A Handbook of Best Practices* (eds. A Krattiger, RT Mahoney, L Nelsen, et al.). MIHR: Oxford, U.K., and PIPRA: Davis, U.S.A. Available online at www.ipHandbook.org.

Do not communicate your invention until a patent application has been filed.

The disclosure of your invention (or its exploitation for that matter) destroys its novelty and hence its patentability in most countries (with the notable exception of the U.S.A., where a grace period of one year after disclosure is granted).

- Do not communicate your invention either orally or in writing until a patent application has been filed (or until your creation has been protected by another means of industrial property right). This includes discussions with people outside your institution, interviews, presentations, posters and publications.

- If you need to disclose your invention i.e. during partnering discussion, make sure you have a proper non-disclosure agreement (*templates are available on PACTT website*) with the involved parties in place beforehand. Contact PACTT.
- You may secure the date of the conception by describing your invention and depositing it in a sealed envelope with a notary, but any other form of disclosure will destroy the novelty of your invention.
- Disclose your invention as early as possible to PACTT using the Invention Disclosure Form (*form is available on PACTT website*). Pay particular attention to any third party rights involved in the development of the invention.

Have your contracts with industry partners reviewed by your Technology Transfer Office.

The contracts described in the section Contracts and Agreements usually contain clauses about ownership of intellectual property rights.

- Never sign any of these contracts without having it cleared by your Technology Transfer Office.

How can you protect other intellectual creations and works?

Other creations may also be protected by Intellectual Property rights like copyright for software or design for protecting the shape of an object. Copyright protect software from the moment of their creation and you are invited to use the Software Disclosure Form (form is available on PACTT website) for announcing it to PACTT. Nevertheless some precautionary measures have to be taken:

Copyright checklist for software and other creations

- Do not create derivative works (software, design) without having obtained the right to do so from the owner of the pre-existing work.
- Keep all documents that may evidence the date of your creation.
- If necessary the software or design may be protected by an escrow or custodian deposit (for example a notary).

In case of doubt, get in touch with your Technology Transfer Office:

PACTT - Technology Transfer Office
Rue du Bugnon 21
1011 Lausanne
Phone: +41 21 314 59 72
Fax: +41 21 314 49 57
For general information: pactt.info@chuv.ch

www.pactt.ch