Guide to Completing an Intellectual Property Disclosure Form

If you have any questions about how to complete an invention disclosure, please contact Tommy Martindale (Director, Technology Transfer) at tmartindale@sdsu.edu

Please note:

● SDSU faculty and staff, and students involved in research are required to promptly disclose potentially patentable inventions conceived, reduced to practice, or developed while employed or enrolled at the SDSU pursuant to Senate Policy on Patents, Section 8.12
● It is important to initiate the invention disclosure process prior to publication, presentation, or demonstration to the public, as public disclosures can act as a bar to patent rights.

Getting started: How to request/create a new Inteum disclosure portal account

Please access the disclosure portal here: https://sdsu.inteum.com/sdsu/inventorportal/login.aspx

If you are a first-time user, please fill out the Form (link above; screenshot below) to create an account to establish your log-in credentials.
Once you’ve logged in, you can begin a new disclosure.

**Disclosing an invention or creative work:**

(A) Access this link: [https://research.sdsu.edu/tto](https://research.sdsu.edu/tto)  
On the left-hand side column, click on the heading: “Disclose an Invention or Creative Work.”
(B) Log in. The following screen will open.

(C) Click on “Add New Disclosure” in the left-hand side menu.

This will open the window below.

(D) Fill in the details regarding your new disclosure.

Add the title of your technology (“Disclosure Title”).
From the drop-down menu, choose the Type of Disclosure (Copyrightable Work or Invention or Software).
Click on “Create New Disclosure.”

Depending upon which you select (Copyrightable Work or Invention or Software), the respective Disclosure Form will open.
Complete and submit the Disclosure Form

Below is an example of the “Invention” disclosure form, with the fields that are required to be filled out before the form can be submitted marked with an asterisk.

Type of Disclosure: Invention

![Disclosure Form](image)

1. **Disclosure Title** - Add the title of your technology.

   The “Status,” “Invention ID” and “Tech ID” fields are not clickable.

Invention Disclosure

2. **Technical Description** – Describe the scope and details regarding your invention.

3. **Institutional Support** – Provide the details of any institutional support relied upon to develop your invention or creative work. Generally, this includes the use of equipment, supplies, facilities, employee time, State Funds, Auxiliary Funds, external funding administered by either the State or an Auxiliary and any other institutional resources. Some examples of institutional support include assigned time for research, release time, graduate assistants, purchase of equipment used solely for this creation, ITS support for the development of a technology or creative work, and other similar support. Use of campus photographic services, use of recording studios, or specially purchased materials would also be relevant in the case of creative works.

4. **Non-obviousness** – State why might your invention (when it was conceived) not have been obvious to people reasonably skilled in the field or anticipated from the totality of previous knowledge.

5. **Stage of Development** - Provide information on the extent to which your invention has been realized in practice, whether you are working toward a prototype or demonstration of principle.

6. **Expert opinions** – Mention the names of experts familiar with the field and the commercial potential of the invention, but unrelated to the inventor(s) and can give confidential opinion on the invention
(7) **Non-Technical Description** – Include description of invention to intelligent people not in your field.

(8) **Public Disclosure**

The date of public disclosure is critical as a U.S. patent application should be filed prior to the invention being disclosed to the public. While a one-year grace period exists before an inventor’s own public disclosure bars them from obtaining a patent in the United States, SDSU loses the ability to apply for a patent in most countries outside of the United States once a public disclosure occurs. Notifying the TTO of the timeline for a forthcoming public disclosure is very important in order to avoid a loss of rights.

Use the drop-down menu to indicate whether your invention has been disclosed (e.g., as abstract, paper, article, talk, news story, thesis defense, dissertation, or campus seminars that are open to public, public conversation).

(9) **Public Disclosure Date** - If your invention has been publicly disclosed, enter the date of the first public disclosure.

(10) **Public Disclosure Type** - The modes of public disclosures can include in-person, in print and/or online (e.g., details on the symposium, conference, etc., where the work was presented).

(11) **Future Publication** - Use the drop-down menu to note whether a publication or other disclosure is planned in the next six months.

(12) **Future Publication** - Provide the type of publication (e.g., details on the symposium, conference, etc., where the work is expected to be presented), and estimated date of disclosure. In general, papers, abstracts, and presentations that are submitted and under confidential review are not public disclosures. However, you should ask for clarification on confidentiality from the journal to which you are submitting your publication.

(13) **Future Publication Date** - If the invention has not yet been publicly disclosed, enter the expected date of public disclosure (if known).

(14) **Existing patents** – Use the drop-down menu to indicate if you are aware of any patents similar to your invention.

(15) **If Yes, Citations** - Provide citations & enclose copies of relevant publications or patents, if possible.

(16 -20) **Sale of Invention** – Use the drop-down menu to note if either you sold or offered for sale any products that embody your invention or allowed others outside the University to sell your invention, and the description, date, and reason for sale (if applicable).

(21) **SDSU Technology Transfer Office publication of "non-enabling abstract"** - Use the drop-down menu to choose whether non-enabling abstract can be publicized among new inventions that are available to license.

(22) **Inventor Citizenship*** - Please scroll to the extreme right of this section to find and click on the “Add Row” button. Add as many rows as necessary. This field is required simply because patent applicants are...
required to report the citizenship of each named inventor to the United States Patent Office when filing for patent protection.

![Image of the patent filing page showing the citizenship and inventor sections]

Fill in the inventor(s)' name(s) and citizenship details. Manage the individual entries using the “Save/Delete” button.

(23) Inventors - Click on the “Add Inventor” button to add details.

![Image of the inventors section in the patent filing page]

The window below will open. Type in the name of the inventor and click “Search.”

![Image of the add inventor window]

Choose the search result and then save changes. In the absence of any search results, click on “Add a new Contact.”
Repeat the steps to add all inventors (include yourself if you are an inventor) and also inventors not affiliated with SDSU.

Edit/Manage the individual entries using the “Edit/Delete” button.

**Contribution** - If all inventors agree that they did not contribute equally to the development of the invention and that any resulting revenues should not be evenly distributed, please indicate the agreed upon “% contribution” for each inventor.

The sum total of the % contributions of all the inventors must not exceed 100%.

(24) **Remarks** – Add any remarks in the box provided in the form.
(25) **Funding** – SDSURF has obligations to research sponsors to report and fully disclose intellectual property that results from sponsored projects. Therefore, it is important that any related funding information is logged to enable SDSURF to comply with relevant contractual obligations and government regulations.

If external funding was used, please provide the sponsor’s name, country, contract number, and any contact information that is available.

In the Invention Disclosure Form, click on “Add Grants.”

If necessary, create a new entry by clicking on “Add new grant.”

Fill in the details; especially the Title, Grant Number and Granted Date. Save the changes.
(26) **Documents** - **IMPORTANT**, take advantage of the ability to upload one or more documents that you can share regarding your technology. These can include patents, conference posters, abstracts, drafts, preprints, publications, *etc.* In many cases, you can upload a detailed written description of your invention that may already exist in the form of a draft manuscript, and then make reference to the uploaded document or manuscript in a variety of the disclosure fields to save time.

(27 – 30) **Subscribers, Interests, Marketing Targets, Patents** – Add the details as applicable.

(31) **Menu bar at the bottom of the disclosure form** - Click on “Save As Draft” to complete the disclosure at a later date or “Submit for Review” by the TTO.

Alternatively, click on the “Submit for Review” button in the top right hand side of the Disclosure Form once you have completed the form.
The draft cannot be modified by you once you submit it; however, please contact the TTO (tmartindale@sdsu.edu) should you wish to make any modifications post-submission.