

Brown and Michaels, PC

Invention Disclosure Form Instructions

This form is provided to help you organize your thoughts about your invention. There's nothing "magic" about it. Do whatever you need to do in order to explain your invention in such a way as to be clear to one who is not familiar with it.

- Be careful to describe what, specifically, makes your invention *different from what has gone before*. Avoid general statements that your invention is "better" - why is it better, or what makes it better?
- If you use any unusual terms, or ordinary terms in an unusual way, explain them.
- In addition to describing all the parts, describe *how the parts work together*.
- Why did you do things the way you did them, and not some other way? How else could you have accomplished the same end?
- In answering the questions, do not limit yourself to exactly the prototype you have in front of you, or to the very best way you might think your invention might be built. Allow your imagination to run - how else might this invention work? How far would it need to be changed before you say, "that's not my invention any more"? Are there less desirable, but still useful, ways of making the invention work?
- It's as important to point out what is *not* part of your invention (that is, what is "old") as it is to carefully explain what is new. Has the design, or part of the design, been used before, even if for a different purpose? How else have people accomplished the same function as your invention in the past?
- What are the possible problems? Under what circumstances might your invention *not* work? Are there critical parts, dimensions, ingredients?
- Drawings are always helpful, and if you are e-mailing this form you can include them electronically in one of the standard graphic formats (PCX, GIF, JPG) or as a drawing file in AutoCAD DXF or DWG formats.

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Invention Disclosure Form

Name of Inventor(s):

Address:

Telephone:

Fax:

E-mail:

Name of Invention:

Brief Description

Describe the invention in general terms: What does it do? How does it do it?

Details of the Invention:

- What parts (steps, if a method) make up the invention, in its best (preferred) form?

- What does each contribute to the invention?

- Which parts are new to this invention (in form or usage), which are old (conventional, used in the expected way)?

- In what way do the parts interact to make the invention work?

- For each part, indicate if the part (or its form or interconnection) is *ESSENTIAL* to the invention - that is, for each part, ask, "if this part were left out, or changed, would the remaining device still be my invention?" Or, "if this part were changed or left out, would the invention still work?"
- If possible, use labeled sketches to detail your invention. Be sure all essential parts are shown on the sketch, and try not to include extraneous details. Measurements are not required, unless they are essential to the operation of the invention.

Alternatives

You have described the best way to build (perform) your invention. Now consider the alternatives.

Structural Alternatives:

- In what ways could the parts (steps) be changed or equivalent parts substituted without changing the basic invention?
- Is there a generic description for any of the parts you listed (i.e. "fastener" instead of "Machine Screw", or "plastic" instead of "polypropylene")?
- Could the functions of any of the parts be changed, combined, eliminated?
- What could be added to make the invention work better?
- What could be left out?

Alternate Use: Can your invention be used for anything other than its preferred use?

Limitations

When will the invention *not* work?

- Are there any critical ranges of size, weight, pressure, etc. for any of the parts of your invention? (i.e. "the cap must be made of steel with a Rockwell hardness of 32-56")
- Must some parts be made of specific substances?

In order to be patentable, an invention must be NOVEL, USEFUL and NOT OBVIOUS to one skilled in the art, based upon everything that was available at the time of the invention.

State of the Art: Consider what was already in existence (whether patented or not) before the invention.

- How is the function of the invention being done today?
- What is the closest device (method) you are aware of to your invention?
- Is there something that performs the same function in a different way?
- Is there any combination of existing devices (methods) which would be similar to your invention?
- How does your invention perform its function different from, or better than, these prior devices (methods)?
- How are they similar?

Resources for search

- If you hadn't invented the invention, where would you go to find one?
- What catalogs, publications, etc. would you look in?
- To what extent have you looked?
- Who would be likely to purchase or use the invention?
- Do you know of any publications that might describe the invention or its competitors?

You may not get a patent on an invention which was already patented, or described in a printed publication, or in public use or on sale either:
(a) by others, before you invented it, or
(b) by anyone, more than one year before you apply for a patent.

Date of Invention: "Invention" means a combination of conception (coming up with the idea of the invention) and reduction to practice (building it, or applying for a patent).

- Conception: When did you first begin to work on the invention?
- Reduction to Practice: Has the invention been built? If so, when?

Publications: Has the invention ever been described in any printed form, by anyone? If so, where and when?

Prior Filings: Have you filed a Disclosure Document or Provisional Patent Application on this invention, or has there been an application for patent in the USA or elsewhere?

- Type of Filing:
- Date of Filing:
- Serial Number:
- Where filed:

Public Use: Has the invention ever been shown or used in public? If so, where and when?

Sale: Has the invention ever been sold? If so, where and when?

Third Party Rights

Other Inventors: Is there anyone else who contributed to the conception or reduction to practice of the invention, in more than a purely mechanical way?

Rights in Others: Are you under any obligation to assign any rights in the invention to others?

- Was the invention developed in the course of your employment, or using any facilities belonging to your employer?
If so, the employer may have rights to the invention.
- Do you have an agreement with your employer that you will assign any inventions you may make to the employer?
- Was the invention developed in the course of a consulting agreement with someone else?
If so, did you agree that any inventions belong to them?
- Was there any funding of the development of the invention by any party (government agency, school, etc.) who might claim rights in the invention?
- Was any equipment or facilities used in the development of the invention which was funded by or belongs to any government agency?

Any additional notes or comments?

Be sure to sign and date the form, and have it witnessed by someone who is not an inventor.

Signed: _____

Dated:

Read, witnessed and understood: _____

Date:

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