



What Researchers Need to Know About Public Disclosure

Public disclosure of your invention can destroy patent rights!

What is a public disclosure?

Giving the public access to information about your invention, even if accidentally, is a public disclosure. This release of information completely bars international patent rights, and if a patent application is not filed within one year of the public disclosure, U.S. Rights can be lost as well.

Examples:

- Printed publications (journals, news papers, magazines)
- Online articles
- Conference abstracts
- Oral and poster presentations
- Thesis defense presentations and written dissertations
- Public use or sale of the invention

What if I want to publish my results?

Call the OTC in advance so that we can work with you to get the patent protection you need without delaying publication. It is always recommended that a fully enabled patent application be filed prior to any public disclosure to ensure maximum patent protection and commercial value of your invention. **However, in no event will OTC ever prevent you from publishing or presenting your research.**

What if I need to talk about my invention?

Call the OTC to determine if you need a confidential disclosure/Non-disclosure agreement (CDA/NDA). Information exchanged under these agreements are not considered a public disclosure.

Do I have an obligation to notify OTC of inventions?

If your research is supported in whole or in part by federal funding, you likely have an obligation to make a disclosure of the technology to OTC prior to any public disclosure. You may also have other obligations of disclosure to OTC for industry-sponsored research.

How to Find OTC:

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