

# ICO Newsletter

## “AMERICA INVENTS” IS NOW THE LAW

As of March 16, the United States took a significant step in harmonizing its patent laws with those of the rest of the world through implementation of the “America Invents Act.” Of particular importance, the AIA provides that the first inventor to file a patent application on an invention will have priority over others, even if others invented earlier. No longer will inventors be able to claim, “I thought of it first” and obtain a patent based on proof that they invented before others. Of course, the basic patent requirements of novelty and non-obviousness remain, as do procedures for determining if claims are rightfully made. For more information on the AIA, visit the Office of Technology Licensing (OTL) website: [http://otl.stanford.edu/about/resources/about\\_res\\_aiaevents.html](http://otl.stanford.edu/about/resources/about_res_aiaevents.html).

### AIA Impact on Publication and Invention Disclosure

Inventors should be aware that a publication (or public disclosure - in the broadest sense) describing an invention under the AIA may have different consequences for patentability than a similar publication under the previous patent regime. As a result, Stanford will not file on inventions that have been published or otherwise made public in a manner that could be considered a publication by the patent office. To avoid losing rights under the AIA, inventors should consider disclosing inventions to OTL as soon as they have information sufficient to describe the invention for OTL review and action.

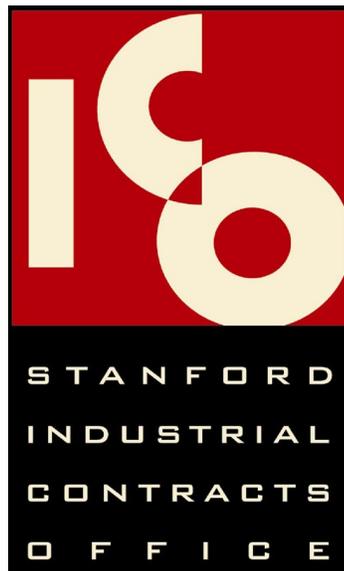
For more information on how Stanford approaches patent filing and publication under the AIA, contact your OTL Licensing Associate: [http://otl.stanford.edu/about/about\\_who.html](http://otl.stanford.edu/about/about_who.html).

## TIDBIT TERRITORY

**Gifts to Researchers:** Corporations may be interested in funding a researcher’s activities through a gift. In these situations, Stanford requires that the gift is given with “no strings attached” through a gift letter. A donor can direct the gift to a specific department or to a specific research area, but cannot receive a grant of rights, propose research objectives, or expect results. The recipient department controls distribution of the gift funds. Gift letters are reviewed by each school; for a school-specific contact, see: <http://corporate.stanford.edu/contact/index.html>.

**Stanford’s No-MTA Policy:** Stanford does not require or encourage its researchers to use an MTA when transferring non-human, biological material to be used for in vitro research purposes to research colleagues. If circumstances require an MTA, the Simple Letter Agreement (SLA) or the Uniform Biological Material Transfer Agreement (UBMTA) should be used without changes. The SLA and UBMTA forms are available on the ICO website: <http://www.stanford.edu/group/ICO/researcher/index.html>. Note that outbound transfers of human tissues or any transfer of CIRM-funded materials do require agreements, also available on the ICO website. In the rare instance that modifications are appropriate, contact ICO to discuss your MTA needs and questions.

**DoResearch Has it All.** The recently launched Stanford “DoResearch” website (<https://doresearch.stanford.edu>) collects in one location information and links providing comprehensive research support. The site provides easy access to practical information about preparing and submitting research proposals, opportunities for research funding, links to the Research Policy Handbook and other policy documents, and much more. DoResearch should be the first stop for researchers and administrators looking for research administration information or guidance.



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