GRANT ADMINISTRATION: Intellectual Property

Introduction

Patent rights, copyrights, computer programs, software, databases, testing procedures, tangible research materials—whether patentable or not—are referred to as Intellectual property ("IP")

Albert Einstein College of Medicine ("Einstein") has an Official Policy on Patent and Licensing Agreements (established on December 3, 1985 and revised on April 18, 2007), as required by federal law of all institutions where individuals are applying for federal funding. Einstein encourages and supports research relating to the advancement of medical knowledge and the publication and the use of the results of such research, and also recognizes that research conducted by its faculty, technical staff, and students may lead to inventions and discoveries that may be patentable and commercially applicable.

In order to comply with federal and Einstein policies, all individuals applying for sponsored research must sign a Patent Policy Acceptance Agreement ("Patent Agreement") (Figure 1). This document verifies that each individual has read and agrees to abide by Einstein’s Patent Policy, including promptly disclosing and assigning all related rights in any resulting inventions to Einstein.

No application for sponsored research will be processed by Grant Accounting until Einstein’s Patent Policy has been accepted, in writing, by all Einstein employees, students, and trainees named on the grant or award and the Patent Agreement has been signed. The Offices of Biotechnology and Business Development receives the original Agreement from Faculty Records and Grant Accounting, enters the individual’s information into their database, and files the paper copy.


Form

- Patent Policy Acceptance Agreement (Figure 1)
- Final Invention Statement and Certification (Figure 2)
- Final Invention Statement and Certification Template (Figure 3)
Patent Policy Acceptance Agreement

ACCEPTANCE AGREEMENT

I confirm that:

1. I have read and agree to abide by The Albert Einstein College of Medicine Official Policy on Patents and Licensing Agreements ("the Patent Policy").

2. I shall, in writing and in reasonable detail, promptly disclose to Albert Einstein College of Medicine of Yeshiva University, a division of Yeshiva University ("the College"), any invention or discovery I make which results from research projects supported entirely or partly by College resources.

3. In accordance with the terms and conditions of the Patent Policy, I hereby assign to the College all right, title and interest to any invention or discovery I make which results from research projects supported entirely or partly by College resources.

Date ____________________________ By ____________________________

Signature

Name ____________________________ Type of Print Name ____________________________
Dept. ____________________________ Biochemistry

Accepted on behalf of
THE ALBERT EINSTEIN COLLEGE OF MEDICINE OF YESHIVA UNIVERSITY

By ____________________________
Allen M. Spiegel, M.D.
Procedure

Administrators become involved when IPs directly affect grants and contract accounts. In addition, one of the three main closeout steps is the submission of a Final Invention Statement and Certification ("Invention Statement").

Final Invention Statement and Certification (Modified* Einstein Hard Copy)

![Fig 4](image)

*This federal form, which has been modified to provide a designated area for the PI's signature and printed name, is prepared by the Administrator.

Figure 4 is an example of an Invention Statement where there were no inventions (as indicated by the Administrator having typed the word "NONE" in the first box under the column heading Title of Invention).
The DHHS Grant or Award Number must appear in the designated box on the form. If there had been an invention, the period covered by the Invention Statement (i.e., the project period of the grant or award at a particular grantee institution), the name of the inventor, invention title, and date reported to DHHS would have been entered on the form. Each Invention Statement requires the signature of an official authorized to sign on behalf of the institution (currently Robert Ness).

The original of the completed Invention Statement is returned to the grantor that funded the grant or award. Grant Accounting retains a copy for their records.

Final Invention Statement and Certification Template (Online at the eRA Commons Website)

Figure 5

Figure 5 is an example of a Final Invention Statement Template ("Invention Statement Template") where there were no inventions (as indicated by the Administrator having typed the word "NONE" in the first box under the column heading Title of Invention).

If there had been an invention, the DHHS Grant or Award Number must appear in the designated box on the form. The period covered by the Invention Statement Template is the project period of the grant or award at a particular grantee institution, the Name of the Inventor, Invention Title, and Date Reported to DHHS fields are entered on the form. Each Invention Statement Template requires the signature of an official authorized to sign on behalf of the institution (currently Robert Ness).

The original of the completed Invention Statement Template is returned to the grantor that funded the grant or award. Grant Accounting retains a copy for their records. The Invention Statement Template can be found on the eRA Commons website: (https://commons.era.nih.gov/commons).