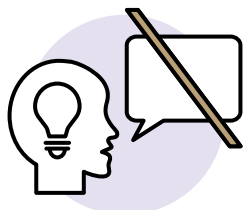


# Protect your inventions



**Share wisely! Public disclosure of your invention before filing a patent application can severely impact or eliminate your ability to obtain patent rights.**

A **public disclosure** occurs when your invention is made available to even one person (or entity) not under a clear obligation of confidentiality, in a way that would allow someone with **ordinary skill in the relevant technical field** to understand and potentially reproduce the invention. Importantly, it doesn't matter if anyone actually saw or accessed the information; if it was publicly accessible, it generally counts. For example, a departmental seminar advertised as open to the public could be a public disclosure, even if only internal colleagues attend.

## Examples of public disclosure

- **Presentations:** Talks or posters at conferences, or departmental seminars/talks announced as open to the public.
- **Publications:** Published journal articles, book chapters, publicly accessible dissertations/theses, or online publications/preprints on platforms like ArXiv.
- **Conversations:** Discussing your invention with anyone not bound by a confidentiality agreement.
- **Online Activity:** Posts on public websites, blogs, social media, or public GitHub repositories. Sharing detailed prompts in open-source generative AI programs that log or share inputs.
- **Commercial activity:** Offering the invention for sale (verbally or in writing) or publicly using, selling or displaying a product that embodies the invention without confidentiality restrictions.

## Importance of disclosure timing for patent protection

The availability of patent protection for your invention largely depends on when it is publicly disclosed.

- **International rights:** To preserve the possibility of patent rights in most countries outside the US, a patent application must be filed before any public disclosure. Absolute novelty is required.
- **US-only protection:** The US offers a one-year "grace period." This means you can file a US patent application up to one year after **your own public disclosure**.

## WHAT IS A PATENT?

A legal right granted by the government, allowing one to exclude others from making, using, selling, and importing their invention in the US for a limited period, typically 20 years.

## PATENTABLE INVENTIONS MUST BE:

- Useful
- Novel
- Non-obvious

## MAY BE:

- Product of manufacture
- Some computer programs
- Process/method
- Machine
- Article of manufacture
- Composition of matter (i.e., new chemical or biological compound)
- Any new and useful improvement of any one of the above



**Request a consultation with a CoMotion Innovation Manager to learn more.**