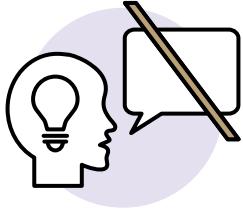


Protect your inventions



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**.

If disclosure is unavoidable before filing:

Use a non-disclosure or confidentiality agreement when discussing your invention with external parties before a patent application is filed.

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.