

(The Patent Analytics Intern will complete this form. After the Patent Analytics Intern completes the form, he or she will copy Sections 4.1 and 4.2 and paste them into Section 4: Patent Analytics Assessment in the Confidential Invention Disclosure Assessment (the "Form") associated with the relevant Tech ID#.)

Comments in green provide additional information about how to complete each section of the assessment form. When finalizing the form, please remove all directives in green and this comment.

***Reminder:** This form will be provided to outside legal counsel.*

Tech ID #:	
Title:	
Patent Analytics Intern:	

4.1 Encumbrances

(The Patent Analytics Intern will complete this section.)

The point of this section is to identify any ownership issues that might impede the University's licensing/commercialization process.

- a) **Are there any encumbrances on the intellectual property?** *There are two options here: (1) The IP is 100% UT owned with no encumbrances and all inventors were UT employees at the time of the invention; or (2) There is joint ownership between UT and another entity or person. (In either case, verify with the Licensing Specialist, note that you checked with them, and indicate the date that you checked with them.)*

Be sure to answer the following questions:

Are any inventors not from UT? (Sections 1.2, 1.3, and 1.5 of the Biological Sciences and Physical Sciences Invention Disclosure (Sections 2 and 3 of the Software Disclosure).)

Is there joint ownership between UT and another entity? (Section 1.7 of the Biological Sciences and Physical Sciences Invention Disclosure.)

Were any materials used in the development from a non-UT source? (Section 2.9 of the Biological Sciences and Physical Sciences Invention Disclosure (Sections 9-12 of the Software Disclosure).)

Are there any other encumbrances listed on the Invention Disclosure? (Section 4.3 of the Biological Sciences and Physical Sciences Invention Disclosure.)

Enter text here

- b) **If there is joint ownership, identify the joint owner(s). Who is the managing party? If possible, document the ownership percentages that have been discussed with the inventor from EACH institution.** *(If ownership percentages have not been discussed, note that they need to be discussed at the inventor interview in Section 3.9(a): Questions, Concerns, and Future Actions of the Form.)*

Enter text here

- c) **If applicable, list any sponsors of the research, or other third parties that might have rights to the invention, and any agreements that are relevant to the invention.**

Be sure to answer the following questions:

*Is there a sponsored research agreement in place? (Section 4.1 of the Biological Sciences and Physical Sciences Invention Disclosure (Section 19 of the Software Disclosure).)
 Are there any other agreements listed on the Invention Disclosure? (Section 4.2 of the Biological Sciences and Physical Sciences Invention Disclosure.)
 Is the invention the subject of a pending grant or contract proposal? (Section 4.4 of the Biological Sciences and Physical Sciences Invention Disclosure.)*

Enter text here

- d) If applicable, does the Sponsored Research Agreement (or other relevant agreement) contain any language that would give a sponsor, or any third party, rights to any new inventions that were based on the research? If so, identify the agreement and specific language that gives rise to these rights. *(If the SRA (or other agreement) does give the sponsor licensing rights, make a note in Section 3.9(d) of the Form that we will need a special provisions clause in any Option or Patent License Agreement (PLA).)*

Enter text here

4.2 Patent and Literature Search Results

Objectives:

- Identify any public disclosure (e.g., literature, patent, presentation, abstract) that describes or anticipates key features of the technology;
- Identify any patents or patent applications that appear similar or related to this technology; and
- Identify other players with interest in this space, including academic and company affiliations.

- a) Has the technology been disclosed in the public domain? If so, indicate the date of the disclosure and how it occurred. *(Start with the Invention Disclosure and list any public disclosure listed by the inventor (Section 3.1 of the Biological Sciences and Physical Sciences Invention Disclosure). Next, do a search on the inventor. Likely sources of disclosure include: grant applications (NIH), theses, presentations, and conference abstracts. If this issue is not addressed in the Invention Disclosure, make a note to ask the inventor in Section 3.9(a): Questions, Concerns, and Future Actions of the Form. Indicate which public disclosures were listed by the inventor and which were discovered through your research.)*

Enter text here

- b) Identify the patent applications and issued patents that represent the most relevant background art.

b).1. Issued patents and patent applications identified in the Invention Disclosure: *(List the patents and patent applications that the inventor identified in the Invention Disclosure (Sections 3.4 and 3.6 of the Biological Sciences and Physical Sciences Invention Disclosure).)*

<i>Patent or Patent Application #</i>	<i>Patent Title and Hyperlink to a PDF of Patent</i>	<i>Date Filed</i>	<i>Relevant Portions and Explanation of Relevance</i>	<i>Assignee</i>

b).2. Patent applications and issued patents search (List no more than 10 issued patents or patent applications for either category): *(Using keywords and/or classifications, conduct a search for patent applications and issued patents that represent the most relevant background art. Identify the database searched, the keywords and/or classifications used, and the most relevant patent applications and issued patents that you identified as a result of the search.)*

<i>Patent Application # or Issued Patent # & Date Filed</i>	<i>Patent Title and Hyperlink to a PDF of Patent</i>	<i>Relevant Portions and Explanation of Relevance</i>	<i>Assignee</i>	<i>Date Search Conducted</i>	<i>Keywords and Classifications Used</i>

c) Identify the literature, abstracts, posters, etc. that represent the most relevant background art. List no more than 10 items, in addition to those mentioned in the Invention Disclosure.

c).1. Literature identified in the Invention Disclosure: *(List the literature, abstracts, posters, etc. that the inventor identified in the Invention Disclosure.)*

<i>Title of Literature</i>	<i>Author</i>	<i>Date Published</i>	<i>Relevant Portions and Explanation of Relevance</i>	<i>Publication/Journal and Hyperlink</i>

c).2. Literature search: *(Using keywords, conduct a search for literature, abstracts, posters, etc. that represent the most relevant background art. List the most relevant literature that you identified as a result of the search (Sections 3.4 and 3.6 of the Biological Sciences and Physical Sciences Invention Disclosure).)*

<i>Title of Literature & Date Published</i>	<i>Author</i>	<i>Relevant Portions and Explanation of Relevance</i>	<i>Publication/Journal and Hyperlink</i>	<i>Date Search Conducted</i>	<i>Keywords and Classifications Used</i>

d) List any inventors that have done a significant amount of work in this area.

<i>Inventor Name and Company or Institution Affiliation</i>	<i>Reason for inclusion (e.g., lead inventor on the most cited patent in the area)</i>	<i>Patent or Patent Application #(s)</i>

e) Is there another research group or company working in this area? Who?

<i>Company Name or Research Group</i>	<i>Reason for Inclusion</i>	<i>Source/Website (if available)</i>

f) Describe the patent landscape. (**Disclosure to outside counsel:** The analysis contained in this section was completed by an intern for the Office of Technology Commercialization and not a licensed patent attorney. Accordingly, outside counsel should not rely on any conclusions or interpretations contained in this section.) *(i.e., provide a concise, high-level narrative describing the types of patents that are in the area, the technologies that they cover, the activities of companies, research groups, and inventors in the field, and any white space that exists, etc. Also, explain how the applications, issued patents, other literature, and prior disclosures that you identified through your research will affect the current invention.)*

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