

Bayh-Dole and iEdison Government Support Clause (GSC) Checklist

This is not a comprehensive checklist of requirements for every funding agency. If you have questions about your funding agency's requirements, contact that agency directly. Below are general checks to ensure that the GSC uploaded is for the same application/patent as identified in the iEdison Patent Report, to ensure that the GSC language is correct, and to confirm the document was filed with the U.S. Patent and Trademark Office (USPTO). Examples of acceptable documents that show the GSC as filed at the USPTO are found below the checklist. Please see our user guide on how to [Upload a Government Support Clause Document](#).

Item	Present In Document	Matches iEdison
<p>Patent Application Number or Patent Number <i>If you use a PCT application as the basis for your U.S. national stage application, and the PCT application number is present throughout the document, it is recommended to add a note to the top of the GSC indicating that it is also the US national stage filing, or include the electronic acknowledgment receipt that shows the national stage number as the coversheet/first page.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Application Filing Date or Patent Issue Date</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Required Government Support Clause Language <i>37 CFR 401.14(f)(4) requires this exact language: "This invention was made with government support under (identify the contract) awarded by (identify the Federal agency). The government has certain rights in the invention."</i></p> <p><i>The only variations allowed are the addition of "U.S" or "United States" prior to "government and the inclusion of "grant number", "contract number" or similar prior to the contract/grant number entered.</i></p>	<input type="checkbox"/>	N/A
<p>Funding Agreement Number(s) <i>Check that all funding agreements are included and are in the correct formats.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Funding Agencies <i>Check that all agencies listed in iEdison are also listed in the GSC. If you are unsure if an agency is correctly identified, please reach out to the agency's iEdison contact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Proof that Document has been filed with USPTO <i>The document that includes the GSC should include the electronic acknowledgement receipt from the USPTO (USPTO doc code N417), preferably at the front of the document. 37 CFR 401.14(f)(4) requires the GSC in the specification of the application. The only acceptable documents showing the GSC are the full application, an amendment to the specification, or a request for certificate of correction. Other examples of acceptable GSC documentation are listed below.</i></p>	<input type="checkbox"/>	N/A

Bayh-Dole and iEdison Government Support Clause Review Checklist

Examples of Acceptable Government Support Clause Documentation:

- Full patent application (with filing or electronic acknowledgment receipt)
- Application Amendment or other filing changing the GSC in the application (with the filing or electronic acknowledgment receipt)
- Published Patent Application
- Issued Patent
- Request for Certificate of Correction (with filing or electronic acknowledgment receipt)
- Certificate of Correction (signed by USPTO Director)

Abandoned Applications or Lapsed/Expired Patents:

Missing or incorrect GSCs in abandoned applications or lapsed/expired patents are addressed at the funding agency's discretion. Some may require an amendment to be filed with the USPTO to correct the error, regardless of the patent's status.