

Bayh-Dole and iEdison Invention Disclosure 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. This checklist helps ensure the document uploaded into iEdison is for the same invention listed in the iEdison Invention Report. Annotations can be made on invention disclosures explaining discrepancies between the disclosure document and the data entered into iEdison (it is recommended that any such annotations be a different color or highlighted to draw the agency's attention). Please see our user guide on how to [Create an Invention Report](#).

Item	Present In Document	Matches iEdison
<p>Invention Title <i>Most agencies require an invention title, but the invention title is not required for the invention disclosure per 37 CFR 401.14(c)(1). The title helps agencies accurately identify the invention and ensures that the disclosure document is the same as the invention reported in iEdison.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Date Invention Reported to Organization <i>While the date the invention is reported to the organization is not required for the disclosure in 37 CFR 401.14(c)(1), the date does allow agencies to determine if the invention was reported in a timely manner. Most agencies do require this.</i></p>		
<p>Inventor(s) (REQUIRED BY STATUTE/REGULATION) <i>Federal employee inventors should be identified in the invention report by checking Yes under the "Is the Inventor a US Federal Employee?" header, and the correct federal agency should be chosen from the "US Federal Agency" dropdown. If you are unsure of an agency's abbreviation, full agency names may be found here: https://www.nist.gov/iedison/agency-contact-list.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Funding Agreements (REQUIRED BY STATUTE/REGULATION) <i>Ensure all federal funding agreements are disclosed in the correct format as entered in iEdison.</i> <i>If a funding agency does not use iEdison, select Other and enter the agency's name. If an agency does not use iEdison, adding them to the iEdison record under "Other" does not fulfill your reporting obligations to that agency. You will need to contact that agency to determine how to report the invention.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>First Publication/Sale/Public Use Date (REQUIRED BY STATUTE/REGULATION) <i>37 CFR 401.14(c)(1) requires that the disclosure identify any publication, sale or public use of the invention, and if a manuscript describing the invention has been submitted for publication and, if so, if it has been accepted for publication at the time of disclosure.</i> <i>First Publication/Sale/Public Use Date data field in iEdison is only required if you reference a past public publication or disclosure in the invention disclosure. iEdison does not allow users to enter a future date of publication.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Sufficient Description (REQUIRED BY STATUTE/REGULATION) <i>37 CFR 401.14(c)(1) requires an invention description to be "sufficiently complete in technical detail to convey a clear understanding to the extent known at the time of the disclosure, of the nature, purpose, operation, and the physical, chemical, biological or electrical characteristics of the invention."</i></p>	<input type="checkbox"/>	

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Considerations for Invention Disclosure Documents:

- **Invention Docket Number** - 37 CFR 401.14(c)(1) does not require a docket number in the disclosure, but inclusion of a docket number helps agencies identify the invention associated with the iEdison invention report. A docket number is required by many agencies.
- **For DOE-funded inventions** – DOE requires the Budget and Reporting Code in the iEdison invention report. For large businesses, include the waiver number in the DOE Wavier field if you are electing to retain title to the invention.
- An agency may ask for a copy of publications (or draft publications if referenced in the disclosure document)
 - These agencies may compare inventors to authors and ask for an explanation of discrepancies
 - These agencies may compare funding listed in publications and ask for an explanation of any discrepancies
- If a draft manuscript is submitted or if it is otherwise unclear whether a listed publication or presentation has occurred, an agency may require publication confirmation or additional details before approving the disclosure document. An agency may ask that a corresponding patent record be entered into iEdison if a patent application is used as a description of the invention (alternatively, if a draft patent application is entered into iEdison, the contractor should note that the patent application has not yet been filed).
- The iEdison **Subject Invention Disclosure Coversheet** can assist in reporting all required information: award number(s), date of first publication, agency name(s), inventor(s), invention title, and docket number.