

Intellectual Property Acknowledgement and Policy Packet: **Explanation and Instructions**

1. What is the Intellectual Property Acknowledgement?

It is a document which you sign as an acknowledgement that you are subject to the Intellectual Property Policy of Partners-Affiliated Hospitals and Institutions (the “IP Policy”) and related policies. (For convenience sake, the Brigham and Women’s Hospital, Massachusetts General Hospital, Spaulding Rehabilitation Hospital and McLean Hospital are referred to as the "Hospitals" and collectively with their other affiliated institutions, are referred to as “the Institutions.”) In addition to intellectual property rights, these policies cover research obligations, consulting relationships and conflicts of interest.

2. Who Must Sign an Intellectual Property Acknowledgement?

All Medical and Professional Staff, faculty, employees and students and fellows associated with the Institutions, as well as other individuals who perform educational, research, clinical or other activities at the Institution may be asked to sign the Acknowledgement, and are required to do so when asked. It is important to note that the IP Policy applies to them regardless of whether they sign the Intellectual Property Acknowledgement.

3. What is to be done with the enclosed materials?

Two copies of the Intellectual Property Acknowledgement are included in the hard copy packet. You must sign one and return it to the appropriate Institutional office, that is, either the MGH or BWH office of Corporate Sponsored Research and Licensing; the Academic Dean of the The Institute of Health Professions; the Vice President, Research Administration, McLean; or the Spaulding office of Research and Training. Retain the other for your files.

The IP Policy is included in this packet preceded by both an Overview and Frequently Asked Questions. Please retain these for your reference.

Other relevant policies to which you may be subject, and with which you should be familiar, are on the web as follows:

- “Partners HealthCare System, Inc. Policy on Consulting and Other Outside Activities” : <http://healthcare.partners.org/OGCpolicies/Consulting.pdf>
- “The Partners HealthCare System Code of Conduct (Including Conflicts of Interest Policy)” : <http://healthcare.partners.org/OGCpolicies/Code/index.html>
- The “Harvard Medical School Policy on Conflicts of Interest and Commitment” to which all Medical and Professional Staff and most trainees are subject: <http://www.hms.harvard.edu/integrity/conf.html>.

4. Why is it important to disclose inventions and certain copyrightable works as noted in Paragraph 2 of the Intellectual Property Acknowledgement, and how is that done?

The disclosure of inventions and copyrightable works is required by the Intellectual Property Policy and is important for several reasons. The most time-sensitive is that if an invention is potentially patentable, patent rights in most foreign countries can be lost if inventions are disclosed at public meetings or in written publications before a patent application has been filed. Thus, in order to avoid such loss, inventors are urged to promptly disclose intellectual property to their home Institution in order to allow time for filing patent applications. In addition, the Institutions have certain legal obligations to the United States government with respect to reporting and patenting of inventions if any federal funding is involved, which is the case with most inventions made at the Institutions even those that also involve foundation or industrial support. Similar disclosure obligations often apply to certain copyrightable works. Another important reason for disclosure is that in order to commercialize any invention or copyrightable work, or to agree that the inventor or author has the right to pursue commercialization on his or her own, the Institution must first know about it. Disclosure by the inventor or author is the necessary first step in addressing these issues and meeting all of these obligations.

Disclosure forms and instructions are available on the web
<http://techtransfer.massgeneral.org/investigators/InventionDisclosureForm.doc>
<http://csrl.bwh.harvard.edu/FileDownloads/InventionDisclosureForm.doc>
and from the BWH and MGH offices of Corporate Sponsored Research and Licensing.

5. How do I "file" copies of my existing consulting agreements with the Director of Corporate Sponsored Research and Licensing, as required in Paragraph 4 of the Intellectual Property Acknowledgement?

All such agreements should be sent to the Director of Corporate Sponsored Research and Licensing, BWH or MGH, as the case may be. If you are affiliated with the Institute of Health Professions, the agreement should be sent to the Academic Dean of the Institute; if you are affiliated with McLean, it should be sent to McLean's Vice President, Research Administration; if you are affiliated with Spaulding Rehabilitation Hospital, the agreement should be sent to the Director of Corporate Sponsored Research and Licensing, MGH. It is not necessary to file the original consulting agreement, but the copy filed must include all provisions of the original, including any appendices or attachments.

6. If I have questions about these policies, who can answer them? How can additional copies of the material in this packet be obtained?

Any questions regarding the Intellectual Property Policy should be directed to the appropriate office of CSRL (see above). Referring to the "Frequently Asked Questions about the Intellectual Property Policy" may help answer general questions about that policy. CSRL can usually answer questions about the other policies, but if a question is more appropriately handled by other institutional offices, CSRL will direct you to the right office.

You may freely copy any of these materials. In addition, they are available in hard copy from CSRL, or on the web:

- CSRL, BWH: 617-525-6010; <http://csrl.bwh.harvard.edu>
- CSRL, MGH: 617-726-8608; <http://techtransfer.massgeneral.org>