

Determining Inventorship

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Why Worry about Inventorship?

When an invention is made at an institution, chances are the institution doesn't own it. The inventors do. The institution must affirmatively acquire ownership from the inventors. Since the technology transfer manager's business is licensing—a privilege of ownership—identifying the inventors is job one. Some guidance follows.

Inventions, Patentable Inventions, and Inventorship

Governments issue patents on inventions that meet objective standards of novelty and nonobviousness. A patent conveys to the patentee (that is, the inventor) the power to constrain the use of the invention by others. It also discloses the invention, complete with instructions on how to make and use it, to innovative minds everywhere. Both the reward to the inventor and the disclosure of the invention to other innovative minds “...promote the progress of the useful arts...”