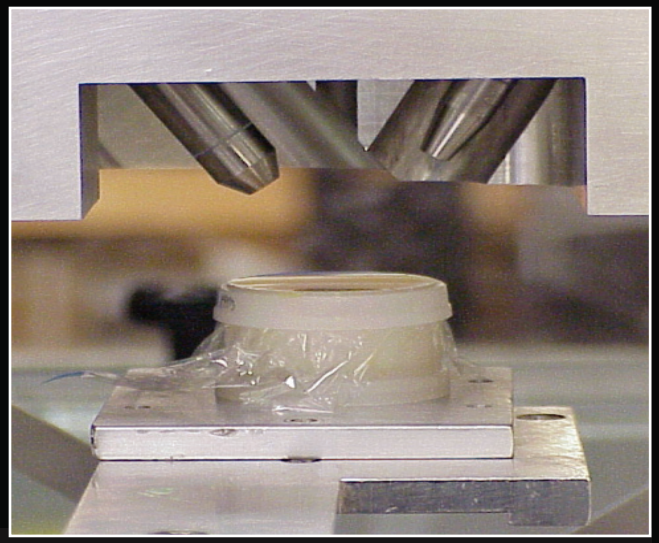

The Confocal X-Ray Fluorescence Microscope, a 2004 R&D 100 Award winner, can measure elemental concentrations, e.g., number of layers of paint, composition of each layer, and the order of application as a function of depth at any point on a fine-art painting, helping historians determine condition and authenticity of a painting.

Is it only about money?

No, the Laboratory's reputation for excellence—earned with more than 60 years of scientific contributions—is really our most important asset. Our reputation helps ensure trust in our ability to continue generating exceptional work and meeting the challenges of a rapidly changing world. It also allows us to attract new employees, program sponsors, and collaborators. Patents and copyrights ensure that we get credit for our work and they assure sponsors and collaborators that we are responsible for the careful handling of knowledge—ours and theirs!

Contacts:

Technology Transfer Division ***665-9090***

- Lab notebooks
- Disclosures
- Patents
- Copyrights
- Commercialization
- Licensing

Laboratory Counsel-Intellectual Property ***665-3112***

- Patent Applications

General information:

http://www.lanl.gov/partnerships

Los Alamos researchers, in collaboration with Duke University chemists, have recently grown a world record, 4-cm-long, single-wall, carbon nanotube. The background image depicts polymer wrapping of a carbon nanotube as a solubilization method. Polymer wrapping is a way to functionalize nanotubes while retaining electronic and optical properties.

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LALP-06-095

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Intellectual Property: A Laboratory Asset

Protecting Los Alamos National Laboratory's Intellectual Property

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How can my ideas produce value for the Laboratory beyond my programmatic contribution?

As researchers employed by Los Alamos National Laboratory, we create technologies that have inherent scientific value, but they can also have financial value. Our intellectual property is attractive to industry and can be licensed for commercial development. In fact, technology transfer between the Laboratory and the private sector is a federal mandate. But technology transfer cannot happen unless we properly *protect* our intellectual property.

A company will not invest the time or money to develop a technology into a product unless it can expect a protected position in a market. Our patents and copyrights mean money to a company. They also mean money to the Laboratory and to the innovators!

The patents and copyrights that fuel technology transfer provide an inflow of royalties and research funds from industrial partnerships. They can also preserve a technology base for our further research without our having to pay royalties for something invented here but patented by someone else!

Doesn't the Laboratory's intellectual property belong to the Department of Energy and Los Alamos National Security, LLC?

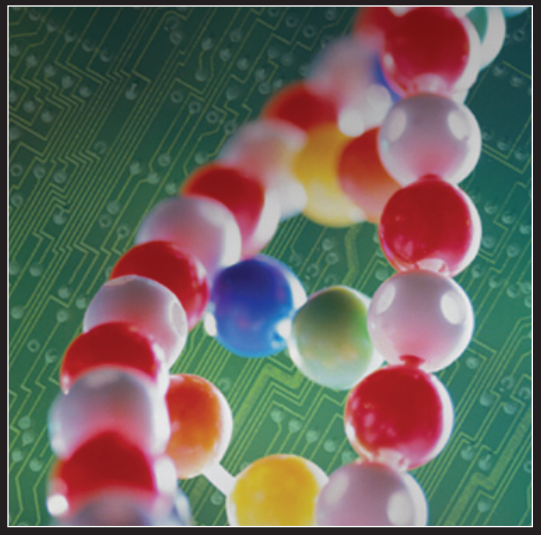
Yes, it does, however, DOE and LANS have agreed that income received from patented inventions and copyrighted works will be returned to the Laboratory. A portion of the royalties is distributed to the innovator as well as to the division in which the technology was developed. Royalty fees are determined during licensing negotiations.

See License Income Distribution Policy on the Web at:
www.lanl.gov/partnerships/pdf/license/royalty_policy.pdf

How do patents and copyrights help my division?

Patents and copyrights can lead to commercial value for a division's technology when outside parties license inventions and software. A technology portfolio can help a technical division expand its research opportunities, both commercially and programmatically, engage its staff, and enhance its reputation.

For descriptions of some Laboratory successes visit:
www.lanl.gov/partnerships/success/spinoffs.shtml



mpiBLAST software won a 2004 R&D 100 Award for its ability to enable researchers to match unknown genetic sequences against known sequences at unprecedented speed, accelerating identification of unknown viruses and pathogens to combat bioterrorism and accelerate drug discovery.

As a researcher, how can I protect my work?

Keep a laboratory notebook! Professionally record and track the progress of your research. Document what you have done and intend to do. This is the first step in the intellectual property protection process. A hard-bound, page-numbered, notebook is the only universally accepted medium for invention record keeping. The notebook must include dates and witness signatures.

For detailed instructions on keeping a notebook visit:
www.lanl.gov/partnerships/intellectual_prop/notebooks.shtml

As a manager, how can I help my employees protect their work?

Managers must ensure that their employees properly protect the Laboratory's intellectual property. Managers can help employees identify *potential* inventions, which may be

- a new or improved machine, material, or process;
- a nonobvious solution to a problem; or
- a novel combination of existing technology to obtain a better, faster, cheaper result.

Possible inventions must be disclosed to the Laboratory as required by the LANS-DOE Prime Contract and the employment contract. When managers review, sign, and approve invention and copyright disclosures submitted by their staff, they are ensuring

- completeness and clarity of the submittal;
- timeliness of the disclosure;
- an opportunity for the group to build and grow a patent portfolio; and
- commitment of group resources to pursue a patent application.

For information about the patent and copyright process visit:
www.lanl.gov/partnerships/intellectual_prop/

Who decides whether an invention will receive a patent?

Laboratory invention disclosures are reviewed and selected for patenting within the scope of available resources:

- The Technology Transfer (TT) Division assesses an invention's commercial potential;
- The Laboratory Counsel performs a patentability assessment.

Once a decision is made to file a patent request, Laboratory Counsel files a patent application with the U.S. Patent & Trademark Office. The USPTO determines what submissions receive patents.

Copyrighted software is reviewed by the TT Division software team. Contact this team at software@lanl.gov prior to sharing your copyrighted software with other organizations and anyone outside Laboratory.

Who can help me with this process?

TT staff are available to assist with disclosures, technology and market assessments, patent searches, and industry inquiries. TT can guide you through the process from invention conception through technology commercialization.