

U.S. Department of Energy
Inventions Made by Government Employees
Executive Order 10096

Executive Order 10096 provides the patent policy for inventions made by Government employees.

Briefly, Government employees are obligated to report their inventions to the Government. The Government is entitled to ownership of any invention directly related to the official duties of the Government employee inventor.

Executive Order 10096 is codified under 37 CFR Part 501, Uniform Patent Policy for Rights in Inventions Made by Government Employees. Under 37 CFR 501.6, the Government is the owner of an invention made by an employee:

- (1) which is made during working hours, or
- (2) which is made with a contribution of Government facilities, equipment, materials, funds or information, or of time or services of other Government employees on official duty, or
- (3) which bears a direct relation to or is made in consequence of the official duties of the inventor.

It is important to recognize that the Government is the owner of inventions made after working hours or made outside a Government facility if there is some Government contribution to the invention or if the invention is directly related to the official duties of the inventor.

Upon request, the U.S. Department of Energy may leave title to the invention in the inventor if the Government has insufficient ownership interest in an invention or it would be inequitable not to do so under the criteria set out in 37 CFR 501.6.

A DOE employee inventor is obligated to report inventions in writing, to execute patent documents and assignments of the invention on request, to assist in the prosecution of applications for patents and to assist in the defense of the Department's rights. The DOE will pay the employee's expenses for carrying out these obligations, by proper arrangement.

The DOE Headquarters Patent Liaison Officer is:
Paul A. Gottlieb
Assistant General Counsel for Technology Transfer and Intellectual Property
Telephone 202-586-2810 (FAX 202-586-2805).

Please submit your invention disclosures in writing and address any inquiries to your local patent liaison: