

Step-By-Step Instructions for Entering Plant Variety Protection (PVP) Data Into iEdison

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These instructions provide step-by-step procedures for entering Plant Variety Protection (PVP) data into the Federal iEdison reporting system (www.iedison.gov). These instructions assume the user already has an iEdison login and is knowledgeable of Bayh-Dole Act requirements as applied to PVP. If this is not the case, the user is encouraged to first visit the NIFA Intellectual Property web page at <http://www.nifa.usda.gov/business/awards/intellprop.html>.

The iEdison system was originally designed to support the reporting of patents for Bayh-Dole information. It has been minimally modified to accommodate reporting of PVP information and thus the screen designs contain language that may need to be reinterpreted and fields that are not relevant to the PVP process. These instructions will guide you through this reinterpretation of the screens.

The Bayh-Dole act defines "inventions" as:

"Invention means any invention or discovery which is or may be patentable or otherwise protectable under Title 35 of the United States Code, or any novel variety of plant which is or may be protected under the Plant Variety Protection Act (7 U.S.C. 2321 et seq.)."

Thus, the iEdison system uses the term "invention" to include intellectual property which could be protected either by a patent or a PVP. It uses the term "patent" to indicate intellectual property for which patent or PVP protection has been sought or received. Because a single invention can result in multiple patents, iEdison is also divided into two modules, one for invention data and a second for patents data. Information entered into the invention module will be transferred to the patent module when a patent (or in this case, a PVP) record is created.

Some of the fields are for special situations and are described separately. Also, it is quite possible that not all the information will be entered in one session. Therefore, all mandatory fields in iEdison are marked with a red asterisk and are also indicated in the instructions below. Data must be entered into these fields in one session or the record will not be saved. Also, fields that are not mandatory in iEdison but are essential for proper PVP reporting are marked as essential fields below.

Field names are capitalized and bolded.

To Create a New Invention Record for a Plant Variety

1. From the iEdison Main Menu, click on "Create an Invention Report".
2. Review the information at the top of the screen.
 - The first field, **Invention Report Number**, will be automatically generated by the system. This is also known as the Edison Invention Report (EIR) number.
 - Your institution name will automatically be entered into the **Grantee/Contractor Organization** field. Verify the information is correct.

- The **Organization DUNS** (Dun and Bradstreet Numbering System) is automatically entered if available from the organization profile.
 - The **Grantee/Contractor Organization Code** is automatically entered from the organization profile. Verify the information is correct.
3. Enter your organization's **Invention Docket Number** if one exists to assist in linking any correspondence to the proper plant variety.
 4. [MANDATORY FIELD] Enter the Variety Name from Box 3# ["Variety Name"] of the Application for Plant Variety Protection Certificate form into the **Invention Title** field. If there is nothing in Box # 3 or a PVP has not yet been filed, then enter the temporary designation or experimental name.
 5. [ESSENTIAL FIELD] Enter "PVP" into the **Invention Keywords** field along with any other desired keywords.
 6. [MANDATORY FIELD] Enter the breeder's name into the **Inventor** field. Enter at least the First and Last name of each breeder. If a PVP has been filed, this is the same name listed in Box # 10 ["Name and Address of Owner Representative(s) to Serve in this Application (First person listed will receive all papers)"] of the Application for Plant Variety Protection Certificate form. Click add/Edit Inventors if additional breeders are listed. Please note the maximum allowed is 12. When finished adding additional breeders, click Submit to return to Invention page.
 7. [MANDATORY FIELD] Enter the date that the plant variety is/has been reported to NIFA into the **Invention Report Date** field.
 8. [MANDATORY FIELD] Select "USDA/NIFA" from the list for the **Primary Agency** field.
 9. [MANDATORY FIELD] Enter the grant number(s) into the **Funding Agreements** field. You will need to enter all Federal funding that pertains to the plant variety and thus will need to select the **Agency Designation** and the **Grant/Contract Number** for each grant. The system will perform an edit check to validate that the grant number entered matches a grant number format appropriate to the funding agency. To see examples of these formats, click on "Help with Formats" under the Funding Agreements label on the left. Click add/Edit Grant/Contract Numbers if additional Funding agreements are listed. Please note the maximum allowed is 12. When finished adding additional funding agreements click Submit to return to Invention page.

Note for NIFA Formula-Funded Inventions

Formula funds such as Hatch, Evans-Allen, and McIntyre-Stennis are grants and have grant numbers issued by NIFA, Office of Extramural Programs each year. These follow the format of YYYY-NNNNN-NNNNN, where the first string is the Federal fiscal year, the second string is the subaccount number, and the third string is the institution payee code maintained by NIFA. Subaccount codes include:

- | | | |
|---|--------------------|-------|
| • | Hatch (regular) | 31100 |
| • | Hatch (multistate) | 31200 |
| • | McIntire-Stennis | 32100 |
| • | Evans-Allen | 33100 |
| • | Animal Health | 36100 |

Starting with fiscal year 2008, NIFA will begin listing these grant numbers on the NIFA-OD-1088 (or CSREES-OD-1088) as part of the formula authorization letter.

Many NIFA formula funds are divided into projects by the recipient institutions and assigned a unique project number by the institution. Legally, the Bayh-Dole Act requires the grant number to be reported and to appear in the government support clause. Ideally, both the grant number and the project number would be reported. If it is possible only to obtain the project number, then that is what should be reported. The iEdison entry formats for these three scenarios would be as follows for an imaginary Hatch grant and project:

Only the grant number is available (legal requirement): 2007-31100-01234

Both the grant and project number (ideal): 2007-31100-01234/STATE1579

Only the project number is available: NA/STATE1579

10. [MANDATORY FIELD if invention status of "Elect Title" selected] Enter the legally binding date that the institution chooses to elect title to the plant variety in the **Title Election Date** field.
11. [MANDATORY FIELD] Select the appropriate status from the list in the **Invention Status** field. Note that the choice "Licensed as an Unpatented Biological Material or Research Tool" is appropriate only to the National Institutes of Health.
12. If the institution opts to not elect to retain title to the plant variety, select the most appropriate choice in the **Not Elect Title Reason** field or enter other reasons in the **Not Elect Title Other Reason** field.
13. You may either manually type or copy and paste an invention disclosure into iEdison or you may upload a file containing the invention disclosure.
 - To manually type or copy and paste the disclosure, select "Text" in the **Invention Disclosure Document Type** field and then enter or paste the text into the **Invention Disclosure Text** field.
 - To load the invention disclosure document, select the appropriate document type (PDF, TIFF, or Text) in the **Invention Disclosure Document Type** field and then click on the "Browse" button in the **Invention Disclosure File Location** field to upload the file.The **Invention Disclosure Receipt Date** field will display the date the invention disclosure was received by NIFA.
14. Click on the "Submit" button at the bottom of the screen.
15. Review the Invention Report on the Verification screen and then click on the "Submit" or "Modify Invention Report" button at the bottom of the screen as appropriate.
16. Make a note of the Edison Invention Reporting Number (EIR) for future reference.

Fields for Special Situations

1. The Bayh-Dole Act provides for flow down of invention rights through the **Subcontract Information** field. The subcontractor may retain rights, but is obligated to comply with reporting requirements to the same extent as the grantee or contractor organization. IEdison allows reporting of subcontractor inventions. In addition to the subcontract number to identify the subcontractor, iEdison allows the subcontractor to identify the prime contractor: name, city, state and country. This information lets the government track the flow down provisions of the law.

The iEdison system allows up to four subcontracts to be associated with an invention. Subcontractor information can be added using the "Add/Edit Subcontracts" button.

2. Do not use the **Title Extension Years** or **One Year to File Initial Patent Application Date** fields. Requests for extension for these reports must be e-mailed to the contact listed on the NIFA Intellectual Property web page at <http://www.nifa.usda.gov/business/awards/intellprop.html>.
3. Explanatory notes are used by the grantee or contractor to convey information about the Invention Report that will assist government agencies in understanding the invention. Examples of when explanatory notes are used include, but are not limited to:
 - Situations in which the Invention Report has been disclosed jointly by inventors at two organizations, while only one of the organizations will be reporting on the resulting invention.
 - Instances in which an inventor and/or title have been transferred to a new organization.
4. Use the **Name of Third Party to Which Title Is Waived** and the **Final Invention Rights Determination** fields only if the institution wants to record the results of requests made through the processes outlined on the NIFA Intellectual Property web page at <http://www.nifa.usda.gov/business/awards/intellprop.html> regarding requests to waive rights to the inventor or other third parties.
5. The **Parent Invention Report Number** field is used only for special cases of bundling inventions together in a parent-child relationship. See the help screens of iEdison for more information about this field.
6. Enter another organization's iEdison Grantee/Organization Code into the **Organization Code for Other Organizations to View Invention and Related Patents** to allow other organizations that may have contributed to the invention access it in iEdison.

To Create a New Patent Report for a Plant Variety

1. From the iEdison Main Menu, click on "Create a Patent Record".
2. The Invention Report Search screen will appear. Use one or more of the search fields to retrieve the invention record and click "Submit".
3. Verify that the correct record has been retrieved and then click on the button "Add Patent Report".
4. The Patent Report Form will load with the information previously entered in the invention record.
5. You may enter your institutions tracking number for the PVP in the **Patent Docket Number** field. If you enter nothing into this field, iEdison will automatically create a patent docket number for you when you submit the record.
6. [MANDATORY FIELD] Select "PVP" from the drop-down list for the **Type of Patent Application** field.
7. [MANDATORY FIELD] Verify that the title listed in the **U.S. Patent Title** field is the Variety Name as listed in Box #3 ["Variety Name"] on the Application for Plant Variety Protection Certificate form. If Box # 3 is blank, use the information from Box #2 ["Temporary Designation or Experimental Name"].
8. [ESSENTIAL FIELD] Add or edit the **Invention Keywords** as desired but be sure to retain the keyword "PVP".
9. [MANDATORY FIELD] Ensure that the Breeder's Name(s) in the **Inventor(s)** field match those in Box #10 ["Name and Address of Owner Representative(s) to Serve in this Application (First person listed will receive all papers)"] of the Application for Plant Variety Protection Certificate form. Click add/Edit Inventors

- if additional breeders are listed. Please note the maximum allowed is 12. When finished adding additional breeders, click Submit to return to Patent page.
10. [MANDATORY FIELD] Enter the PVPO application number into the **Non-Provisional Patent Application Number** field, adding "PV" to the beginning of the number so that it reads "PV123456789".
 11. [MANDATORY FIELD] Enter the filing date of the PVP application into the **Filing Date of Non-Provisional Patent Application** field.
 12. Enter the PVP certificate number into the **Patent Number** field, adding "PV" to the beginning of the number so that it reads "PV123456789".
 13. [MANDATORY FIELD IF PATENT NUMBER FIELD IS POPULATED] Enter the PVP certificate issue date into the **Patent Issue Date** field.
 14. Enter 20 years, or 25 years for trees or vines, from the certificate issue date into the **Patent Expiration Date** field.
 15. [MANDATORY FIELD] Verify the **Patent Status** field reads "Institution Retains Rights".
 16. You may either manually type or copy and paste the government support clause into iEdison or you may upload a file containing the government support clause.
 - a. To manually type or copy and paste the disclosure, select "Text" in the **Government Support Clause Document Type** field and then enter or paste the text into the **Government Support Clause Text** field.
 - b. To load the invention disclosure document, select the appropriate document type (PDF or TIFF) in the **Government Support Clause Document Type** field and then click on the "Browse" button in the **Government Support Clause File Location** field to upload the file.
 17. You may either manually type or copy and paste the confirmatory license into iEdison or you may upload a file containing the confirmatory license.
 - a. To manually type or copy and paste the disclosure, select "Text" in the **Confirmatory License Document Type** field and then enter or paste the text into the **Confirmatory License Text** field.
 - b. To load the invention disclosure document, select the appropriate document type (PDF or TIFF) in the **Confirmatory License Document Type** field and then click on the "Browse" button in the **Confirmatory License File Location** field to upload the file.
 18. Click on the "Submit" button at the bottom of the screen.
 19. Review the Patent Report on the Verification screen and then click on the "Submit" or "Modify Patent Report" button at the bottom of the screen as appropriate.
 20. Make a note of the Patent Docket Number for future reference.

Fields in the Patent Screen Not Applicable to PVP Reporting

The following fields in the Patent Screen are not applicable to PVP reporting and should not be used for that purpose:

1. **Provisional Patent Application Number**
2. **Filing Date of Provisional Patent Application**
3. **PCT Patent Application Number**
4. **Filing Date of PCT Patent Application**

If data is entered into any of the above fields for a PVP record, an error will be displayed indicating that this type of data may not be added