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Commercial Ventures and Intellectual Property

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Software Disclosure

UM _____

Received _____

Completed _____

Case Manager _____

University of Massachusetts Software Disclosure Form

(version 11/05)

Title of Software: _____

Contributor's Name & Title

(Please list Principal Investigator first and include all possible inventors/authors)

Department

Institution

(at time software was made/developed)

1.	Name: Title:	Dept:	Institution:
2.	Name: Title:	Dept:	Institution:
3.	Name: Title:	Dept:	Institution:
4.	Name: Title:	Dept:	Institution:

Please check campus of Principal Investigator: Amherst Boston Dartmouth Lowell

To the Contributor(s):

The business of a university is the gathering and dissemination of knowledge. Developing software (including research tools) and putting it to use in the service of the public is a thoroughly valid mode of accomplishing this objective.

Accordingly, the University encourages the inventive process and, within the limits of financial practicality, can often provide advice and assistance in bringing software to the point of public use.

Please provide as much information about the software as possible. This information will be used by CVIP in assessing the appropriate means for protecting the software (copyright, patents), and identifying possible funding, sponsorship and licensing opportunities.

In the sense used here, “software” has a presumed commercial use and value. **The following indicates the preferred time to file a disclosure with CVIP.**

- ***Disclose to CVIP first, publish later:*** Disclosing your software to CVIP by no means proscribes publication. On the other hand, if there is patentable subject matter within or associated with the software, premature publication may preclude the availability of patent protection in most countries.
- ***Disclose as soon as the software is clearly conceptualized:*** It is not necessary to wait until the software is reduced to practice. Where patent applications are involved, filing early may be beneficial, particularly when others are filing related patent applications.
- ***Consult with CVIP:*** CVIP can assist you with determining inventorship and authorship, implementing procedures when more than one institution is involved, and protecting patentable software from disqualifying public disclosure.

If you think you have developed a patentable invention, but you are not sure, then say so in your disclosure. Similarly, if you are uncertain as to whether your software has commercial merit, say so. CVIP can assist you in making those determinations. This form is intended as a guide to assist you in the disclosure required by the University’s Intellectual Property Policy.

Please apply the following copyright notice to all existing copies of the software:

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The above copyright notice should be placed in the following locations:

- (1) Source Code: top, bottom and regularly throughout
- (2) Title Screen
- (3) Labels on Diskettes and CDs
- (4) Documentation, User’s Manual or Other Printed Materials

1. Description of Software

Please describe the software program and the purposes for which it may be used. **Please attach a copy of the current documentation / user’s manual (including date and version number).**

2. Novelty

Please describe the novel aspects of your software, including how it differs from other software available on the market. For example, does your software overcome deficiencies or limitations in existing software products?

3. Other Similar Software

Are you aware of any software with the same or similar purpose or title? If yes, please list:

4. Stage of Development

a. Please check the one which best describes the stage of development of the software.

- Concept
- Beta Test
- Research Tool
- Ready to License Product
- Prototype

b. Please check the one which best describes the software documentation.

- No Documentation
- Partial Documentation
- Full Documentation

5. Specifications

5.a. Please identify what programming language was used: _____.

5.b. What operating system is needed for the proper function of the software?

5.c. What application software is needed for the proper function of the software?

5.d. What hardware configuration is required for the proper function of the software?

5.e. Please check the one that best describes the user interface.

- Windows / GUI
- SQL / UNIX

Other _____

5.f. Is this off-the-shelf software or does it have to be customized for use by each customer?

5.g. Do you anticipate the customer would need on-going maintenance and support? If yes, please explain.

5.h. Where is the source code located (disc, server, PC)?

6. Background

6.a. Other than this disclosure, does there exist an earlier, dated record of the software's conception which:

A) describes the software, and B) can be independently corroborated?

YES

NO

YES

NO

(Note: This can be important in asserting and defending the claim to patent.)

If so, what is it, and where is it?

6.b. Is this disclosure related to an earlier University disclosure? If yes, identify and list showing docket number and title.

6.c. Was the software developed at the request of any University administrator or department?

6. d. Is this disclosure related to any earlier software or invention disclosure at another institution?

7. Commercialization

7.a. How much did it cost to develop the software? Or, alternatively, how much would it cost for a third party to recreate or reverse engineer the software?

7.b. Please describe the likely end users of the software.

7.c. What do you see as commercial uses of your software?

7.d. Please indicate (choose one) the anticipated distribution model for the current version of the software.

- Open Source License Beta Test License Academic Use License
 License to Company Software Reseller License

7.e. What firms do you think may be, or are, commercially interested in using or distributing the software?

7.f. Do you have a relationship, formal or informal, with any of these companies? What is the nature of the relationship?

7.g. What do you see as the greatest impediment to the commercial adoption of your software?

7.h. Is further development of your software now in progress? Scheduled? Dependent on industry, Federal, or other sponsorship?

8. Publication and Distribution

8.a. Has any aspect of this software been published, presented at a scientific meeting, discussed with non-UMass individuals, or made part of a student dissertation or otherwise disseminated?

YES NO

If yes, please identify, list dates and circumstances.

8.b. Please list below any individuals outside of the University who have received the software.

Person	Organization	Date Released	Source Code (Y/N)	Version Released

(add spaces as needed)

8.c. Are there any plans to publish or otherwise publicly disseminate any aspect of this software in the future?

YES NO

If yes, please identify and list dates.

8.d. Are you aware of related prior art or developments by other institutions or companies?

YES NO

If yes, please identify.

8.e. Do you anticipate that the University would file a patent application to protect the software?

YES NO

9. Government and Industry Support

Has the research that led to development of the software been sponsored or funded by industry, or by a grant or contract from a government agency or private foundation?

YES NO

If yes, please provide CVIP with information on all funding sources for research that resulted in this software. Please attach a copy of the grant or contract.

INDUSTRY OR FOUNDATION SPONSOR

GRANT #

CONTRACT #

(Case Manager's Initials _____) Verified that the grant information shown above is complete as listed with the University's offices of Sponsored Programs and/or Offices of Grants and Contracts.

10. Third Party Software, Data or Other Materials

10.a. Is the software based upon or derived from third-party software (including any freeware, shareware or open source software), or does it otherwise make use of third-party software?

YES NO

If yes, was a software license, end-user license agreement, or other agreement used in connection with receipt of the third-party software?

YES NO

If yes to either, please attach a copy of the license or agreement, or provide the name and contact information of the source of the third-party software.

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YES NO

If yes, was a license, confidentiality agreement or materials transfer agreement used in connection with receipt of those materials?

YES NO

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Contributor #1	Contributor#2
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Work FAX:	Work FAX:
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12. Signature(s) of Contributor(s) I/We hereby agree to assign all right, title and interest to the software described in this Software Disclosure Form to the University of Massachusetts and agree to execute all assignment documents requested by CVIP (including a Participation Agreement if I/we have not already executed same) and to cooperate with the University of Massachusetts CVIP in the protection, development and commercialization of this software.

NAME TYPED

SIGNATURE

DATE

1.

2.

3.

4.
