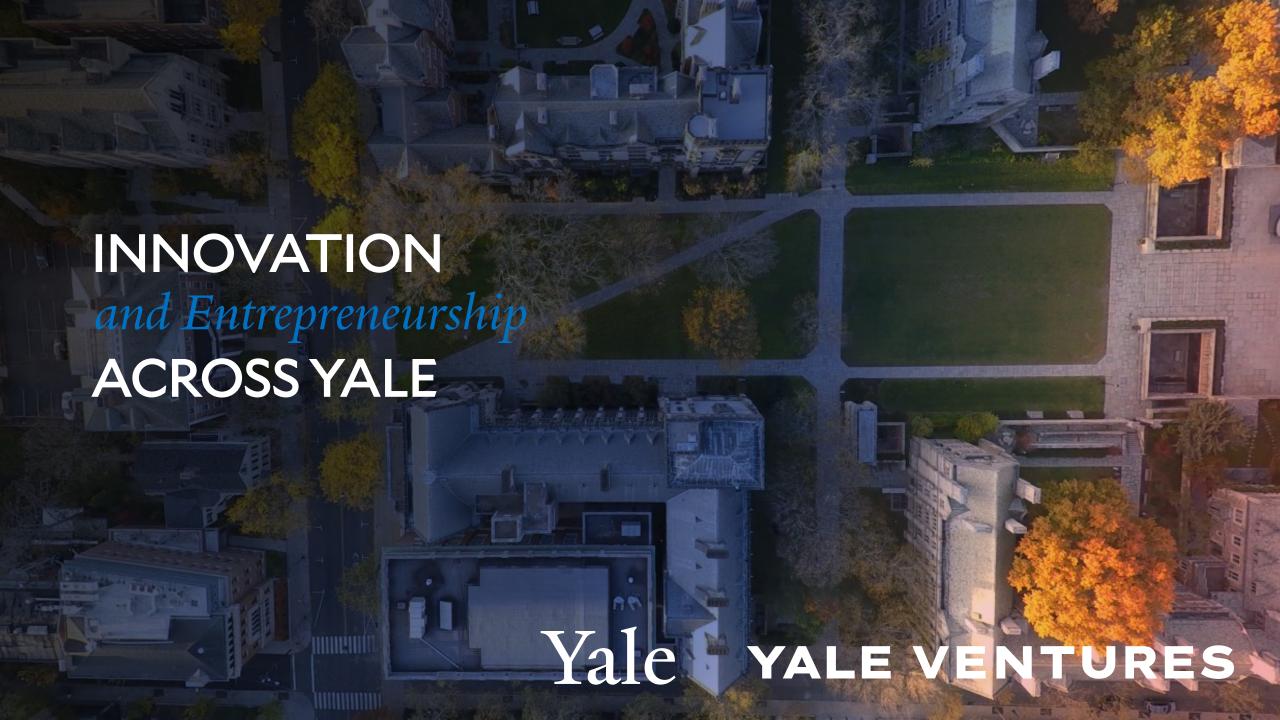
Ask Yale Ventures: How Do You Protect and Disclose Your Innovation?

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Types of Intellectual Property

- Trade Secrets
- Trademarks
- Copyrights
- Patents

Why Do We Have It?

- It's in the U.S. Constitution (Article I, Section 8, Clause 8):
 - [The Congress shall have power] "To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."
 - Derived from English Common Law

And, ummm, how does it do that?

- "If I have seen further, it is by standing on the shoulders of giants."
 - Sir Isaac Newton, 1676

- Innovation is risky and costly
- It is easier to be complacent and stand pat
- Institutionalize an incentive to innovate

What Does It Do?

- What it <u>isn't</u>: IP does not grant the holder the right to make a product
- What it does is allow the holder to tell someone else that they may <u>not</u> do something
- It's a mini monopoly
- It gives the holder a tool to use in business and benefit from blood/sweat/tears/time/\$\$\$

Trade Secrets

- They are literally secrets!
- Defined and protected through laws
- Need to meet the standards to qualify for protection
- Trade secret protection is perpetual as long as you meet the standards

Trademarks

- Protect the images and logos that represent brands, goods and services
- Trademarks are applied for and examined to see if the applicant qualifies
- Generally applied to use in a particular industry
- Whoever has been continuously using it longer is entitled to it
- May be restricted to particular regions

Copyrights

- Protect "Works" as presented in a tangible form
 - Art
 - Literature (and other written works)
 - Music
 - Visual Arts
- The creator of a work is the "Author"
- Copyright protection lasts for the life of the Author + 70 years (or 95 years if it was created in the course of employment)

Patents

- Protect novel, useful things, "Inventions"
- Three types:
 - Plant patents (last 20 years from application)
 - Design patents (last 15 years from the date of grant)
 - Utility patents (last 20 years from application)
- The creator of an invention is the "Inventor"
- The person or group that files first is entitled to the patent

Software

- Can be protected with both copyright and patent
 - It is put into fixed form the same way a novel is, so copyright applies
 - The use of algorithms to perform tasks can be protected with utility patents
- Released for use through licenses
 - Different kinds of licenses mean different things so read them carefully
 - Choose the one that makes the most sense for what you need (and control how others can use it)

When Should I Submit My Innovation?

- Before you share your innovation outside of Yale
- Publication before patent filing eliminates the possibility of getting patents outside the U.S.
 - One year grace period in U.S. to file after publication
- Publications = Papers, posters, talks, videos, blogs, etc.
- ***PUBLISH ON YOUR TIME FRAME***
 - Yale Ventures will work with you
 - Ideally, submit a disclosure at least a few weeks before planned publication

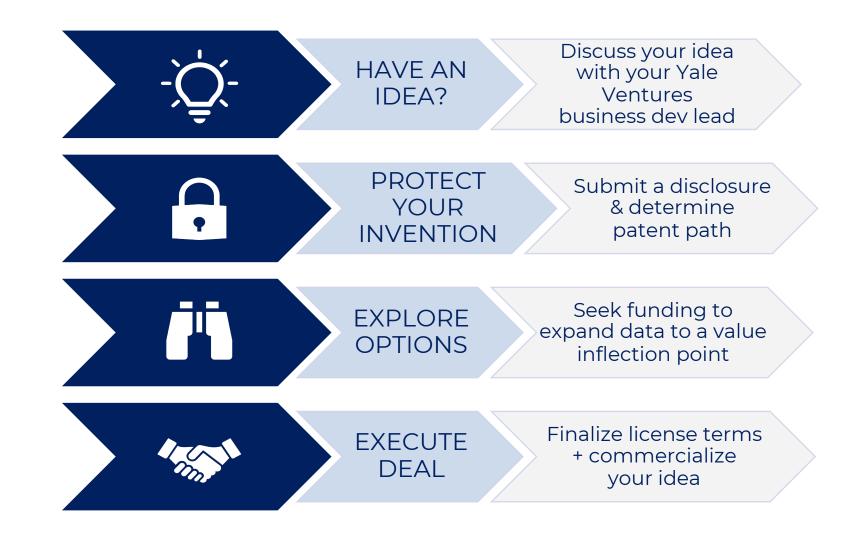
Submit Your Innovation

- Go straight to the Yale Ventures website!
 - https://ventures.yale.edu/
 - Click 'Submit Your Innovation' and follow the prompts
- Let's take a look...

OK, I've Submitted It

• What happens next??

IP & LICENSING PROCESS



University Innovations – A Sample

- AIDS Drugs (Yale)
- Recombinant DNA (Stanford/Cal)
- mRNA Vaccines (Penn)
- Modern Computer Chips (Carnegie Mellon)
- Digital Video/MPEG Compression (Columbia)
- Vitamin D-Fortified Milk (Wisconsin)
- Bar code (Drexel)

