|  |
| --- |
| This questionnaire provides the IMDEA Materials Technology Transfer and Innovation Office (TTIO) with the necessary information to evaluate the patentability of your invention, determine the best protection mechanism, and explore potential commercialisation opportunities. Try to reply to all possible questions, but leave blank those questions you cannot answer so you can fill them in along with TTIO during the meetings you will be having.**Check the annex at the end for clarifications to fill this form.***Controller: FUNDACIÓN IMDEA MATERIALES with legal address at C/Eric Kandel, 2 – Tecnogetafe – 28906 Getafe (Madrid). Purpose: Provide support for the protection and commercialisation of research resuls. Your rights: Access, rectification, deletion, opposition, limitation of processing and withdrawal of your consent. Filing a complaint with the Spanish Data Protection Agency (AEPD). Further information: In the* [*Privacy Policy*](https://materials.imdea.org/privacy-policy/) |

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| --- |
| For the Technology Transfer and Innovation Office (TTIO) use only |
| Received by |  |
| Reception date |  |
| Comments |  |
| Signature |  |

# INVENTORS AND GENERAL DESCRIPTION OF THE INVENTION

* 1. **Title of the invention**

|  |
| --- |
| XXX |

* 1. **Inventor(s) details**

Inventor 1 (Lead) agrees to be the primary point of contact with the IMDEA Materials' Technology Transfer and Innovation Office (TTIO).

*Notes*

* *Co-authors of publications are not necessarily inventors.*
* *Inventor 1 should be a Principal Investigator at IMDEA Materials Institute.*
* *If there are more than three inventors, please copy/paste more tables.*
* *Please list all inventors, including those from external organisations. If specific contributions are difficult to determine, include a table with the organisation names and an estimated percentage of their contribution to the invention.*

|  |
| --- |
| **Personal details of inventor 1 (Lead)** |
| Full name |  |
| Identification number (NIF, NIE, passport) |  |
| Nationality |  |
| Home address |  |
| Employer organisation and group/department |  |
| Contact details (phone and email) |  |
| Contribution to the invention (%) |  |
| Describe your contribution to the invention | (e.g., designed the experimental setup, conducted key experiments, contributed to theoretical development, etc.) |
| Signature |  |

|  |
| --- |
| **Personal details of inventor 2** |
| Full name |  |
| Identification number (NIF, NIE, passport) |  |
| Nationality |  |
| Home address |  |
| Employer organisation and group/department |  |
| Contact details (phone and email) |  |
| Contribution to the invention (%) |  |
| Describe your contribution to the invention | (e.g., designed the experimental setup, conducted key experiments, contributed to theoretical development, etc.) |
| Signature |  |

|  |
| --- |
| **Personal details of inventor 3** |
| Full Name |  |
| Identification number (NIF, NIE, passport) |  |
| Nationality |  |
| Home Address |  |
| Employer organisation and group/department |  |
| Contact Details (phone, email) |  |
| Contribution to the Invention % |  |
| Describe your contribution to the invention | (e.g., designed the experimental setup, conducted key experiments, contributed to theoretical development, etc.) |
| Signature |  |

* 1. **Summary of the invention and keywords**

*Notes*

* *Please include schematic drawings, diagrams, or flowcharts that illustrate the key aspects of the invention. If possible, ensure figures are precise and labelled to correspond to elements mentioned in the text.*

XXX

**Keywords:** *(provide a set of keywords that best describe your invention (e.g., technical field, specific applications, core technologies). These keywords will assist in classifying and searching for relevant prior art)*XXX

# DETAILED DESCRIPTION OF THE INVENTION

XXX

* 1. **Specific object and technical field of the invention**

XXX

* 1. **Describe the technical problem solved by the invention**

*Notes*

* *Clearly state your invention's specific technical problem, and explain why existing solutions are inadequate. Example: "This invention solves the issue of X by introducing a method that achieves Y, overcoming the limitations of previous technologies such as Z.".*

XXX

* 1. **Describe the prior art**

*Notes*

* *Briefly indicate and describe documents (solutions) that define prior art if known. Include patents, not just papers. Please consult free patent databases such as Espacenet, The Lens, or Google Patents.*

XXX

* 1. **Briefly describe the invention**

*Notes*

* *Provide a concise overview of the invention, highlighting its technical and practical aspects. For example, describe the core components, their interactions, and potential applications.*

XXX

* 1. **Describe and explain the invention and, more thoroughly, the essential elements of preferred embodiments and general performance**

*Notes*

* *Number the essential elements of preferred embodiments in the figures (see point 2.7).*

XXX

* 1. **Describe possible advantages of the invention with respect to the prior art**

XXX

* 1. **Include relevant figures of the invention**

*Notes*

* *Computer files -preferably editable- if available.*
* *Number the essential elements of preferred embodiments in the figures (see point 2.7).*

XXX

# BASIC CHECK-LIST TO DETERMINE THE FULFILMENT OF PATENTABILITY REQUIREMENTS

*Notes*

* *Please consult free patent databases such as Espacenet, The Lens, or Google Patents to verify novelty. Check all applicable boxes after conducting your search.*

[ ]  **Novelty**: An invention is considered new when not comprised in the state of the art. You consider that the invention is new because: *(check all options you have checked)*

 [ ]  Nothing identical has been found in patent databases

 [ ]  There is nothing identical on the market

  [ ]  Nothing identical has been found in the scientific literature consulted

  [ ]  Nothing identical has been found in a full search report

[ ]  **Inventive step/Non-obviousness:** An invention has an inventive step if it is not obvious to a person skilled in the art vis-à-vis the state of the art.

*Detail below the reasons why you consider that the invented product/process/use/service is not obvious:*

|  |
| --- |
| XXX |

[ ]  **Industrial application**: An invention has industrial application when its subject matter can be manufactured in any industry, including agriculture.

Please define your result:

[ ]  A new product (consider a general meaning of "product")

[ ]  A new process

[ ]  A new service

[ ]  A new use of an existing or known product

[ ]  An improvement of an existing product

[ ]  An improvement of an existing process

[ ]  An improvement of an existing service

[ ]  An improvement in the use of an existing or known product

[ ]  An idea

**Applications of the invention** *(Briefly describe the industrial applications of the invention)*

XXX

# DEGREE OF DEVELOPMENT OF THE INVENTION

Choose which of the following option(s) are closer to the degree of development of the invention:

[ ]  Performance in laboratory exclusively. Indicate date: \_\_\_

[ ]  Performance in a pilot plant. Indicate date: \_\_\_

[ ]  There is a prototype ready for its development and commercialisation. Indicate date: \_\_\_

[ ]  Developments for its commercialisation or industrial implantation

If developments for commercial exploitation are needed, these would have:

Technical difficulty: [ ]  High [ ]  Medium [ ]  Low

Economic costs: [ ]  High [ ]  Medium [ ]  Low

# EXPLOITATION AND COMMERCIALISATION OF THE PATENT

The possible commercial success of this product (process) would be: *(High: The invention has clear demand in multiple markets with minimal competition. Medium: The invention addresses a niche market or faces moderate competition. Low: The invention is at an early stage or has significant barriers to market entry)*

[ ]  High [ ]  Medium [ ]  Low

The market of the patent is:

**[ ]**  Exclusively domestic

 [ ]  International (please specify):

 [ ]  USA [ ]  Europe [ ] Japan [ ]  North America

 [ ]  Africa [ ]  Australia [ ]  Other:

Has any company been contacted regarding its possible commercial exploitation?

[ ]  YES [ ]  NO

 If YES, please add the name and role of your contact person \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 If NO, please answer the following question

Do you know any company which may be interested?  [ ]  YES [ ]  NO

 If YES, state its/their name(s) and contact people \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Do you wish to exploit the invention yourself by founding a spin-off company? [ ]  YES [ ]  NO

Comments \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# FUNDING SOURCES

*Notes*

* *List all funding sources for the research that led to the discovery. It is important to include all funding sources, as these may affect the ownership and commercialisation rights of the invention.*
* *If there are more than three sources, please copy/paste more tables.*

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |

# PATENT PREPARATION AND FILING COSTS

Which project(s) will cover the patent preparation and filing cost?

*Notes*

* *If there are more than three sources, please copy/paste more tables.*

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |
| **Share (%)** |  |

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |
| **Share (%)** |  |

|  |  |
| --- | --- |
| **Project acronym/title** |  |
| **Funding body** |  |
| **Share (%)** |  |

**Annex: Clarifications to fill in this form**

## BRIEF INTRODUCTION TO PATENTS AND UTILITY MODELS

A patent is a title that acknowledges the right to carry out the exclusive commercial exploitation of an invention and permits preventing third parties from carrying out such exploitation (manufacture, sale, use, etc.) without the owner's permission. As compensation, the patent is available to the public for general knowledge.

The right conferred by a patent is not the right to manufacture, offer in the market, and use of its subject matter, but mainly the right to "exclude others" from the manufacture, use or introduction in commerce of the patented product or process.

The patent may refer to a new process, device, product, or improvement.

Therefore, when a patent license is granted, what is granted is not permission to put the patented invention into practice, but rather authorisation or the possibility to prevent third unauthorised parties from putting the invention into practice.

*WHAT ARE THE REQUIREMENTS A PATENT MUST MEET?*

* **Novelty**: it is considered that an invention is new when it is not comprised in the state of the art.
* **Inventive step/Non-obviousness:** An invention has an inventive step if it is not obvious to a [person skilled in the art](http://en.wikipedia.org/wiki/Person_skilled_in_the_art) vis-à-vis the state of the art.
* **Industrial application**: An invention has industrial application when its subject matter can be manufactured in any type of industry, including agriculture.

The patentability requirements are assessed in connection with the state of the art, which is held to comprise everything made available to the public by means of a written or oral description, by use, or in any other way, in Spain or abroad.

*EXCEPTIONS TO PATENTABILITY:*

1. Because they are not inventions:
* discoveries, scientific theories and mathematical methods
* literary or artistic creations, and other aesthetic creations and scientific works.
* schemes, rules and methods for performing mental acts, playing games or doing business, and programs for computers
* presentations of information
1. Inventions regarded as not having industrial application: Methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practised on the human or animal body. This does not apply to products, particularly substances or compositions, for use in these methods.
2. No patentable subject matter:
* Inventions whose publication or exploitation would be contrary to "public order" or morality (processes for cloning human beings, processes for modifying the genetic identity of human beings, use of embryos with industrial or commercial purposes and processes for modifying the genetic identity of animals which cause them suffering with no substantial medical or veterinary utility for human beings and animals, as well as the animals resulting from these processes.
* plant and animal varieties.
* Essentially biological processes to produce plants or animals.
* The human body, at the various stages of its formation and development, and the simple discovery of one of its elements, including the sequence or partial sequence of a gene.

*UTILITY MODELS*

A utility model is an invention that is new and has inventive step, and confers an object a configuration, structure or constitution that results in an appreciable improvement in its use or manufacture. In particular, it refers to utensils, instruments, tools, apparatus, devices or parts thereof which meet the cited conditions.

Inventions for processes and plant varieties shall not be protected as utility models. These may be protected as patents or plant varieties.

From this definition, the basic features of the concept of utility model may be deduced:

* It is an invention which solves a technical problem.
* The invention is expressed in the shape of an object in a broad sense (external configuration, internal structure, configuration or change of matter.
* The shape improves the utility or technical effect of the object. This must have a practical advantage, namely, this shape must be useful, and such utility shall be expressed in its use or manufacture.

The requirements for registration of a utility model are the following:

* **Novelty**: the subject matter of the invention is deemed new if it is not comprised in the state of the art.
* **Inventive step**: to be protected as a utility model, an invention will be deemed an inventive step if it does not obviously result from the state of the art for a person skilled in the art.

The **state of the art** to determine novelty and inventive step is different for utility models than for patents, and it comprises:

* Everything that, prior to the date of filing the application for protection as a Utility Model, has been disclosed in Spain by a written or oral description or by any other means
* Content of Spanish applications for Patents or Utility Models as originally filed, the date of filing of which is prior to the date mentioned in the preceding paragraph and which have been published on that date or later.