Intellectual Property Considerations for $100K Competitors
Outline

- Am I Using MIT-owned Technology?
- Intellectual Property (IP) Considerations for $100K Competitors
- $100K Approval Process for Teams Using MIT-owned Technology
Am I Using MIT-owned Technology?

- Owners of inventions may be different from who is listed as an inventor
  - Ex. MIT owns inventions according to the MIT’s IP Policy

- Common scenarios where MIT owns student-created IP:
  - Done as part of a Research or Teaching Assistantship (RA/TA)
  - Developed as part of a sponsored research project
  - Improvements on existing MIT IP (patents, copyrights, etc.)
  - Developed with significant use of funds or facilities
  - Other scenarios on a case-by-case basis
IP Considerations for $100K Competitors

- Is the technology sufficiently protected to make a public disclosure?
- Is the technology available for licensing?
- Is my PI aware of my plans to commercialize the technology?
Is the technology sufficiently protected to make a public disclosure?

- A patent application must be filed prior to public disclosure to avoid loss of patent rights.

- Once a patent application is on file, it is okay to publicly disclose what’s described in that application.
  - It is important to know what content is covered in the application and only publicly disclose that content.
  - Updates made after the filing may not be covered in the original application.
Criteria for a Public Disclosure

- **Public** – available and accessible
  - Any non-confidential communication of an invention to an outside person

- **Enabling disclosure**
  - Describe invention in significant detail so that someone reasonably skilled in field can reproduce invention, without undue experimentation

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Diagram:

- Public
- Non-enabling
- Internal
- Enabling
- Journal or Thesis publications, defense
- $100K Competition
- Discussion with a company or person on MIT campus or at a conference
- Presentation to MIT-only group

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Is the Technology Available for Licensing?

- Common Situations where the IP is unavailable for licensing:
  - Obligations to Research Sponsors
  - Technology has previously been licensed or is in active negotiation
  - Background IP for ongoing research projects

- Talk to the TLO to understand what licensing options might be available and the best fit for your business model
Discussing $100K Competition or Startup Plans with Your PI

- Your PI can provide guidance on:
  - How to manage Conflicts of Interest with MIT Research
  - Other Commercialization/Research Plans for Technology
  - Other resources available in the MIT/Boston entrepreneurial ecosystem

- Discussion with TLO and your PI are important first steps so that we can help you achieve your goals!
Next Steps for Teams Using MIT-owned IP

Before Applying

1. Talk to your PI about your plans to enter the $100K competition
2. If advised by PI, disclose any potential IP to TLO
3. Indicate on your $100K application that you’ll be using MIT-owned IP
Next Steps for Teams Using MIT-owned IP

If Your Team is Accepted as a Finalist

1. Fill out $100K IP Information Form
2. Meet with appropriate Technology Licensing Officer to confirm IP approval
3. Return Completed IP Approval to $100K Organizers
Questions?

Invention Disclosure Form: https://tlo.mit.edu/disclose-protect-your-intellectual-property/submit-your-disclosure


Managing Conflicts of Interest: https://coi.mit.edu/community-coi-portal/all-coi-guidance-documents/useful-information-if-you-are-thinking-about

Send any questions to tlo-inquiries@mit.edu
Thank You!