

The Legal Logbook

ADVANTAGES

- ❑ Safeguard your patent rights.
- ❑ Serve as the basis of a project report.
- ❑ Be a comprehensive file of information under one cover.
- ❑ Discourage litigation.

FORMAT

- ❑ Hardcover.
- ❑ Permanently bound with numbered, stitched-in pages. Thomas Edison used 3400 (8½ x 6", 200 pgs.) notebooks in his career.

IT MUST

- (a) Clearly establish what activities were performed.
- (b) Show when activities were performed.
- (c) Show how activities pertained to reducing the invention to practice.

TO DO THIS

- (a) Use clear language
- (b) Describe conception in maximum detail. You and at least two competent witnesses, who understand the description, must sign and date all pages involved.
- (c) Assume you are the first to conceive an idea. To prove priority of your invention, you must have started your efforts before a competitor in the field, and you must have continued them until you have reduced your invention to practice.

WITNESSES TO YOUR WORK

A qualified witness meets the following criteria:

- (a) He/she must understand the invention, its construction and operation, and all written and drawn material.
- (b) He/she must read, understand, date, and sign all pertinent pages in the notebook.
- (c) He/she cannot be a co-inventor or potential co-inventor, and he/she must not have any financial interest in the patent sought.

The practice of having witnesses sign and date all relevant notebook pages makes it possible to introduce into evidence a photocopy of any required page or pages, thus revealing no more of your secret pages than necessary.

CRITICAL DATES

- ❑ Conception of the invention.
- ❑ First disclosure to witnesses, together with their signatures and the inventors'.
- ❑ Reduction of the invention to practice (construction).

CONTENTS

- ❑ **Background:** Brief history of the art or related subject matter leading up to your idea.
- ❑ **Purpose:** Explanation of what your idea achieves and why it is valuable.
- ❑ **General Description:** Overall view of how your idea achieves its goal.
- ❑ **Detailed Description:** Includes references, drawings, and sketches and gives step-by-step accounts of how everything shown interacts as a system.
- ❑ **Alternatives:** Discuss ways other than the one you described in detail.

ESSENTIAL RULES FOR NOTEBOOKS

- ❑ At front of notebook, put a table of contents.
- ❑ Enter currently into the book all favorable and unfavorable results. All data must be originals, not recalculations or transformations.
- ❑ All references to apparatus, places, time, literature, graphs, and people should be sufficiently explained to be understood years later.
- ❑ Entries must be coherent, lucid, legible, non-ambiguous, and complete within themselves.
- ❑ Enter specific, complete references to books, periodicals, reports, catalogs, and all.

GENERAL LAYOUT & PREREQUISITES

1. Use numbered, bound notebooks with printed page numbers and notebook numbers.
2. Before each project, make a written disclosure. This disclosure should have several parts: background, purpose, general description, detailed description, and alternatives.
3. At the project's end, state what work was done, when it was started and finished, and what the results and conclusions were.
4. Make all entries in ink (black, preferably, since blue reproduces poorly) or indelible pencil directly in the notebook. Don't use memo sheets, for neat copying later: memo sheets may be lost.
5. Keep all entries current and in chronological order; avoid retro-active entries.
6. Have a patent attorney periodically evaluate notebook procedures and search for patentable ideas that may have been overlooked.
7. Include references to any articles or books used as sources of information.

PROCEDURES, EQUIPMENT, INSTRUMENTS

8. Describe the procedures, equipment, and instruments used.
9. Identify all trademarks and code names to avoid ambiguity.
10. Insert photos (by stapling or gluing) of instrument set-ups and readings. Sign and date all photos. Extra-large drawings should be photo-reduced and the reductions inserted in the notebook and dated.

DATES, WITNESSES, SIGNATURES

11. Get a witness to the conception of an invention and as evidence that the invention works. Have him/her write and date his/her signature preceded by the words "witnessed and understood."
12. Sign and date every completed page, and have two or more witnesses sign and date every page after they have read and understood the contents.
13. Avoid blank pages and blank spaces between notes, but if a space is unavoidable, draw a large X through it, then sign and date the page.
14. If entries do not completely fill a page, sign and date the page immediately beneath the notes, not at the bottom of the page.
15. Witnessing should be done often, at least weekly, so that it may be nearly simultaneous with the original work.

CONSIDER THE DON'TS

16. Don't change a page after it is signed and dated. If some information must be updated, enter it on a new page and reference the original page.
17. Don't erase entries; draw lines through them so as not to destroy legibility.
18. Don't remove pages or portions of pages from the notebook.