

## SCHEDULE A: INSTRUCTION FOR COMPLETING LABORATORY BOOKS

Since **1 January 1996**, inventors throughout the world have been able to rely on evidence of their activities when proving dates of invention before the United States Patent Office. The following checklist is provided by way of a guideline only and to ensure all the requirements are met in your particular circumstances, specific advice should be sought on a case by case basis.

- Records should be kept in a bound notebook with consecutively numbered pages. Records kept on computer are not acceptable as evidence of invention.
- Entries should be made in pen not pencil.
- The date should be entered on each page.
- Each experiment should be described in the past tense and in detail.
- The purpose of the experiment should be indicated.
- Entries should be made directly in the notebook as the experiment is carried out.
- Results should be entered immediately they are obtained.
- If some of the experimental work is carried out by another person, the data generated by that person should be entered in the bound notebook as soon as the researcher receives them.
- All non-standard terms and abbreviations should be defined in the notebook.
- Some results may be difficult to enter directly into the notebook. Photographs should be stuck in and signed and dated across the border to show that they have not been added later. Where possible gels should be sealed and taped in. Again a signature and date across the edge may be beneficial if this is possible. Bulky results such as large computer printouts may need to be kept separately. To accommodate this sort of data some laboratories are keeping a separate catalogue of signed and dated printouts numbered by consecutive catalogue numbers, with a description of the results and a cross-reference to the catalogue number entered in the notebook.
- Incorrect entries should not be erased but rather struck through with a single line.
- Blank portions of pages should be drawn through with a single diagonal line.
- Each page of the notebook should also be signed and dated by the person actually carrying out the experiment as soon as it is completed.
- Each page of the notebook should be signed and dated by at least one and preferably two people who have knowledge concerning the experiments, actually conducted, i.e. someone who has observed and understood the experiment. It may not be sufficient for the witness to be a person who understood the experiment to whom the experimenter merely disclosed the experimental details.
- The witness should be someone who is not likely to be an inventor of any invention embodied in the experiment being witnessed. It is preferable where possible to have critical experiments conducted by someone who is not likely to be an inventor. A laboratory technician who is working under the direct instruction of the researcher, using standard manipulations and who is not engaged in any problem solving activity in order to perform the experiment is likely to satisfy this requirement.

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