

## **FILING COMPUTERIZED INVENTION DISCLOSURES**

There are three different forms that must be filled out when submitting a new invention to the Legal Office, Patent Team. The forms are DA FORM 2871-R, Invention Rights Questionnaire, AMC Form 1255-R-E, Record of Invention, and AMCCOM FORM 384-R, Patent Disclosure Data Record. All forms MUST be filled out electronically and forwarded to the Legal Office by e-mail. This file provides DA FORM 2871-R, Invention Rights Questionnaire. The second attachment contains the other two forms.

The forms have been provided to you as Word documents. You should fill in the missing information using Word. If your computer is not authorized for classified work, do not fill out a classified disclosure using these electronic forms; call the Legal Office and request a hard copy of these forms. NEVER send classified information to the Legal Office using e-mail.

When filing out the forms, use the TAB key to move around the form. You will be prompted to fill in various areas of the forms, these areas are shown by a gray rectangle on the form. In some cases, not every gray square needs to be filled out. If you do not need to fill out a certain gray area, just TAB through it.

When you have completed all three forms, print them out, sign and have your supervisor sign (if required). Forward the electronic version to [lorilee.andrews@us.army.mil](mailto:lorilee.andrews@us.army.mil).

## **INSTRUCTIONS FOR INVENTION RIGHTS QUESTIONNAIRE DA FORM 2871-R**

The Invention Rights Questionnaire is used for determining the rights to the invention in respect to the government. If you desire to assign the rights to the invention to the government only fill out questions 1 through 6, print out the form, sign and date block 6a and 6b.

If you do not desire to assign the rights to the invention to the government, you must fill out questions 1 through 17, print, date, and sign the form. Your supervisor must also fill out questions 18 through 30.

## INVENTION RIGHTS QUESTIONNAIRE

For use of this form, see AR 27-60; the proponent agency is OTJAG

**READ THE INSTRUCTION BELOW BEFORE COMPLETING THIS FORM**

Under Executive Order 10096, 23 January 1950 and AR 27-60, whenever an invention is made by a military or civilian employee of the Department of the Army, it is necessary to determine the rights in the invention as between the Government and the Inventor. There are three ways in which rights may be determined:

The inventor may be entitled to all the rights and the Government to none (and hence the inventor need sign no document giving any rights to the Government);

The Government may be entitled to a license permitting it to use or practice the invention and the inventor entitled to all other rights (and hence the inventor signs a license to the Government);

The Government may be entitled to all rights and the inventor to none (and hence the inventor signs an assignment to the Government).

Separate and distinct from the determination of rights and even though it may appear that the inventor is entitled to all rights in the invention, the inventor may sign a license permitting the Government to use and practice the invention in return for which the Government will prosecute an application for a patent on the invention at no expense to the inventor, provided the Government is sufficiently interested in the invention.

If the inventor desires voluntarily to assign all rights in the invention to the Government, he may complete PART A below and sign block 6. The remaining questions then need not be answered.

If the inventor does not desire to voluntarily assign all rights in the invention to the Government, it is necessary that all questions be answered completely. The determination of the rights in the invention depends upon the facts and circumstances under which the invention was made. In almost every case a failure to provide sufficient information works to the disadvantage of the inventor. Many questions may be answered by a check mark; however, every question must be answered even if the appropriate answer is "no", "None" or "NA" (not applicable).

### SECTION 1 – TO BE COMPLETED BY THE INVENTOR

#### PART A – BASIC DATA

1. BRIEF TITLE OF INVENTION

2. NAME OF INVENTOR(S)

3. GRADE AT TIME INVENTION WAS MADE

4. JOB TITLE AT TIME INVENTION WAS MADE

5. COMPLETE NAME OF ORGANIZATION AT TIME INVENTION WAS MADE (Include, as applicable, unit, section, branch, division, department, laboratory, post, camp, station, branch of Army)

**6. I DESIRE TO ASSIGN TO THE UNITED STATES GOVERNMENT THE *ENTIRE RIGHT, TITLE AND INTEREST IN AND TO THE ABOVE IDENTIFIED INVENTION.*** (Signature below is necessary only if assigning rights of invention to the Government. Completion of the remainder of this form is not necessary if you sign below.)

SIGNATURE OF INVENTOR(S)

DATE

**SECTION I - CONTINUED**

**PART B – MAKING OF THE INVENTION**

NOTE: The making of an invention generally involves its conception or discovery followed by a series of acts which establish the correctness or operativeness of the idea. Depending upon the nature of the invention, these acts may involve the making of sketches, drawings, written descriptions, the making and testing of a model, the carrying out of a process, or the production of a composition of matter.

7. BEFORE THE INVENTION WAS PHYSICALLY TRIED OUT OR PRODUCED IN MODEL OR WORKING FORM OR A COMPOSITION OF MATTER PRODUCED, WERE THE ESSENTIAL ELEMENTS OF THE INVENTION IN ITS OPERABLE AND PRACTICABLE FORM FULLY DISCLOSED IN WRITTEN DESCRIPTION, SKETCHES OR DRAWINGS IN SUCH A MANNER THAT THE INVENTION COULD BE PRODUCED OR PRACTICED FROM THEM WITHOUT THE EXERCISE OF ANY FURTHER INVENTIVE SKILL BY A PERSON WHO IS SKILLED IN THE FIELD TO WHICH THE INVENTION RELATES? (If the answer is “yes” give the date such description, sketches or drawings were completed.)

NO

YES

DATE:

8. WAS A MODEL MADE; OR, IF THE INVENTION IS A PROCESS, WAS THE PROCESS TRIED OUT; IF THE INVENTION IS A COMPOSITION OF MATTER, WAS A COMPOSITION PRODUCED? (If the answer is “yes” give the date such action took place.)

NO

YES

DATE:

9. IF A MODEL WAS MADE AND TESTED, A COMPOSITION PRODUCED OR A PROCESS CARRIED OUT, WAS IT DONE BECAUSE:

a. IT WAS DESIRED TO TEST THE OPERABILITY OR PRACTICABILITY OF THE INVENTION?

YES

NO

b. IT WAS DESIRED TO TEST THE USEFULNESS OF THE INVENTION TO THE GOVERNMENT?

c. IF IT WAS DONE FOR SOME OTHER REASON STATE THAT REASON:

10. APPROXIMATELY HOW MUCH TOTAL TIME WAS SPENT BY YOU PERSONALLY IN MAKING THE INVENTION?

a. PERSONAL TIME (In hours) (Non-duty working hours)

b. GOVERNMENT TIME (In hours) (Duty hours including paid overtime)

11. EXPLAIN BRIEFLY THE USE, IF ANY, OF ANY OF THE FOLLOWING ITEMS IN CONNECTION WITH THE MAKING OF THE INVENTION:

a. THE USE OF GOVERNMENT FACILITIES (Buildings, such as laboratories, shops or office buildings, but not buildings such as barracks or recreation buildings.)

b. THE USE OF GOVERNMENT EQUIPMENT (Such as instruments, tools or machinery.)

c. THE USE OF GOVERNMENT MATERIALS (Supplies, reagents, parts or any other materials; if scrap, waste or salvage materials were used, so state; give estimated monetary value of materials consumed.)

d. THE USE OF GOVERNMENT FUNDS WHICH WERE ACTUALLY OBLIGATED OR EXPENDED FOR THE PURPOSE OF MAKING THE INVENTION> (Other than salaries and wages, and Government contributions covered under other parts of this question.)

**SECTION I - (CONTINUED)**

**PART B - MAKING OF THE INVENTION (CONTINUED)**

e. CONTRIBUTION OF INFORMATION BY THE GOVERNMENT (Information which was available to you by reason of your official duties and not otherwise.)

f. CONTRIBUTION OF TIME OR SERVICES OF OTHER GOVERNMENT EMPLOYEES DURING NORMAL OR OVERTIME WORKING HOURS (State approximate number of hours and type of assistance.)

**PART C - RELATIONSHIP BETWEEN THE INVENTION AND THE INVENTOR'S DUTIES**

12. BRIEFLY, WHAT PROMPTED YOU TO MAKE THE INSTANT INVENTION OR HOW DID YOU GET THE IDEA FOR THE INVENTION? (Do not indent; double space between paragraphs.)

13. BRIEFLY AND IN BROAD TERMS, WHAT IS THE INVENTION SUPPOSED TO ACCOMPLISH? (Do not indent; double space between paragraphs.)

14. WERE YOU EMPLOYED OR ASSIGNED:	YES	NO
a. TO INVENT OR IMPROVE OR PERFECT ANY PROCESS, MACHINE, MANUFACTURE, DESIGN, OR COMPOSITION OF MATTER? (check the correct box)	<input type="checkbox"/>	<input type="checkbox"/>
b. TO CONDUCT OR PERFORM RESEARCH OR DEVELOPMENT WORK?	<input type="checkbox"/>	<input type="checkbox"/>
c. TO SUPERVISE, DIRECT, COORDINATE OR REVIEW GOVERNMENT-FINANCED OR CONDUCTED RESEARCH OR DEVELOPMENT WORK?	<input type="checkbox"/>	<input type="checkbox"/>
d. TO ACT IN A LIAISON CAPACITY AMONG GOVERNMENT OR NON-GOVERNMENTAL AGENCIES OR INDIVIDUALS ENGAGED IN SUCH RESEARCH OR DEVELOPMENT WORK?	<input type="checkbox"/>	<input type="checkbox"/>

15. DESCRIBE THE DUTIES, PROJECT OR AREA OF WORK TO WHICH YOU WERE ASSIGNED AT THE TIME THE INVENTION WAS MADE. STATE IN SUFFICIENT DETAIL TO MAKE THEM UNDERSTANDABLE. (Do not indent; double space between paragraphs.)

**SECTION 1 – (CONTINUED)**

**PART C – RELATIONSHIP BETWEEN THE INVENTION AND THE INVENTOR’S DUTIES (CONTINUED)**

16. STATE ANY FACTS OR CIRCUMSTANCES NOT COVERED IN YOUR ANSWERS ABOVE WHICH YOU BELIEVE WOULD HAVE A BEARING ON EITHER THE GOVERNMENT’S OR YOUR RIGHTS IN THE INVENTION> (Do not indent; double space between paragraphs.)

17. SIGNATURE BELOW IS NECESSARY IF YOU ARE **NOT** ASSIGNING RIGHTS OF THE INVENTION TO THE GOVERNMENT.

a. SIGNATURE OF INVENTOR

b. DATE

**SECTION II**

**TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR OF THE INVENTOR AT THE TIME THE INVENTION WAS MADE**

18. AS THE INVENTOR’S SUPERVISOR AT THE TIME OF THE INVENTION, WHAT CONTACT DID YOU HAVE WITH THE INVENTOR AND TO WHAT EXTENT DID YOU HAVE ACTUAL PERSONAL KNOWLEDGE OF THE INVENTOR’S DUTIES AND THE SUBSTANCE OF HIS INVENTION? (Do not indent; double space between paragraphs.)

19. AT THE TIME THE INVENTION WAS MADE< WHAT WERE THE OFFICIAL DUTIES OF THE INVENTOR? IN ADDITION, SUBMIT A COPY OF THE JOB DESCRIPTION THE INVENTOR WAS WORKING UNDER AT THE TIME THE INVENTION WAS MADE> (Do not indent; double space between paragraphs.)

20. AT THE TIME THE INVENTION WAS MADE, WHAT WERE THE SPECIFIC JOB OR PROJECT ASSIGNMENTS OF THE INVENTOR WHICH WERE RELATED TO THE INVENTION AND WHAT WERE THEY INTENDED TO ACCOMPLISH? (Do not indent; double space between paragraphs.)

**SECTION II – (CONTINUED)**

21. TO THE BEST OF YOUR ABILITY, HOW WOULD YOU DESCRIBE THE RELATIONSHIP BETWEEN THE INVENTION AND INVENTOR'S SPECIFIC JOB OR PROJECT ASSIGNMENT MOST CLOSELY RELATED TO THE INVENTION AT THE TIME IT WAS MADE?

	YES	NO
DIRECTLY RELATED (place X in box)	<input type="checkbox"/>	<input type="checkbox"/>
RELATED, BUT NOT DIRECTLY (place X in box)	<input type="checkbox"/>	<input type="checkbox"/>
UNRELATED (place X in box)	<input type="checkbox"/>	<input type="checkbox"/>

22. WAS THE INVENTION THE SET GOAL OF A SPECIFIC TASK ASSIGNED TO THE INVENTOR? (If the answer is "yes", questions 23 and 24 need not be answered.)

YES  NO

23. ONCE THE INVENTOR HAD THE IDEA FOR THE INVENTION, WOULD HE/SHE HAVE HAD TO OBTAIN THE APPROVAL OF HIS/HER SUPERIORS TO CONTINUE DEVELOPMENT WORK ON IT AS A *GOVERNMENT PROJECT* OR COULD HE/SHE HAVE PROCEEDED UNDER HIS/HER OWN AUTHORITY?

	YES	NO
NEEDED APPROVAL (place X in box)	<input type="checkbox"/>	<input type="checkbox"/>
COULD PROCEED ON HIS/HER OWN (place X in box)	<input type="checkbox"/>	<input type="checkbox"/>

24. IF THE ANSWER TO QUESTION 23 WAS THAT THE INVENTOR "NEEDED APPROVAL", DO YOU THINK THAT THE INVENTION WAS SO RELATED TO HIS/HER DUTIES THAT HE/SHE WAS UNDER AN OBLIGATION TO REVEAL IT TO HIS/HER SUPERIORS WITH THE IDEA OBTAINING AUTHORIZATION OR AN ASSIGNMENT TO PERFORM DEVELOPMENT WORK ON IT? (PLACE x IN BOX)

YES  NO

25. ARE YOU IN ACCORD WITH THE REPLIES WHICH THE INVENTOR HAS MADE OT EACH OF THE ITEMS IN SECTION 1 ABOVE?

YES  NO

26. IF THE ANSWER TO QUESTION 25 IS "NO", DISCUSS AND EXPLAIN BELOW. (Do not indent; double space between paragraphs.)

27. SUPERVISOR'S TITLE AT TIME INVENTION WAS MADE

28. DATE

29. TYPED OR PRINTED NAME OF SUPERVISOR

SIGNATURE OF SUPERVISOR