

## **Invention Award**

Invention awards are monetary grants for inventions by civilian or military personnel that are of interest to DLA and for which patent coverage is sought or granted. A monetary award may be considered if the invention either (1) contributes to the efficiency, economy, or other improvement in Government operations; or (2) is in the public interest and is associated with the employee's official employment. Even though the making of an invention is considered to be within an employee's official duties, it is emphasized that the inventor may be considered for cash and honorary recognition.

Within DLA, the Office of General Counsel (DG), makes the determination of rights in inventions, and the determination of whether the invention will be processed for patenting by DLA.

DG will review contributions for possible patent consideration at the request of the suggestor or when patent consideration is recommended by the evaluating official.

The disclosure of an invention in a publication, or public use of an invention, or the sale of an article embodying the invention, for more than 1 year before the filing of a patent application thereon constitutes a statutory bar to the issue of a valid United States Letters Patent thereon. Therefore, to protect the interests of the originator and the Government, it is important that a suggestion or contribution which appears to be patentable be submitted promptly to allow ample time for patent processing.

**Award Eligibility:** DLA personnel whose invention disclosures are received by an activity incentive awards coordinator or committee will be eligible for an initial award of \$100 upon advice of DG that the conditions described in paragraph D, below, have been met. They may be considered for an additional award of \$300 upon notification that the patent covering the invention has been issued.

When two or more eligible persons are co-inventors each will receive an initial award of \$100. Any additional award will be divided equally.

When the actual value of the invention can be determined, any additional award may be based on the savings accruing during the first year after the patent was issued. If the calculation or estimate of benefits to the Government does not fairly reflect the later year's benefits, consideration should be given to either an averaging of actual benefits during several years of use of the invention by the Government or using a more representative year, e.g., the benefits in the second or third year following use of the invention. When an additional award is granted, the amount of this award will be reduced by the amount of any awards granted under the above paragraphs.

If an employee's application for patent is placed under a secrecy order, he or she will become eligible for the additional award of \$300 when a Notice of Allowability of the application is issued.

Awards under this paragraph are not authorized, if a cash award has been paid for the same contribution as a suggestion, except that where a suggestion award has totaled less than the amounts payable under this paragraph, the employee or member may be awarded the difference.

**Preparation of Patent Application.** A patent application on an invention will be prepared when:

Based on an analysis of the prior state of the art, the invention appears to contain patentable subject matter. The invention is determined to be of sufficient value to the Government to require protection under the patent laws of the United States. There has been a determination that the invention was made under circumstances which warrant the Government obtaining either full title to or a license on the invention. The inventor(s) have executed a license or an agreement to license the Government in return for Government filing and processing of the patent application.