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STAFF DIRECTIVE 81-2

Annual Review

To: Directorate, Field Directorate, WASO Division Chiefs, and
Park Superintendents

From: Associate Director, Administration

Subject: Inventions by Employees

The purpose of this Staff Directive is to set forth the National Park Service's policy regarding inventions made by its employees, and to establish a procedure for reporting of inventions.

For the purpose of this Staff Directive, the following definitions shall apply:

Employees are defined as all full-time employees, any part-time employee, any employee in a while-actually-employed pay status, or any part-time consultant of the National Park Service who participates in the making of an invention during periods of official duty. Exemptions to these definitions must be obtained from the Solicitor with advance approval of the Commissioner of Patents.

Inventions are defined as any art, process, machine, manufacture, design, or composition of matter, or any new and useful or unique improvement thereof, or any variety of plants, whether or not patentable under the patent laws of the United States, or any foreign country.

The following policies will be observed:

1. All inventions made by National Park Service employees shall be reported promptly to the Solicitor prior to written publication or other public disclosure. Publication or public use of an invention bars the granting of a patent for the invention of the United States unless a patent application is filed within one year of such publication or public use. It also bars the granting of patents in most foreign countries unless the patent application is filed within one year of such publication or public use.
2. Patents will be sought for inventions made by NPS employees when it is found to be necessary to preserve the interests of the Government in inventions resulting in NPS programs and activities.
3. Determinations of the rights of the Government and the employee in an invention, whenever a determination is requested by an employee,

will be made by the Solicitor.

The following steps shall be followed in reporting an invention:

1. Form DI-1215, Report of Invention, will be prepared in quadruplicate (original and three copies) by the employee making the invention. If the invention is the product of group work, the report may be prepared by the Supervisor, but shall be signed by all who contributed to the making of the invention. This form sets forth all the information needed concerning the invention and necessary ancillary data.

2. The report forms will be considered and treated as confidential information.

3. The report will be reviewed by the employee's supervisor for additional information as to the circumstances under which the invention was made, evidence as to the making of the invention, his/her opinion of its Governmental or commercial value, and the foreign countries in which it may find use or value.

4. Form DI-1218, Invention Rights Questionnaire, will be prepared in quadruplicate by the employee's supervisor only if a determination of rights is requested by the employee. All attachments accompanying this form shall also be prepared in quadruplicate.

5. After all reports/forms have been reviewed by the employee's supervisor, the reports/forms shall be submitted to the Director, NPS, or his designee, who will separately add any information the bureau may have as to the potential Governmental or commercial value of the invention and his/her recommendation as to the assignment of rights in the invention.

6. Finally, the report will be transmitted to the Solicitor under the Director's signature with the original and two copies of all reports/forms/attachments. One copy of each report/form/attachment will be retained by the employee's supervisor for his/her nonsecurity confidential files.

For your information, attached is Part [453 DM 1](#), Appendix 1, Patent Policy and Procedure Regarding Employee Inventions and General Information on Patents and Copyrights.

For additional information, please refer all inquiries to the Associate Director, Administration.

Enclosure