

New Invention Disclosure Standard – Why Would I Care?

By Robin Hunziker, February 2017

Many patent owners (perhaps not IPO members) still use Word documents and other unstructured documents as invention disclosure forms. Routing and harvesting information from unstructured documents is time-consuming, expensive and prone to error. Also such forms are often incomplete or illegible when received.

Some patent owners have implemented IP matter management (IPMM) software that includes invention submission capability. Unless this conforms to the LEDES disclosure standard, such software is proprietary. Communication with other proprietary systems is typically expensive and subject to failure whenever either system changes.

A few IPMM systems are centralized, perhaps web-based. If a company demands that outside counsel and other service providers access the company's IPMM systems, several problems arise. Outside counsel services may be less efficient (due to using multiple clients' systems) and more expensive than if outside counsel could use the firm's own internal systems. Further, remote access may create cybersecurity risk to the company's systems.

Proprietary IPMM systems frequently do not integrate well with other systems. For example, a proprietary interface with a more general matter management system would likely be much more expensive and prone to failure than a standard interface. The same is true for dashboard, analytics, due diligence, and other software.

The LEDES Oversight Committee has published an invention disclosure data exchange standard. See <https://ledes.org/loc-ipmm-invention-disclosure-schema/>. Compliant invention disclosure software generates a disclosure in XML format that can be read by any other compliant software. Compared with unstructured documents (and some structured options), the LEDES standard provides improved data management, completeness, and quality. Compared with all other options, the LEDES standard offers improved interoperability.

Many companies, firms, and vendors are reviewing the standard. At least one vendor is working on implementing the standard. However, vendors and firms have indicated that the standard is unlikely to be widely implemented absent strong interest from general counsel and IP managers. If the benefits described above are of interest, please ask your software vendors and outside counsel about their plans to implement the LEDES invention disclosure standard.

Robin Hunziker counsels GE's Oil & Gas Technology Center and chairs the LEDES IPMM subcommittee. Robin was previously IP counsel for Marathon Oil. While he appreciates their support, the comments in this article are solely the author's opinion and not attributable to GE, Marathon Oil, or the LEDES Oversight Committee.