This form is for disclosure of original Software/App of authorship such as literary, dramatic, musical, artistic, and certain other intellectual works. Separate forms are available for inventions and creative works.

An online Software/App Notification Form is provided for San José State University (SJSU) faculty, staff and students to initiate the disclosure process. Submitting the Notification Form is the first step in the process of identifying and evaluating Software/App created by faculty, staff, or students. Using information from the online Notification Form, the Office of Innovation works with the lead author to prepare a complete Software/App Disclosure that will be circulated to all creators for review. Once a complete Software/App Disclosure is prepared, it will be circulated to all creators and to related Deans and Chairs for review and approval. The Software/App Disclosure will then be reviewed by the Vice President of Research & Innovation so author status can be established, acknowledged, and credited by the University.

More information on Copyrightable works can be found in the [SJSU Copyrightable Works Guidelines](https://sjsu.edu/innovation/docs/intellectual-property/copyrightable-works-guidelines-under-SJSU-IP-Policy-2021-02-01.pdf).

A copy of the SJSU Intellectual Property Policy can be found at the following link:

<https://www.sjsu.edu/senate/docs/F98-3.pdf>

Creators are encouraged to work with the Office of Innovation to prepare the Disclosure. Questions regarding this form may be made to officeofinnovation@sjsu.edu.

Once complete, the Software/App Disclosures may be submitted to the SJSU Office of Innovation at the following email address: officeofinnovation@sjsu.edu.

**Title of Software/App:** (required - short title, less than 80 characters)

1. **Lead SJSU Creator** (Primary point of contact)

Name:

Email address:

Phone:

College/Department/School:

1. **List of other Creators/Contributors** (name and affiliation of anyone that contributed to the creation of the Software/App):
2. **Creation History** (Provide information on initiation of research, date of discovery, and if research/development is ongoing.)
3. Date Software/App was initiated:
4. Date Software/App completed (indicate if work is ongoing)?:
5. If the Software/App has been published, please provide details of how and when.
6. If the Software/App is part of a Series, please provide Title of Series and identifying # in Series.
7. Identify any and all materials owned, controlled or provided by a third party that are incorporated into the Software/App
8. **Description of the Software/App**

What is the medium or form of this Software/App (please check all that apply)?

|  |  |
| --- | --- |
|  | **Check boxes that best represent the type of Software/App.** |
| ☐ | a. Software code |
| ☐ | b. Mobile App |
| ☐ | c. Software idea or algorithm (in development) |
| ☐ | d. Software embedded in hardware (e.g. an ATM machine) |
| ☐ | e. Software application  |
| ☐ | f. Other: |

4a. Briefly describe the Software/App:

4b. What problem(s) does the software solve?

4c. How do you intend to use this Software/App or how would you like to see the Software/App used?

4d. Please identify other available software that performs similar functions.

How is the software different from other available software? What advantages over current software does it possess?

4e. Describe how the Software/App may be used to create public impact, economic growth, job creation, or expand the impact of SJSU research and innovation. Enter NA if none.

4f. Technical details:

a. Describe the hardware configurations(s) required to operate the software:

b. Identify the operating system(s) required:

 c. List any utilities required.

 d. What programming language(s) were used to create the software?

4g. Please attach any materials to explain your Software/App, such as manuscripts, photos, or drawings.

4h. Is the software a derivative work? If Yes, name the work from which it was derived:

4i. Was the Software/app created with open source tools or is any open source or public domain code, library, or other content embedded in the Software, or automatically accessed or linked to by the Software? If yes, please provide details (e.g., in each case: description of open source or public domain material and URL for open source license terms)

4j. Do you intend to publicly release the software under an open source license? If Yes, please explain the reasoning and form of license that you’re considering using.

4k. Was the Software created as a deliverable under the research proposal supported by any of the above?

1. **University Support and Resources Used**: List any facts related to personnel, equipment, or materials used as part of the discovery of the Software/App. Where resources were provided, please provide a description/details of the support or funding provided.

|  |  |  |
| --- | --- | --- |
| **University Funding and Support**  | Yes | No |
| Were any Government grants used for any aspect of the Software/App?  | ☐ | ☐ |
| Was any University time spent on the Software/App?  | ☐ | ☐ |
| Was any University funding spent on the Software/App?  | ☐ | ☐ |
| Were any University facilities, materials or other resources used to support any aspect of the Software/App?  | ☐ | ☐ |
| Did you collaborate with any University employees on the Software/App?  | ☐ | ☐ |
| Did you collaborate with any University students on the Software/App?  | ☐ | ☐ |
| Any other University items used.  | ☐ | ☐ |

1. **Non-University Support and Resources Used**: List any facts related to non-University personnel, equipment, or materials used as part of creating the Software/App. Where resources were provided, please provide a description.

For any items below where yes is checked, please provide details.

|  |  |  |
| --- | --- | --- |
| **Non-University Funding and Support**  | Yes | No |
| a. Were any grants from sources other than the University used for any aspect of the Software/App?  | ☐ | ☐ |
| b. Was any Non-University funding spent on the Software/App?  | ☐ | ☐ |
| c. Were any Non-University facilities, materials or other resources used to support any aspect of the Software/App? | ☐ | ☐ |
| d. Did you collaborate with any other Non-University employees or students on the Software/App?  | ☐ | ☐ |
| e. Where any materials, data or other items from another party used in the Software/App (e.g. cell line, antibody, plasmid, chemical compound or computer software).  | ☐ | ☐ |

1. **Public Disclosure**: Identify all facts concerning publication, public disclosure, sale, or use in public. If any of these apply, please provide a copy and details of the disclosure.

A. Has the Software/App been distributed within the University?

If yes, please provide details including the date, circumstances, and associated costs.

B. Do you plan to have a publication, demonstration or performance in the next six months? If yes, please provide: details including the predicted date, form/format of disclosure, and copy of drafts, preprints, etc.

C. Has the Software/App been disclosed to anyone outside the university, including industry representatives? If yes, please provide the following:

* The name of the company:
* The company representative contact information:

D. Are you aware of any commercial interest in the Software/App? If yes, please provide details about the possible interest.

E. Has there been any sale, offer of sale, or public use of the Software/App?

If yes, please provide details about the sale.

1. **Circumstances for Creation of Software/App:** Ownership of copyrightable Software/App produced by authors who are SJSU faculty, staff, or students shall remain with the authors, except in circumstances: Substantial support provided by the University, Software/App were created under agreements with external parties, or items were created as Works for Hire. Below, please check the box or boxes that represents the circumstances for creation of the Software/App.

|  |  |
| --- | --- |
|  | **Check boxes that best represent the circumstances for creation of the Software/App.** |
| ☐ | a. **Sponsored Project:** The Software/App resulted from a sponsored project, such as a contract or grant to investigate a specific topic and external funding was received for all or part of the Software/App. The Inventors understand that under University Policy, when external funding is provided, the University retains certain rights to the Software/App. |
| ☐ | b. **University Support**: Substantial support was provided by the University to support the Software/App. Examples of substantial support include any of the following: financial support, faculty release time, assignment of personnel, facilities or equipment in excess of normal uses. The Inventors understand that under University Policy, the University retains certain rights to the Invention. |
| ☐ | c. **Work Duty or Requirement**: Software/App was created as a specific requirement of employment or as an assigned University duty or were the topic or content as determined by the author's employment duties and/or which were prepared at SJSU's instance and expense.  |
| ☐ | d. **Non-sponsored Work, No University Support (University assistance requested)**: The Software/App resulted from non-sponsored work, such as independent faculty research, independent student projects, or master's theses; and no substantial support was provided by the University. If a determination is made that all rights reside with the Creators, the Creators would like to negotiate an agreement with the University to manage the intellectual property protection and commercialization.  |
| ☐ | e. **Non-sponsored Work, No University Support (ownership determination requested)**: The Software/App resulted from non-sponsored work, such as faculty research, independent student projects, or master's theses; and no substantial support was provided by the University. The Creators are requesting an ownership review to determine if all rights should be retained by the Inventors.  |
| ☐ | f. **Prior Agreement Regarding Copyright Material:** Prior to initiating this work, an agreement was put in place with the University regarding division of rights and responsibilities for works of authorship. A copy of the agreement is attached.  |

Note. Details regarding the definition on substantial support are provided in Section 2.0 of the SJSU Intellectual/Creative Property Policy (F98-3).

1. **Contributors:** List all Contributor(s), their relationship to the University, and their contribution to the Software/App.

|  |  |  |
| --- | --- | --- |
| **Contributor First and Last Name/ Signature& date**  | **Employer/faculty/school at time of making the Software/App/Contribution** | **What did this person contribute?** (e.g., conception, text, illustrations, editing, etc.). |
| **Name****Signature****Date** |  |  |
| **Name****Signature****Date** |  |  |
| **Name****Signature****Date** |  |  |
| **Name****Signature****Date** |  |  |
|  |  |  |

**Warranty of Accurate and Complete Information**

The Creators understand that in accordance with the San José State University Intellectual Property Policy, Software/App conceived or developed while employed SJSU shall be examined by the University to determine rights and equities therein. The Creators will furnish the University with information necessary to make this determination. The Creators warrant that all information they provide related to disclosure is accurate and complete. If any of the information provided by the Creators is found to be incomplete or incorrect, any decision made regarding ownership of the Software/App can be revisited to ensure compliance with University policy.

**Review and Approval**

1. **Department Chair:** Review and approval.

I concur with the foregoing disclosure and declaration of institutional resource costs associated with the above titled invention.

I do not concur with the foregoing estimate of institutional resource costs associated with the above titled invention and request a meeting be scheduled to review the information.

**Chair Name:**

**Chair Signature:** Date:

1. **College Dean:** Review and approval.

I concur with the foregoing disclosure and declaration of institutional resource costs associated with the above titled invention.

I do not concur with the foregoing disclosure and estimate of institutional resource costs associated with the above titled invention and request a meeting be scheduled to review the information.

**Dean Name**:

**Dean Signature**: Date:

1. **Office of Innovation:** Review and approval.

I have reviewed the foregoing disclosure and find the information includes the information required for an ownership determination (such as the amount of University time, personnel, facilities, and/or equipment used). The completed form will be forwarded to the Vice President for Research & Innovation for ownership determination.

**Director of Innovation Name**:

**Director of Innovation Signature**: Date:

**Appendix A – List of Funding Available to Authors**

List any sources of funding available during the time between initial conception through the completion of Software/App. This includes internal/external grants, sponsored research agreements or other sources of research funding.

|  |  |  |  |
| --- | --- | --- | --- |
| Primary Investigator  | Source of Funding | Title of Project | Related to the Software/App (Y/N) |
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(Insert additional rows as needed)