

Sent: Monday, March 07, 2016 2:47 PM
To: NDSU-EMPLOYEE-OFFICIAL@LISTSERV.NODAK.EDU
Subject: RCA Update - March 7 Edition



Welcome to the Research and Creative Activity Update!

To share information quickly rather than through multiple emails, we will be providing weekly updates for researchers, scholars and staff to keep up-to-date on grant program changes, deadlines, notices and training, with links to expand the information you may be interested in. Thank you for your contributions to research and creative activity at NDSU.

These weekly email updates are archived on the [RCA Website](#).

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Unmanned Aircraft Systems Workshop Scheduled for March 10

A workshop will be held on Thursday March 10, 9:30am-noon in the Memorial Union Century Theatre to discuss the use of unmanned aircraft systems (drones) for NDSU research purposes. Representatives from the Northern Plains UAS Test Site will present an overview of the regulatory status and the process for flying unmanned aircraft for NDSU projects. Researchers already using unmanned aircraft will provide an overview of their experiences and discuss some of their outcomes. Time will be available at the end for one on one discussions with the Test Site representatives about potential projects. The workshop is open to all NDSU faculty, staff, and students. For more information please contact Aaron Reinholz in the Office of Research and Creative Activity (aaron.reinholz@ndsu.edu 231-5338).

- 9:30-10:45am FAA regulations and the process to follow for using unmanned aircraft for university research
- 10:45–11:30am NDSU research projects with UAS
- 11:30am – noon Open discussion / Q&A

Export Control Training through CITI

Online Export Control training is available through NDSU's Collaborative Institutional Training Initiative (CITI) Program subscription. The training program consists of 11 modules beginning with an introductory module covering the Export Administration Regulations and International Traffic in Arms Regulations, exports/deemed exports, Fundamental Research Exclusion, Dual-Use Research of Concern, and prohibited parties. The remaining 10 modules are tailored for

specific roles and responsibilities including modules for researchers, research administrators, biosafety, operational departments, and individuals that ship internationally. To access the CITI Export Compliance training modules, go to www.citiprogram.org and choose the 'Log in through my institution' option. If you would like additional information about the training please contact ndsu.exportcontrols@ndsu.edu or 231-6455.

NIH Grant Application Program - New Submission Procedure

The National Institute of Health is using a grant application program called ASSIST. This program is web based and has some autofill capabilities. The log-in requires the use of the PI's eRA Commons user name and password. NDSU's Sponsored Program Administration will no longer be submitting grant.gov packages for NIH programs and is requesting that the PI's transition to the ASSIST program for these submissions. The ASSIST log-in link is: <http://grants.nih.gov/grants/ElectronicReceipt/assist.htm>

Fiscal Year 2015 Sponsored Programs Annual Report

The Fiscal Year 2015 Sponsored Programs Annual Report has been completed and is available for viewing at the following address: <https://www.ndsu.edu/research/reports/>. The report provides a summary of NDSU's proposals processed and awards received during fiscal year 2015.

Update to Conflict of Interest Disclosure and Management

There have been many questions concerning the COI Disclosure - Administrative Review Form as well as the SAMPLE COI Management Plan that were on the SPA webpage. Based on these inquiries, some modifications have been done to the forms. Updated forms have been provided on the [SPA webpage](#) (navigation SPA, Research Tools, Forms). Please pay special attention to the explanatory information on the top of the SAMPLE COI Management Plan. Please contact Val Kettner (231-9608, val.kettner@ndsu.edu) with questions.

Inventors and Inventorship are Complicated – Part 2 Reduction to Practice

The conception of the idea must be followed by REDUCTION TO PRACTICE. Reduction to practice can occur in two ways. First, a working prototype can be made and that construction can be described in detail in the patent application that is filed. When there is an actual tangible reduction to practice, the verb tenses in the patent application are in the past tense. Second, the reduction to practice may be hypothetical or "constructive" using "prophetic" examples, including details of how to make and use the invention in enough detail to allow one skilled in the art to practice the invention for its intended purpose. In constructive reduction to practice, the verb tenses are in the present tense.

To be an inventor on a patent, one must make an inventive contribution to the conception and/or reduction to practice, not merely contribute effort. A very skilled pair of hands that does 95% of the work on an invention is not an inventor if the work is performed by only following the inventor's instructions. However, if in the process of reducing the invention to practice, that same pair of hands fixes a step or component of the invention that was inoperative, as described by the original inventor, the person attached to that pair of hands can become a joint inventor because, "but for" that "fix", the original conception was not complete and operative.

Inventorship and who is an inventor has been described as "one of the muddiest concepts in the muddy metaphysics of the patent law" (Mueller Brass Co. v. Reading Indus., Inc., 352 F. Supp. 1357 (E.D. Pa. 1972)). For more information about this complicated topic, see review articles at:

<http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1980&context=btlj> and

<https://clients.kilpatricktownsend.com/IPDeskReference/Documents/Inventorship.pdf> and or contact Henry Nowak in the Technology Transfer Office at (1-8173 or hnowak@ndsu.edu).

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