

Researchers Guidelines for Good Record Keeping

The importance of carefully keeping a laboratory notebook may be paramount to the chances of obtaining a valid patent. If properly kept it is invaluable in proving the right to own a related patent in Australia, or obtain one in the United States (where patent rights are assigned on a 'first to invent' basis, rather than the 'first to file' system that applies in Australia). This short guide is designed to help you ensure that all the requirements are met (in your particular circumstances.) Specific advice should be sought on a case by case basis.

- A bound notebook with consecutively numbered pages must be kept for all records related to the project. Electronic records are not acceptable as evidence of invention.
- Only a pen should be used for all entries.
- The date must appear on each page.
- The past tense should be used to describe each experiment in detail.
- Indicate the experiment's purpose.
- Ensure results are entered immediately as they are obtained.
- Ensure entries are made directly in the lab book as the experiment is carried out.
- A glossary of all abbreviations and non-standard terms must be kept in the lab book.
- Corrections or incorrect entries should be struck through with a single line, but never erased.
- A single line should be drawn through blank portions of any pages and no pages should be skipped.
- Data generated by another person performing some of the experimental work should be entered in the bound lab book as soon as it becomes available to the researcher.
- As soon as the experiment is completed, the person actually carrying out the experiment must sign and date each page of the notebook corresponding to that experiment.
- When there is difficulty in entering results directly into the lab book, please follow these instructions:
 - To make sure that they have not been added later, photographs should be signed and dated across the border and glued or taped onto the lab book.
 - If adding gels, they should be sealed and taped in (if possible add signature and date along the edge).
 - Large computer printouts or other bulky results may be kept separately. The laboratory may choose to keep all signed and dated printouts, including a cross-reference to the number in the lab book and a description of the results, in a separate catalogue numbered by consecutive catalogue numbers.
- Additional dated signatures for each page of the lab book should be sought from at least one but ideally two people with information and/or knowledge of the experiment actually conducted. For example, an informed observer who has understood the experiment. It may not be acceptable to have as the witness someone who understood the experiment, but only through the disclosure of details from the experimenter.
- People involved as inventors of any inventions contained in the experiment being witnessed should NOT serve as witnesses. Furthermore, where possible, critical experiments should be carried out by people who are not likely to be inventors on the project. For example, laboratory technicians and research assistants not engaged in any problem solving activities during the experiment, working under the direction and supervision of the researcher, fulfil the criteria for the witness.

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