

# Before you publish

You have completed your research and it's time to tell the world. Publication milestones are both personally satisfying and integral to advancing your career. However, before publishing it is critical that you have first determined the correct translational pathway and whether you have created intellectual property that may have potential for social, environmental or economic impact.

Open collegiate sharing of results has many benefits, but is not appropriate in all situations. In other cases translation and impact may be achieved through a safeguarded route such as through a patent filing. You may not have to choose between these options, but simply have the correct timing so you achieve both. If your new intellectual property (IP) is made publicly available prior to its protection, the ability to patent or otherwise safeguard this new IP may be compromised. This may adversely affect its value for translation or commercialisation. Publicly available information includes, but isn't limited to, presentations, abstracts, publications, non-confidential discussions with potential partners, or interactions with AI platforms (such as ChatGPT or QuillBot). Contractual obligations about IP publication and ownership may also need consideration.



## WHAT DO I NEED TO DO?

If you think the best pathway to impact may be via a safeguarded route, speak with your Business Development Manager (BDM) during manuscript preparation so that a patent application can be filed prior to publication. Alternatively, complete an [IP Disclosure form](#) through Service Now. This should be done at the draft manuscript stage or earlier. A RIC team member will work with you to assess the patentability and commercial or translational potential of the IP.

- The same material can be patented and published as long as the provisional patent is lodged first
- Journals are increasingly making publications available online before the publication date
- Grant applications are not considered public disclosures, but the title and abstract may be published online if successful
- Thesis examination by external examiners can be covered by a confidential disclosure agreement (CDA)
- Thesis submission to Minerva is unrestricted by default unless an embargo is selected
- Discussions with collaborators or industry with a CDA are not detrimental to subsequent patenting

## NEED HELP?

Your [Faculty's BDM](#) can assist with your IP Disclosure. Even if you are uncertain that you have created something of value, your BDM is available to discuss this further with you.

## Case Study

Sujin is a research fellow in the Faculty of Engineering and Information Technology at the University. Enrico is also a fellow, in the Faculty of Science. Both Sujin and Enrico are preparing manuscripts for publication.

Enrico is concerned that patenting will delay his publication, but Sujin thinks there might be a commercial application of her research, so she submits an IP Disclosure to the RIC Knowledge and Technology Transfer team.

Once RIC receives Sujin's disclosure, an assessment of the IP and commercial opportunity reveals potentially valuable IP. A provisional patent is filed the day before publication and the RIC team commence a search for a commercial partner.

Sujin is able to include her publication and patent application on her next academic performance evaluation, in addition to seeing her research have an impact on a wider audience.

Enrico receives commercial interest, but the options for patent protection have been damaged by the publication so the commercial value is limited.