

NORTH DAKOTA STATE UNIVERSITY

HORTICULTURE DISCLOSURE FORM INSTRUCTIONS

In accordance with NDSU Policy 190, this form should be utilized by NDSU personnel to report new horticultural discoveries to the Office of Technology Transfer. Pursuant to NDSU policy, Inventors are required to report discoveries to the Office of Technology Transfer prior to making any “enabling” disclosures. An “enabling” disclosure for Plant Patent purposes would consist of a sale or license or offer for sale or license of a horticultural selection. NOTE that prior to an application for Plant Patent, any transfer or evaluation of a horticultural selection by a third party must be done under the terms of a Material Transfer Agreement with confidentiality provisions.

INVENTORS/BREEDER and CONTRIBUTORS:

- Complete Horticulture Disclosure Form fully and accurately to the best of your knowledge.
- Decide amongst yourselves, the division of Breeder Royalties, if any, received from the commercialization of this variety.
- Sign the Horticulture Disclosure Form.

HEAD, PLANT SCIENCES DEPARTMENT:

- Review and Sign the Horticulture Disclosure Form.

NDAES DIRECTOR:

- Review and Sign the Horticulture Disclosure Form.

Direct your questions to: Joycelyn Lucke
 NDSU Office of Technology Transfer
 701/231-5624

**NORTH DAKOTA STATE UNIVERSITY
HORTICULTURE DISCLOSURE FORM**

Selection/Experimental Number _____

Common Name _____

Genus and Species Name _____

Proposed Cultivar Name _____

Proposed Trademark Name _____

Provide a brief description of the qualities of this cultivar that distinguish it from other cultivars currently available:

Please attach additional information, data and/or photos.

BREEDER AND CONTRIBUTORS: Provide all information for project leader/breeders and all other contributors involved in development. Other NDSU personnel may be named a contributor and share in the breeder's share of royalties upon agreement of all breeders involved in development. Provide the approximate share in contribution of each contributor.

Project Leader/Breeder Name: _____

Position and Department: _____ Share _____%

Other Contributors	Position and Department	Share
_____	_____	_____%
_____	_____	_____%
_____	_____	_____%

GRANT OR CONTRACT FUNDING FOR RESEARCH:

List all sources of U.S. Federal funding that led to or enabled the development of this cultivar – identify the Federal Funding Agency and the Grant/Contract Funding No. for each source (including federal funding of salaries for all breeder or contributors, if applicable).

Is there any other, non-U.S. Federal, funding of your breeding research (e.g., funds provided by associations, councils, companies, etc.)? _____ Yes _____ No.

If YES, please identify each and every funding source (specify name and contact information).

MATERIAL TRANSFERS:

Has any plant material related to this cultivar been transferred to any third parties, including trials?

Yes _____ No _____

If YES, please provide name of recipient and date of transfer.

Has any of this cultivar been sold to any third parties?

Yes _____ No _____

If YES, please attach a copy of the bill of sale and three tags, as attached to cultivar.

INTELLECTUAL PROPERTY:

Please provide name and contact information for any third-parties that may have a proprietary interest or in this cultivar in terms of any patented, patent-pending, licensed-in, material transfer agreement or other parentage(s), trait(s), etc. Describe and explain the nature of any such interest(s).

Do you believe that a Plant Patent or Plant Variety Protection Certificate is warranted for this cultivar?

Plant Patent: Yes – _____ No – _____ PVP: Yes – _____ No – _____

If YES, why: _____

The information provided to complete this Horticulture Disclosure Form is true, accurate and complete to the best of my knowledge. I hereby agree to assign all of my rights in this cultivar to NDSU, in accordance with NDSU policies, for good and valuable consideration the receipt of which is hereby acknowledged. I understand that all of my laboratory materials, notebooks, and reports generated while I am an employee (and/or student) of NDSU remain the property of NDSU.

Breeder _____ **Date** _____

**Breeder/
Contributor** _____ **Date** _____

**Breeder/
Contributor** _____ **Date** _____

**Breeder/
Contributor** _____ **Date** _____

REVIEWED AND APPROVED BY:

**Plant Sciences
Department Head** _____ **Date** _____

NDAES Director _____ **Date** _____

PLEASE FORWARD:

The original, hardcopy completed form to NDSU Office of Technology Transfer, located at 1735 NDSU Research Park Drive, Room 124, Phone: (701-231-6659).

Remember to retain a copy of the form for your records.

DATE RECEIVED by NDSU OTT: _____