

# HINTBOOK

**for  
researchers**

## What is an invention and what is a technical solution?

A patentable **invention** involves an inventive step and meets the requirement of novelty with respect to the state of the art as at the date of filing the invention application. Furthermore, it must be susceptible to repeated industrial application, i.e. it can be made or used in industry, agriculture or other areas of the economy. Methods for treatment of the human body by surgery or therapy and diagnostic methods practised on the human body are not considered to be inventions susceptible to industrial application. Such methods are not patentable.

A **technical solution** that is new, exceeds the scope of a mere skill and is susceptible to repeated industrial application can be protected by a utility model. Technical solutions that are protected by utility models tend to have less potential for commercialisation, a shorter lifespan, or are subject to lower requirements in terms of the overall level of the inventive step.

## Who is responsible for industrial property protection at FNUSA-ICRC? As a FNUSA employee, I have created an invention or a technical solution. What steps do I need to take?

Where an inventor has created an invention or a utility model as part of their employment relationship with FNUSA, they are obligated to report such fact to the Technology Transfer Department (TT) within 30 days. This reporting obligation is to be met by completing the Invention Disclosure Form in English (Oznámení o vzniku předmětu průmyslového vlastnictví in Czech), which is available for download on the FNUSA-ICRC Intranet or, if applicable, on request at TT, and by submitting the form to [tt.icrc@fnusa.cz](mailto:tt.icrc@fnusa.cz).

## What should I do to complete the Invention Disclosure Form?

In the Invention Disclosure Form, the inventor primarily fills in information about the actual invention or technical solution, including all its inventors. Relevant documents that might play a role in assessing whether industrial property protection is desirable need to be attached to the Form. Using all the information and documents

**How does FNUSA decide whether to exercise its rights to an invention or technical solution?**

provided by the inventor, FNUSA needs to be able to properly assess whether it will exercise its rights to these industrial property objects. In case of any uncertainty when completing the Form, the inventor may contact TT for assistance – TT will provide the inventor with all information on industrial property protection or with assistance in completing the Form and summarising its attachments, if any.

Once a Form has been submitted, TT personnel process the form and evaluate whether it truly does concern an industrial property object, whether the object has been co-invented in cooperation with inventors outside FNUSA, and whether the object is related to research projects. Based on the findings, TT prepares a “Commercialisation Proposal” and submits it to the Committee for Commercialisation.

FNUSA exercises its rights to industrial property objects mainly where the industrial property object is of benefit to FNUSA, i.e. especially if it is fit for external commercial use. This is decided by the Committee for Commercialisation, whose Opinion will determine how the industrial property object will be treated. TT will notify the inventor of its decision as to the exercise of rights and will discuss the steps to be taken with the inventor.

**How can I protect an invention or technical solution which FNUSA has decided not to exercise its rights to?**

If the Committee for Commercialisation decides not to exercise its rights, the rights to the result transfer back to the inventor. The inventor may dispose of the industrial property object as they wish and according to their possibilities and, if relevant, they implement protection in their own way and at their own cost. FNUSA is obligated to maintain confidentiality with respect to the object in order not to jeopardise the possibility of protection by a patent or a utility model.

**Can I publish information about an invention or technical solution?**

All inventions and technical solutions must be kept confidential at least until the patent application or utility model application is filed. If information concerning the industrial property object is published prior to filing such an application, the result of work can no longer be legally protected. It is therefore necessary to avoid any publishing activity, whether in the form of publications, conference papers, or even their abstracts.

**For how long is industrial property protection valid?**

The patent is usually granted protection for a maximum period of 20 years, for a utility model it is no longer than 10 years. In both cases, the protection is valid from the date of submitting the form and its prolongation is linked to maintenance fees.

**What should I do if someone wants to use FNUSA's industrial property? In the event of commercial use, am I entitled to remuneration?**

If you are approached by an institution or private company wishing to use the registered industrial property of FNUSA, contact TT, which will contact the entity concerned, agree on the terms of cooperation and take care of the legal aspects of cooperation. Where the incentive remuneration is manifestly disproportionate to the benefits obtained from the commercial use of the result, the inventor is entitled to remuneration for industrial property commercialisation. TT decides whether such a disproportion exists and what amount of remuneration for commercialisation to provide.

**Where can I get additional information on industrial property protection at FNUSA?**

In case of any questions, please feel free to contact TT and its personnel at [tt.icrc@fnusa.cz](mailto:tt.icrc@fnusa.cz).

The issue of industrial property is regulated in more detail by internal directive S/A/82999/019, concerning the treatment of research results and intellectual property protection, which is regularly updated by TT.



EVROPSKÁ UNIE  
Evropské strukturální a investiční fondy  
Operační program Výzkum, vývoj a vzdělávání



MINISTERSTVO ŠKOLSTVÍ,  
MLÁDEŽE A TĚLOVÝCHOVY

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