

Confidentiality undertaking in respect of an invention that you intend to patent:

Before disclosing your invention to a possible commercialisation partner (“the recipient”), you should either:

- (a) ensure that the recipient signs two copies of the confidentiality undertaking below (a copy to be kept by each party); or
- (b) file a provisional patent application describing your invention.

The second option (i.e. filing a provisional patent application) is preferable. However, a provisional patent application costs between R5,000 and R20,000 and delay disclosure by about two weeks.

Alternatively, signature of the confidentiality undertaking below should protect you to some extent against unauthorised disclosure and unauthorised use of your invention by the recipient. In addition, if the recipient discloses the invention without your permission, you may still file a patent in respect of the invention. The only drawback is that you will need to prove that such unauthorised disclosure originated from the recipient.

The confidentiality undertaking is copied below:

Schedule

[Describe the novel features of the invention]:

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