

# MIT LINCOLN LABORATORY SOFTWARE COPYRIGHT DISCLOSURE INSTRUCTIONS and FORM

## I. Introduction

The purpose of this form is to notify the Massachusetts Institute of Technology's (MIT) Technology Licensing Office (TLO) of your software code and any relevant sponsorship and third party rights with the intent to license or distribute the software to third parties. **If you believe your software may also be a patentable invention, you must ALSO fill out a [Lincoln Laboratory Invention Disclosure Form](#) for the patentable aspects of the software (for example, an algorithm or method).**

The Lincoln Laboratory Technology Ventures Office (TVO) collects all Laboratory disclosure forms, reviews them for compliance with Laboratory procedures (conferring with CSD Compliance & Contracts, if necessary), logs the disclosure, and sends approved disclosures to MIT TLO by means of secure file transfer to maintain confidentiality. Refer to [TVO-052, Intellectual Property Management](#) for additional information.

## II. Prepare the Software Disclosure Package

To disclose Software Code, including Open Source (OS), the author(s) shall prepare a software disclosure package (Software Disclosure Form, the Rights and Marking Statements ([RAMS](#))-marked software code, and, where appropriate, the Sponsor's Public Release Approval letter) and submit to CSD for release review approval per the following steps:

1. Complete a Software Copyright Disclosure Form per [Software Copyright Disclosure Form Instructions](#) in *Section III*.
2. Apply intellectual property and prime contract statements using the [RAMS](#) application according to [CSD-005, Markings and Statements for Work Products Procedure](#). These statements are to be applied to the code files as follows:

**Source Code** – Statements should be placed at or near the top of every file and, additionally, in a README file. If this is not feasible, statements should be placed at or near the top of the first source code file and a README file.

**Object Code** – For executables or embedded firmware (no source), there must be a README file. Conversely, whenever source or object code appears in multiple folders or directories, there should be a README file in each folder/directory.

**NOTE:** The copyright statement shall use the year(s) of publication or, if unpublished, the year of creation.

3. Submit the software disclosure package to CSD Compliance & Contracts for release review using the Paperless Auditable Release Review Online Tool ([PARROT](#)) according to [CSD-004, Release Review Procedure](#). A complete copy of the source or object code is required to enable the MIT TLO to maintain an accurate record of the software disclosed and to identify unauthorized copying.

**NOTE:** For most submissions, obtaining release review from the sponsor's cognizant authority is the most important part of the Release Review process.

4. Once all documents are received and approved by CSD Compliance & Contracts, the TVO will be notified and will send a copy of the Software Copyright Disclosure to MIT TLO.
5. MIT TLO will assign a case number to the disclosure, which will be provided to the author.

### III. Software Copyright Disclosure Form Instructions

*The following instructions apply to the corresponding numbered sections in the [Software Copyright Disclosure Form](#)*

1. Provide the name of the software and version to aid in identifying the technology.
2. In describing the software, select the confirmation check box and attach material that covers the following points:
  - a. Applications (for commercial and national security potential)
  - b. Problem Addressed (general purpose)
  - c. Technology Description
  - d. Advantages (improvements over existing software)

3. An MIT author of the software is anyone affiliated with or employed by MIT who has written any of the code (even if only a very small contribution) or provided any text, graphics, photos, video, sound effects, voice recording, or other tangible item (“Material”) that has been incorporated into the software.

Non-MIT authors are contributors who wrote code or contributed Material who are affiliated with or employed by any entity other than MIT or Lincoln Laboratory. This includes any author acting as an individual or who provided services as a consultant in writing or creating the software if such individual has no obligation to assign rights to MIT. In the event that a consultant has written any code or created any Materials in the software, the MIT TLO must be provided with evidence that the consultant has assigned all of his/her/its copyright in such contribution to MIT. The MIT TLO should be consulted before listing as an author any individual who has not actually written or contributed any Material to the software.

4. For this step all funding sources need to be identified.
  - a. For MIT authors, was the software developed with the use of any MIT-administered grant/contract funds? **YES** applies under either of the following two circumstances:
    - If the software was supported by any on-contract funding (most Lab programs), select the **YES** check box and then select the check box for MIT LL Prime Contract number (FA8702-15-D-0001).
    - If the software was supported by off-contract funding, such as a Cooperative Research and Development Agreement (CRADA), Collaboration Agreement (CA), or Small Business Innovation Research (SBIR), select the **YES** check box, then select the **OTHER** check box and provide the applicable agreement number(s).

For both of the above options, you need to enter the Program number, Sponsor/Organization, and Lab Program Manager. Program numbers and the sponsor/organization name or acronym may be obtained from the appropriate group or division office. The Laboratory program manager is generally the cognizant group leader. Questions may be referred to the Technology Ventures Office (TVO) at [IPdisclosures@ll.mit.edu](mailto:IPdisclosures@ll.mit.edu).

If **NO** MIT administered research grants/contract funds were used, you must still report on whether the software was developed with significant use of Laboratory-administered funds or facilities. Even in the absence of program funding, significant use will normally give rise to MIT ownership rights in the software. For more information on what is meant by “Significant Use” refer to § 2.1.2 of the [Guide to the Ownership, Distribution, and Commercial Development of MIT Technology](#).

5. Non-MIT authors are asked to disclose all funding sources outside of MIT. This information is necessary to confirm MIT’s right to distribute the software.

5. Provide the year or period of years that the code in its current form was first completed. Provide the year that the code was first published, if any (for example, the year of the first distribution or transfer of the code to someone who is not an author of the code).

6. **ALL AUTHORS MUST DISCLOSE ALL THIRD-PARTY CODE AND MATERIALS THAT HAVE BEEN EMBEDDED IN THE SOFTWARE.** If your software contains other “open source” or “free” software, or any software that you have downloaded, used, copied, linked, or have been provided by a third party, you must identify these dependencies and their licenses. These codes and Materials are restricted by licensing terms that must be reviewed and resolved. All code and Materials included in the software that were not developed by the authors must be listed in the Software Copyright Disclosure form. Also list any code or Materials with which the software automatically links, executes, or integrates that may not be embedded in the software.

**NOTE:** The author shall work with the MIT TLO to understand the license terms under which any third-party software has been licensed as well as implications for the author’s posted software and open source license options.

7. If all of the named authors request that the software be released to the public with an open source license, then MIT will support that request subject to third-party rights and a review culminating in a “Letter for Open Source” to the author(s).

**NOTE:** The author of the software code is responsible for reading the instructions related to the specific license and to provide the appropriate copyright/license text with each software code posting(s). The author shall notify the [MIT TLO](#) and the [TVO](#) by email of the website URL at which the software is posted.

MIT’s recommended open source licenses are one of the following:

- [GPL](#) or [LGPL](#) License: In this case, MIT retains copyright ownership, but makes the software openly available to the public with the requirement that redistribution of the software, in whole or in part (or any modification of or addition to the software), include the source code. The referenced License web sites contain instructions on how to release software in accordance with those license terms.
- [BSD](#) License: In this case, MIT retains copyright ownership but makes the software openly available to the public without the requirement that redistribution of the software include the source code. This is the least restrictive open source license. If MIT approves the open source distribution, the License template at the referenced website should be included conspicuously within the released software copy and at the site where the software is downloaded.

**NOTE:** MIT recognizes that other open source licensing mechanisms exist. If you desire a different open source licensing strategy, please specify your preference and confer with your Technology Licensing Officer.

8. A list of commercial entities that may be interested in the software will assist the MIT TLO in identifying potential licensees for the technology. Please include names and email addresses of specific contacts, if known.

9. Primary inventor signs to agree that all supplied information is true.

# SOFTWARE COPYRIGHT DISCLOSURE FORM

USE LINCOLN LABORATORY INVENTION DISCLOSURE FORM FOR PATENTABLE IP

This form must accompany the Software Disclosure Package submitted for Release Review.  
All MIT authors **must sign** this disclosure before it is submitted.

<b>1 TITLE OF SOFTWARE</b>				
<b>2 DESCRIPTION OF SOFTWARE</b> <input type="checkbox"/> Check here to confirm additional information is attached.				
<b>3 LIST ALL AUTHOR(S)</b>				
MIT AUTHOR(S) <small>PRIMARY CONTACT *</small>	POSITION	DIVISION OR MIT DEPT.	GROUP	EXTENSION
	*			
NON-MIT AUTHOR(S)	EMPLOYER/INST. AFFILIATION	EMAIL		PHONE NUMBER
<input type="checkbox"/> Check here if there are additional MIT or non-MIT authors attached.				
<b>4 LIST FUNDING DETAILS</b>				
4a <i>MIT Funding</i>				
Was this software developed with the use of any MIT-administered research grant/contract funds? <input type="checkbox"/> YES <input type="checkbox"/> NO				
If <b>YES</b> , under what contract?				
	PROGRAM NO(S)	SPONSOR(S)/ORGANIZATION(S)	LAB PROGRAM MANAGER	
<input type="checkbox"/> Prime Contract (FA8702-15-D-0001)				
<input type="checkbox"/> Off-Contract				
If <b>NO</b> , was there any significant use of MIT-administered funds or facilities (as defined in the instructions)? <input type="checkbox"/> YES <input type="checkbox"/> NO				
<b>Please note that accurate and complete grant and contract information is necessary. The MIT TLO will use this information to determine any sponsor rights and to comply with all requirements under sponsored research agreements and federal law.</b>				
4b <i>Non-MIT Funding</i>				
Was this software developed with the use of funds that were <b>not</b> administered by MIT? <input type="checkbox"/> YES <input type="checkbox"/> NO				
If <b>YES</b> , please list all known funding outside of MIT.				
Please note that this information is necessary to confirm MIT's right to distribute the software.				
<b>5 YEAR(S) CODE WAS FIRST CREATED</b>		<b>YEAR(S) CODE WAS FIRST PUBLISHED</b>		
<b>6 THIRD-PARTY CODE</b>				
Identify all third-party code dependencies as defined in the instructions, whether such code is directly embedded or accessed by the disclosed software during execution.				
NAME OF THIRD-PARTY CODE	CODE REPOSITORY URL	LICENSE TYPE	LICENSE URL	
If the third-party code is not available on the web, please provide copies of any license agreements governing your use of the third-party code.				
<input type="checkbox"/> Check here if there is additional information about third-party code attached.				

**7** Do you intend to distribute the software through an open-source license?  YES  NO  
 If **YES**, please indicate the preferred license or describe the desired terms and conditions.

GNU General Public License (GPL v2)  Berkeley Software Distribution (BSD-2-Clause)  
 GNU Lesser General Public License (LGPL v2)  Other (please identify)

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**8**  Check here to confirm a list is attached of commercial entities that may be interested in this software (include company name, points of contact, and emails).

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**9** I hereby declare that the details furnished above are true and correct to the best of my knowledge.

**FOR MIT AUTHORS**

**I (We) hereby assign all right, title and interest to this software to MIT and agree to execute all documents as requested, assigning to MIT our copyrights on this software, and to cooperate with the MIT Technology Licensing Office (the “TLO”) in the protection of this software. MIT will share any royalty income derived from the software with the authors(s) according to its standard policies, as may be updated from time to time.**

Author’s Signature		Date	
First Name	Middle	Last Name	
Home Address	City	State	Zip
Email			
MIT ID#	Country of Citizenship	Birth Month/Day*	

Author’s Signature		Date	
First Name	Middle	Last Name	
Home Address	City	State	Zip
Email			
MIT ID#	Country of Citizenship	Birth Month/Day*	

Author’s Signature		Date	
First Name	Middle	Last Name	
Home Address	City	State	Zip
Email			
MIT ID#	Country of Citizenship	Birth Month/Day*	

Author’s Signature		Date	
First Name	Middle	Last Name	
Home Address	City	State	Zip
Email			
MIT ID#	Country of Citizenship	Birth Month/Day*	

*\*Please note that MIT collects MIT ID numbers and month and day of birth rather than social security numbers for security and privacy reasons. This information, as well as home address and country of citizenship, is required. Absence of this information may hinder distribution of the authors’ share of any royalties that may result from this technology. The signature of non-MIT authors without MIT ID numbers is not required; they will be contacted by the MIT TLO. If there are more than four MIT authors, please attach an additional copy of this page.*

Request for approval endorsed by:

**Group Office**  
 (Group primarily responsible for the disclosed software)

Date

**Technology Ventures Office**

Date