# Good Laboratory Notebook Practices

# Background

You have discovered a new lead compound and have tested it in animal models to prove it has therapeutic effect in treating prostate cancer.

- After many months of thorough testing of this compound and numerous analogs *in vivo*, you submit a paper for publication describing your research findings.
- Several months later, your article publishes.

# Protecting your invention

- You hear a talk from the Innovations group explaining the <u>importance of disclosing your invention</u>, how to fill out an invention disclosure form, and the impact of publication on patenting
  - Outside the U.S. publishing before patenting = forfeiting of patent rights
  - In the U.S., there is a 1-year grace period in which to file a patent application after public disclosure or publication (whew!)



# Protecting your invention

- You file an Invention Disclosure Form, submit it with Innovations, and provide a copy of the publication
- Innovations files a patent application before the 1-year deadline – the technology is licensed to a pharmaceutical company (your 'Partner') for commercialization



# The patent process

- About a year or so after your patent application is filed, Innovations makes you aware of a U.S. patent application filed by a smallish Japanese pharma company that has just published – claiming the same genus of compounds
  - Patent applications in the U.S. publish about 18 months after filing
- Some digging reveals that the patent application was licensed exclusively to Large Pharma
  - This is slightly peculiar, because Large Pharma just entered the market with a strong selling prostate cancer drug with respectable, but not terribly inspiring efficacy
- Six months later (the 18<sup>th</sup> month mark), your patent application publishes

# The controversy

- The U.S. Patent Office notices that your patent application and the one licensed to Large Pharma cover the same subject matter, and it declares an <u>Interference</u>.
- Innovations explains that the application licensed to Large Pharma predates your filing date by six months
  - The U.S. has a "first to invent" system, not a "first to file system like the rest of the world, so there is still a chance you can prevail in the U.S.
  - No chance outside the U.S., due to the first to invent system, but
  - If you can show that you conceived the invention before the Japanese pharma company, you get the patent over them!!!

# The lab notebook

- You bring out your lab notebooks, which memorialize your conception of the invention
- You recall from the notes, and from other events that occurred at that time, that you conceived the invention about 8 months before the Large Pharma patent application date
  - You should be good to go



# Technicalities

- Unfortunately, the USPTO (or a court, in similar scenarios) is unable to consider your notebook as evidence of the point of first conception
  - The notebook is not dated
  - The notebook is not witnessed by others
  - Therefore, there is no corroboration



# The ramifications

- The Clinic loses the patent to Large Pharma, and loses out on licensing revenue it gets screwed
- Your Partner is pretty upset about the results, and about losing its monopoly on the compound, losing its freedom to operate, and therefore losing the last 2+ years of development activity and the corresponding \$10M – it get screwed
- The inventors lose out on a potentially sizable royalty stream they get screwed
- Large Pharma does not develop the compound, since their current product has dominant market share – people with prostate cancer lose out on a better therapeutic – millions get screwed

# **Corroborating Evidence**



### But let's not lose sight of the big picture .....

# Our scientific obligation

- Allows your work to be **reproduced** faithfully
  - By yourself
  - By others Science must be reproducible!!!
- Facilitates accurate reporting & publication
- Organizes how you do Science
  - Formulate ideas clearly
  - Specify materials & methods
  - Plan experiments well
  - Obtain maximum value from data
- Protects intellectual property
- Supports future clinical development

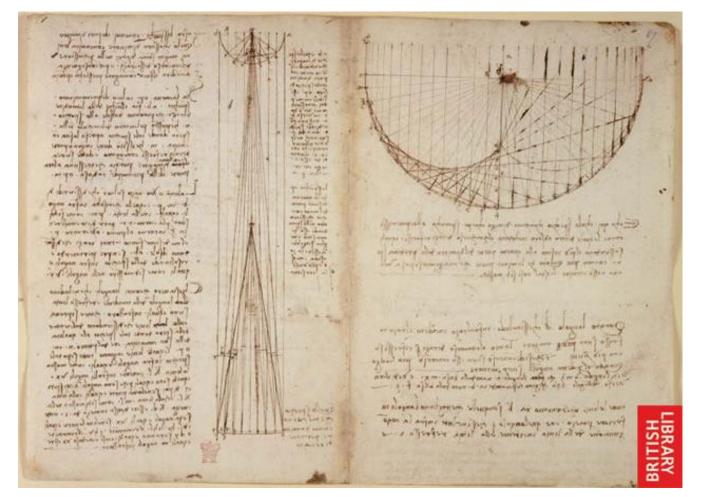
# Our moral obligation

A major goal of the Clinic is to translate our research into the development of new technologies and therapies that will help patients

We have a moral and legal obligation to patients and to those who provide funds for our work to maintain accurate, complete records, and to protect the Clinic's intellectual property Surely nobody of any import bothered with the lab notebook...

# I can think of a few

# Leonardo da Vinci's notebook

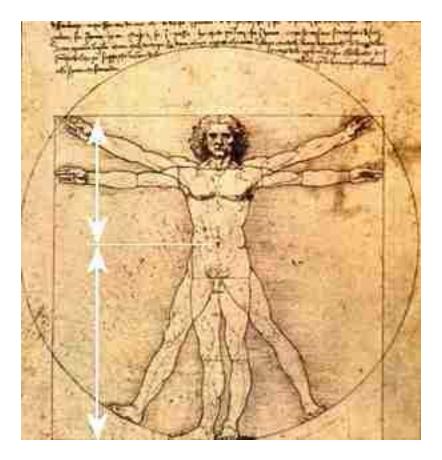


Studies of reflections from concave mirrors. Italy, probably Florence, from 1508. British Library Arundel MS 263, f. 86v-87

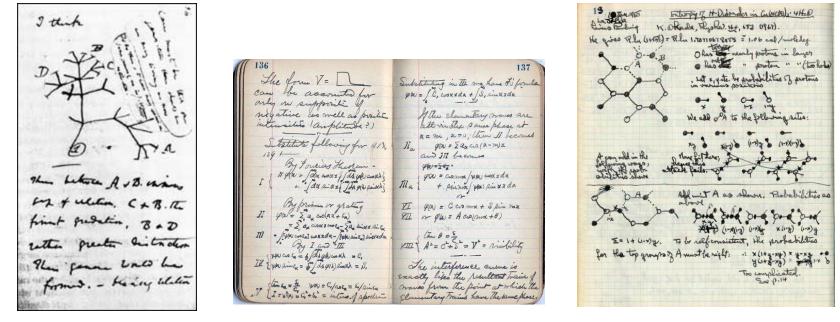
We can read and understand Leonardo's notebooks from 500 years ago

### Leonardo da Vinci's Notebook





# Darwin, Einstein, and Pauling



Darwin

Einstein

Pauling

### Alexander Graham Bell's notebook

40 March 107 1876 MD Fig L. Preciving het 1. The improved instrument shower in Fig. I was constructed this morning and tried this locuing . Pis a bruss pipe and W The plateneum wire M the month piece - and S The armatine of The Receiving Instrument. W. Watson was stationed in one room with the Receiving Listrument . He pressed one ear closely against S and closely his other car with his hand . The Transmitting Instrument was placed in another room and the doors of both rooms were closed. I then should into M the following sentence: M. Watson - Come here - I want to

see you . To my delight he came and declared That he had heard and understood what I said. I asked him to repeat the words - the most He answered you said M. Watson - come here -I want to see you?" We then changed places and I listened at 5 while Watson read a few passages from a book into the month piece M. It was certainly The case That articulate sounds proceeded from S. The effect was loud but indictinct and muffled. If I had read beforehand The passage given by We Wateou I should have recognized every word. Us it was I could not make out The sense - but an occasional word here and There was quite distinct. I made out "to and" out" and further"; and finally the sentence " Mr. Bell Do you nucleistand what I say? Do-you - un der - stand - what - I - Day " came quite clearly and intelligitly. hosound was andible when the armatuse S was reneoved .

March 10<sup>th</sup> 1876: "Mr. Watson – Come here – I want to see you".

### Francis Crick's notebook

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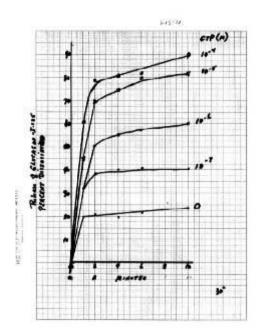
Methods set forth clearly

### Results in Nobelists' notebooks

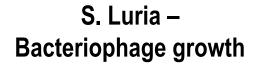
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M. Rodbell – **Glucagon release** 

### Mendel, Edison, and Curie

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# Laboratory Notebook

- A chronological record of an individual's work- the primary document in a research laboratory.
- Notebook is a legal document
- Your data may have to be explained, defended, reconstructed or repeated without your assistance, so others must be able to understand what you did.



# Laboratory Notebook Rules

- The notebook should have permanently bound pages which are consecutively numbered and should be used by a single scientist.
- Ideas, calculations and experimental results should be entered into the notebook *as soon as possible*, preferably the same date they occur, so that the laboratory notebook becomes a daily record of the inventor's activities. Recopying can cause errors.

# How do you record the data?

- Directly into the notebook; not on post-its, paper towels, scraps of paper, etc.
- In black or blue, indelible ink; no gel pens
- Make entries only in the ruled areas of the numbered pages
- Unnumbered pages can not be used
- Only one experiment per page
- Attach forms or printouts

# Laboratory Notebook Rules

- Notebook entries should be made without skipping pages or leaving empty spaces at the bottom of a page.
- To start an entry on a new page, draw a line through any unused portion of the previous page.
- Never tear out or remove a page from the notebook.

# Laboratory Notebook Rules

- Each page should be signed with the inventor's full name and dated.
- All photos, charts or computer printouts pertinent to the project should be permanently put in the notebook with your initials and date over the tape.
- No entry should be changed or added to after signature by a witness.
- If the inventor has any additional information or corrections, a new entry should be made.

# Mistakes?

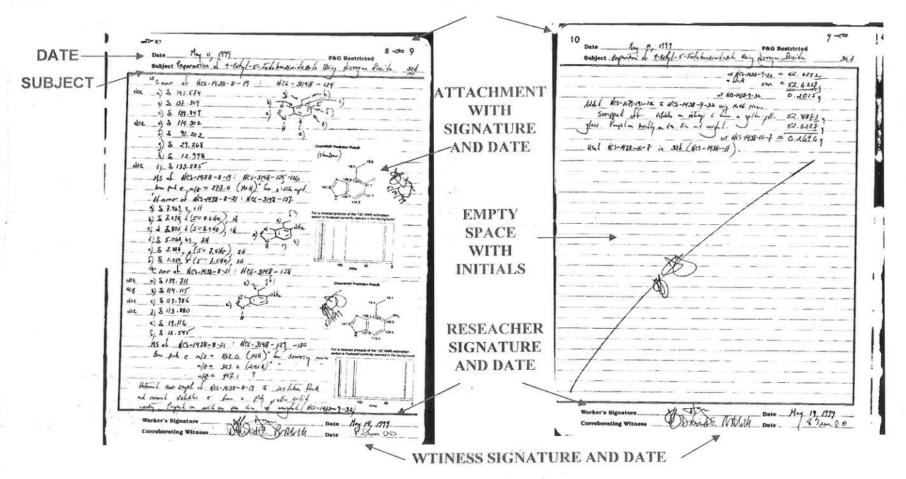
- Never use white-out
- Never erase
- Never write-over
- Never discard or replace attached supplementary data
- Always record a defensible reason for the correction/edit
- Always circle the reason
- Always add your dated initials to the corrected/edited data after the circled reason

# Laboratory Notebook Rules

- Store the lab notebook in a safe location in the lab.
- In a company or university lab, the lab notebook belongs to the company or university, and should NOT be removed from the premises.
- The old notebooks should stored following the company's record retention and destruction policy for such documents.

# EXAMPLE NOTEBOOK PAGES

PAGE NUMBER



Version 10/01/2009

#### discussed additional / fiture projects \* Formated and Resummitted PLOS CPP paper with 2-Jun-2011

Thinking a break from De generation script for today - will work on Aguing out MPT-BLAST on HPC2 clusters for nervetode project.

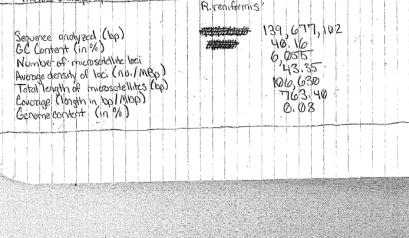
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Also, need to re-run PHOBOS of this diata for updated microsofelite chalves is generated photos new, but > need to perform anelysis ...

-> Woth overle Also, examined PEAKS and sieve softward through Therma and integrale with Protective Discoveres, both seem to have "cluster" voisions by unclear exactly what -> BEAKS is but de novo sequence identification as oppossed to DB search while Sieve does differential expression analysis (contral vs. treatment, etc.) -> may wort to check for open source atternatives ...

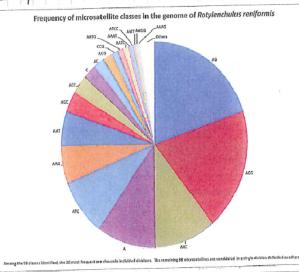
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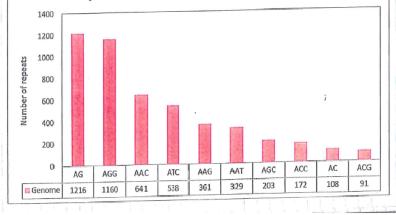


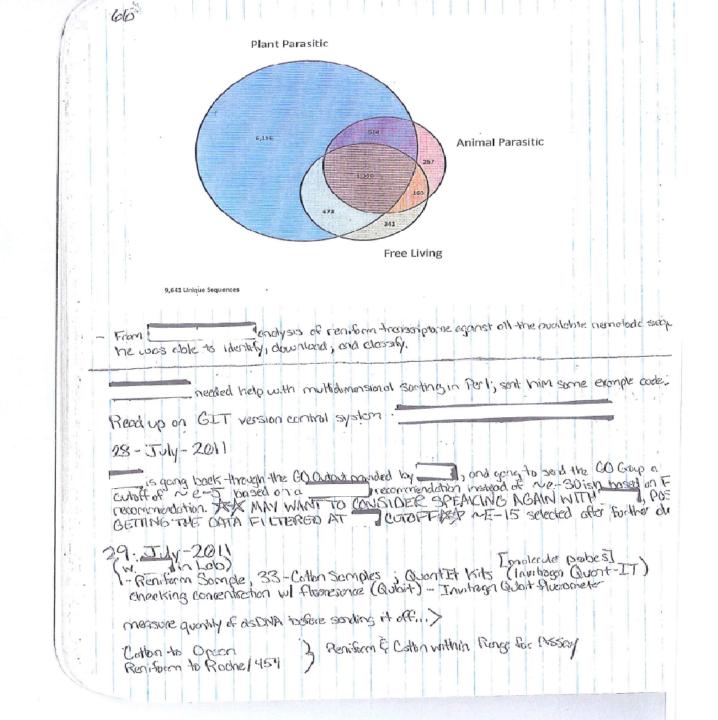
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Frequency of 10 most abundant repeats from Rotylenchulus reniformis genome assembly





# References

- GLP Recordkeeping <a href="http://users.stlcc.edu/departments/fvbio/Lab\_Practices\_GLP\_STLCC.htm">http://users.stlcc.</a>
  edu/departments/fvbio/Lab\_Practices\_GLP\_STLCC.htm
- Good Laboratory Notebook Practice <u>http://www.</u> mddionline.com/article/good-laboratory-notebook-practice-0
- Laboratory Notebook Guidelines <a href="http://www.bookfactory.com/special\_info/lab\_notebook\_guidelines\_A4.html">http://www.bookfactory.com/special\_info/lab\_notebook\_guidelines\_A4.html</a>
- Advice on keeping a laboratory notebook <u>http://www.</u> <u>swarthmore.edu/NatSci/cpurrin1/notebookadvice.htm</u>
- **Guidelines for Keeping a Laboratory Record** http://www. ruf.rice.edu/~bioslabs/tools/notebook/notebook.html#entry