

Use of AI Tools and Potential Impact on Patentability

Generative AI tools (e.g., ChatGPT, Gemini, Copilot, and other large language model platforms) are increasingly used in research workflows for tasks such as data analysis, literature review, and drafting text. While these tools can be valuable, researchers should take care when using AI systems with **unpublished research data, experimental results, or descriptions of potentially patentable inventions**.

To protect confidential research information and preserve potential patent rights, **researchers should only use University-approved AI tools when working with research data or information that may be confidential or proprietary**. Notre Dame has agreements in place with certain approved platforms that ensure **user data is not used to train AI models or shared outside the university's protected environment**. Using these vetted tools helps maintain the confidentiality necessary to preserve patentability.

In contrast, many publicly available AI tools may store user inputs or use them to train future models. Entering confidential research information or details of a potential invention into these platforms could unintentionally expose that information beyond the research team, which may create risks for patent protection.

Use University-Approved AI Tools

When working with confidential research information or potentially patentable discoveries, researchers should only use University-approved AI tools.

Find information about these tools, and how to use them responsibly, [here](#).

Notre Dame has agreements in place with certain approved AI platforms that ensure:

- User data is not used to train external AI models
- Information entered into the tool remains within the university's protected environment
- Institutional data protection standards are maintained

Using these vetted tools helps preserve the confidentiality necessary to maintain patentability.

Many publicly available AI tools do not offer these protections. Some platforms store prompts or use them for model training, which could unintentionally expose confidential research information beyond the research team.

When in Doubt

Public disclosure of an invention before a patent application is filed can negatively affect patent rights. Entering confidential research information or invention details into an AI system that does not maintain confidentiality may create a risk that the information becomes accessible beyond the research team, which could impact the ability to obtain patent protection.

If you are unsure whether sharing information about your research—whether through an AI platform or other external channel—could constitute a public disclosure, or if you would like more guidance on protecting potentially patentable discoveries, please contact your IDEA Center Researcher Liaison.

The IDEA Center team can help assess whether information related to your research may have implications for patentability and advise on appropriate next steps, including whether an **invention disclosure** should be submitted prior to broader dissemination.

As a reminder:

- Every researcher is obligated to **disclose** the results of their research to the IDEA Center, consistent with the terms of the University's IP Policy (which can be found at policy.nd.edu).
- The IDEA Center is exclusively responsible for protecting University IP (including all decisions on filing patent applications related to University research). The IDEA Center typically requires **approximately two weeks to prepare and file a provisional patent application** once an invention disclosure has been submitted and approved.

Notre Dame Resources

For broader guidance on responsible use of AI tools at Notre Dame, please see the University's AI policy and approved tools list:

- [ND AI Policy/Responsible Use Guidance](#)
- [Approved AI Tools for University Use](#)