

Confidentiality Agreement Form

The information you will provide on this form is used to help create and update your New Hire Record with IBM. The information is only provided to those responsible for processing your record and those with a need-to-know basis.

What you'll need in order to fill out this form:

- **Black** or **blue** pen (Do not use pencil or any other color ink), or fill out the online .pdf form and print for submission. You may wish to save this form to your computer in case you need to make future changes. If on site, you will submit during a scheduled in person New Hire Forms Validation Session. If you are a remote employee you will submit via mail per instructions you will receive.
- If you have additional developments, that exceed the number of line items available, please attach a separate typed page(s). Please consider keeping a copy for your records. You may attach your additional development(s) copy to your Employee copy of this form.

Please note:

1. Your full name, used on your I-9 and Confidentiality Agreement form, will need to **EXACTLY** match your chosen ID document(s). See the I-9 instruction form for more detail on the correct ID document(s) to use.
2. **Please complete and return the Personnel Copy. Keep the Employee Copy for your records.**

What if you make an error?

If you make an error when filling out the form, please draw a line through the error, initial and date the error. Please write the correct information in or as close as you can to the corrected field.

Please ensure you read this entire document. If you have questions, contact your IBM HR Transition Manager.

- 1 Type or print your IBM employee serial number at the top of the form.
- 2 Type or print your most recent date of hire at IBM at the top of the form. Date format should be MM/DD/YYYY.
- 3 If you've had any prior agreements/patents, select "Have Prior Agreements" and list them here, in item # 5. If you do not have any prior agreements, select "None."
- 4A If you have no additional developments/patents to identify, select "None" in line item # 8. If so, select "Identify," provide the additional information in the text box, then view 4B on the next page.

Example:

Serial Number: Date of Hire:

Agreement Regarding Confidential Information, Intellectual Property, and Other Matters

5. I hereby assign to IBM my entire right, title, and interest in any idea, concept, technique, invention, design (whether the design is ornamental or otherwise), computer programs and related documentation, other works of authorship, mask works, and the like (all hereinafter called "Developments"), hereafter made, conceived, written, or otherwise created solely or jointly by me, whether or not such Developments are patentable, subject to copyright protection or susceptible to any other form of protection which: (a) relate to the actual or anticipated business or research or development of IBM or its subsidiaries or (b) are suggested by or result from any task assigned to me or work performed by me for or on behalf of IBM or its subsidiaries.

In the case of any "other works of authorship", such assignment shall be limited to those works of authorship which meet both conditions (a) and (b) above.

California Notice: For Developments subject to California law, notwithstanding anything to the contrary, I understand that this assignment does not apply to a Development which qualifies fully under the provisions of California Labor Code.

The above provisions concerning assignment of Developments apply to Developments created while I am an IBM employee, executive, managerial, professional, product or technical planning, technical, research, programming, or engineering capacity, or while I am an IBM contractor, consultant, product, manufacturing, systems, applied science, and field engineering).

Excluded are any Developments that I cannot assign to IBM because of prior agreement:

None Have Prior Agreements

List Prior Agreements:

With (Give Name): Effective Until (Give Date):

8. I have identified all Developments not previously made or conceived solely or jointly by me, or written or filed, and which were previously made or filed in a patent office.

If I do not have any to identify, I have selected "none" on this line: None Identify Developments:

