Class – Entrepreneurship

Date Sept 11, 2019

Time – 30 minutes

Subject – Patent and IP protection – why it’s important, how you do it.

Objectives:

What is IP?

Why should you care?

How should you search?

What should you search?

Where should you go for more information?

Introduction

1. My background
   1. Startup created by a Marine Biology Shark research professor
   2. Patent/IP librarian for prosecution (creation) and litigation(law suits)
2. What is IP?
   1. Protection of your original, novel idea
   2. Patents
      1. Protects your invention.
      2. Patents can be filed by anyone in any country
      3. Types of patent – Utility, Design, Business,
   3. Trademarks
      1. Protects your “branding”
   4. Copyrights
      1. Mostly for written creations
      2. Includes software coding
3. Why should you care?
   1. Inventors
      1. Protect your ideas – legally.
      2. First to Publish - beware of sharing your idea if you do want a patent.
   2. Investors
      1. Is this worth investing?
      2. Who else is doing this?
      3. Is there an angle/foreign market to tap?
4. Parts of a Patent
   1. Front Page
   2. Sections
5. How and what should you search?
   1. Caveat – patent examiners will also search for prior art
   2. Generally – search title, abstract, claims
   3. Think about, write out keywords (including synonyms). Keep track of your search terms, how you’ve combined them, what you’ve found.
   4. Once you find similar themed patents, look for the class codes and add them to your search or search for just those class codes.
   5. Limit your results to just GRANTED patents.
   6. Limit date range from priority date.
   7. US Patent Office
   8. Google Patents
   9. Derwent/TotalPatent
6. Where should you go for more info?
7. Reiteration

Resources:

Search strategy:

“Seven Step Strategy.” USPTO

<https://www.uspto.gov/learning-and-resources/support-centers/patent-and-trademark-resource-centers-ptrc/resources/seven>

Ebook –

Gordon, T., Cookfair, A., LoTempio, V., Lillis, B. (2013). Patent Fundamentals for Scientists and Engineers. Boca Raton: CRC Press, <https://doi.org/10.1201/b12982>

<http://uclid.uc.edu/record=b6872262~S39>

Hitchcock, D. (2017). *Patent Searching Made Easy : How to Do Patent Searches Online and in The Library* (Vol. 7th edition). Berkeley, CA: NOLO.

<http://uclid.uc.edu/record=b6320232~S39>

Lupu, M. (2011). Current challenges in patent information retrieval. Berlin: Springer. doi: <https://doi.org/10.1007/978-3-642-19231-9>

<http://uclid.uc.edu/record=b5538668~S39>

Nissing, N. (2013). Patents and strategic inventing: the corporate inventors guide to creating sustainable competitive advantage. McGraw Hill.

<http://uclid.uc.edu/record=b6813465~S39>

Currano, J., & Roth, D. (Eds.). (2013). Chemical information for chemists : A primer.

<http://uclid.uc.edu/record=b6051654~S39>

Law Library resource:

Stobbs, G.A. (2012, updates, 2019). *Software Patents*. New York, NY: Wolters Kluwer Law & Business

Law Stacks KF3133.C65 S76 2012

<http://uclid.uc.edu/record=b5628038~S39>

QUINN, G. (2016). Why Patent Searches Are Always a Good Idea. *Inventors’ Digest*, *32*(4), 22. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=114162734&site=ehost-live&scope=site>

Hitchcock, D. (2017). *Patent Searching Made Easy : How to Do Patent Searches Online and in The Library* (Vol. 7th edition). Berkeley, CA: NOLO. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1473267&site=ehost-live&scope=site>

Clark, N.S. (2018). The Basics of Patent Searching. *World Patent Information*, 54(Supp), S4-S10. Retrieved from <https://doi.org/10.1016/j.wpi.2017.02.006>. <http://www.sciencedirect.com/science/article/pii/S017221901630103X>

Even with an open source based start-up, Trademarks are still important.

Loney, M. (2018). Inside the IP needs of a $1 billion start up. *Managing Intellectual Property*, N.PAG. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=131689460&site=ehost-live&scope=site>

Michels, R. (2014, September 5). Trademark Searching Like A Rock Star. Mondaq Business Briefing. Retrieved from <https://bi.gale.com/global/article/GALE%7CA381591631/72865696b6f279166c0ecb79df2da9d4?u=ucinc_main>

Loney, M. (2018). Global trade mark survey finds increase in infringement and filing.*Managing Intellectual Property,*Retrieved from <https://search.proquest.com/docview/2010268055?accountid=2909>

Hinton, J. (2015, May 8). The New Innovator’s Commercialization Dilemma. Mondaq Business Briefing. Retrieved from <https://bi.gale.com/global/article/GALE%7CA412733167/24b5aa4576944d8fe08b28fb16e8fcbc?u=ucinc_main>

Levine, D. S., & Sichelman, T. (2018, December). WHY DO STARTUPS USE TRADE SECRETS? *Notre Dame Law Review*, *94*(2), 751+. Retrieved from <https://link.gale.com/apps/doc/A572943403/EAIM?u=ucinc_main&sid=EAIM&xid=d2dd06a9>

Vermont, S. (2017) Median Costs of Patent Litigation. AIPLA Survey of Costs of Patent Litigation and Inter Partes Review. Retrieved from:

<https://www.patentattorney.com/aipla-survey-of-costs-of-patent-litigation-and-inter-partes-review/>