Your business is at risk. For a lot of money. No matter what type of business you are in, you are susceptible to a patent infringement lawsuit. The worst part about this risk is that there is nothing you can do to protect yourself. You are a victim in a business world horror movie. Unfortunately , there is no one to scream “no don’t do it. Don’t open that door” and protect you. All the doors are open and the trolls are all attacking.

Why wouldn’t they ?

Put yourself in the position of a patent troll. If the laws changed in your industry so that if you filed a lawsuit against any small business in the USA you were pretty much guaranteed to win or at worst get a settlement, could you overcome you internal greed and walk away from all that money ? You, maybe. You might do the right thing. But these are lawyers we are talking about here. **There is no chance the legal industry would pass up on a box full of money sitting right in front of them.** Its free money to them. They are grabbing for it.

While we often read about the big patent lawsuits with Yahoo, Google, Facebook etc, it is the untold number of mid size company settlements that are hidden by non disclosures that we never read about that should scare the hell out of you. **Thousands and thousands of companies are being sued or threatened with lawsuits over patents. It is by far the biggest risk that medium sized businesses and corporate America faces today. It is a fungus among us.**

And Im not saying that every company is at risk of having 1 patent lawsuit come their way. Nope. **EVERY company in America is at risk of having 2, 3, 5, 100 patent lawsuits coming your way. If you have a janitorial service company, you are at risk that the USPTO will issue a patent to someone who says they have invented a new way to optimize the path you should take when mopping a commercial kitchen.** Then maybe they will issue a patent on the fastest way to wash kitchen utensils. If you wash spoons first while holding them upside down, you could be at risk. Ridiculous ? Not in the current patent environment. The economic problems we face will hurt your business. Patent lawsuits can kill your business.

Oh, and before I move on, **will someone please tell the NCAA and the Bowl Championship Series that there is a patent on most configurations of playoffs for a football championship.** Our patent office at work.

So what should you do ? You should first contact your local Senator and tell him.her that without protection the only firms that are going to be left in this country are law firms that specialize in patent law suits. Ok, maybe that’s an exaggeration, maybe.

This is a problem that obviously makes me incredibly mad. **When it comes to this issue**, **Congress is a bunch of gutless , ignorant pansies on their knees to the IP terrorists of the business world**. They won’t realize what is at risk until the number of companies in their districts going out of business after being sued for ridiculous patent infringement skyrockets.

Which of course leads to the question of why haven’t more companies gone out of business from patent lawsuits ? Simple answer – because the small businesses that can’t afford to pay for protection or settle lawsuits are further down the pecking order. The lawyers are grabbing the low hanging dollars first. They are going where the money is, which is medium to super-sized businesses. The Googles/Facebook/MicroSofts, etc of the world.

Once they finish there, they will move down the food chain. It will be worse than a science fiction movie where the aliens try to consume all of our resources. In the not so distant future, trolls will go after companies knowing that while there isn’t cash available from small companies, there are assets that will be available to them once they bankrupt those companies. This is exactly what will happen if laws are not changed.

What can you do as a small business person to protect yourself ? Honestly, nothing beyond complaining to your Congressperson. **The only option I have found is to buy into companies that aggressively sue over IP. It is a hedge against patent law. Put another way, if you can’t beat ’em, join ’em. Sucks, but there aren’t any other options that I can see.**