

Inventors' Network Volume 9

Of the Capital Area [INCA] Issue 7

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The USPTO is presenting their 6th **INDEPENDENT INVENTORS CONFERENCE** on **August 3 and 4** at the DoubleTree Hotel 300 Army Navy Drive, Pentagon City. This 2-day event brings key speakers and workshops from the greater US Invention community. It costs us only \$75. This event has a very high value for new, as well as seasoned inventors. Description on following pages, and even better on www.uspto.gov August events.

Call Cathie Kirik at 703 305 3617 or Connie Gore at 703 306 5570

MEETING: 3rd Monday,

16 July

5:30 Network w Pizza

6:30 **Mr Neil Milgram**

“How to Find a Good Injection Molder” Adapting a product to Injection Molding, and working with your Die-Maker.

7:30 Member & Guest Issues

Our **August 20** meeting is scheduled to hear and converse with **Mr Rodger Flagg**, professional inventor, patent agent and president of his search firm. Mr Flagg will probably tell us how USPTO examiner's help pro-se inventors or their attorney/agents to accelerate granting of patents.

September 14: Friday Visit to Aberdeen Md for examination and instruction about the for **quick-response prototype fabrication**. Our new member from the Industrial Design Society of America (IDSA), Terry Greenfield, will be part of our party. More details later fort instruction about this Independent Inventor research trip.

September 17: . **Mr Richard Levy**, one of the Capital Inventor Society's (CIS) charter members will update his stories about “Furby” and other of his 125 innovative products. Mr Levy is in the process of writing his 12th book; this one also for inventors. We can always depend on this very successful inventor/marketer to open our eyes for important aspects of “getting ideas all the way into the ‘cashing-in’ phase”.

On October 15, **Mr Don Bonnett** will present “Helping Professionals in ‘How to Sell’”.

On November 19, **Mr Walter (Terry) Greenfield**, Chairman of Mid-Atlantic chapter and Board Member for IDSA will speak on the evolvment, role, and current contribution of Industrial Designers. Mr Greenfield is particularly knowledgeable about car design. Members of the mid-Atlantic chapter of IDSA will be invited to this joint meeting.

MORE ABOUT STARTING INVENTOR'S MONTH (AUG) PROFESSIONALLY

Richard Apley, Director of the Independent Inventors Programs of the USPTO, is offering, on Aug 3 (Fri) and 4 (Sat) 2001, the Sixth Annual Independent Inventors Conference. It is held at the Double Tree hotel, 300 Army Navy Drive, in Arlington.

To register, Call Cathie Kirik at 703 305 3617 or Connie Gore at 703 306 5570 Read more at USPTO.GOV Aug events.

These USPTO conferences bring inventors and invention-authorities together in presentations, workshops and social events. The resultant interactions offer inventors and idea-people an opportunity to hear, work-with, and converse with those authorities that the USPTO has power to attract.

This year program participants include:

Joanne Hayes-Rines, who is editor of The Inventors' Digest, and who asks the simple, tough questions of inventors. Her husband, Dr Rines is reported to have been a major contributor toward making the new patent law workable for independent inventors. Joanne knows and helps independent inventors to help themselves.

Richard Levy, who will be visiting INCA in Sept, will have August comments that further broaden our shared experience in sensitivity to unique markets such as toys.

Dan Lauer, CEO and founder of Haystack Toys, will tell us about how inventors play an open and significant role in his business. He actively solicits inventor groups for their ideas, offering licensing as well as producing and marketing. Learn more right now from www.haystacktoys.com or talk to inventor relations at 1 877 446 8368.

USPTO Staff and Supervisors offer workshop help in:

Preparing Applications: How to comply with requirements for 112, 113, IDS and provisionals.

Constructing claims: How to analyze application for appropriate claim topics.

How to write claims.

How to distinguish between means vs function

Understanding the claim traps from "festo" precedent.

Appreciating a change in legal findings regarding "doctrine of equivalents".

Filing patents electronically: Get software and instruction.

Prominent SCAMS within Invention Promotion Firms:

How to identify hooks and lures that take your money but return no value.

INSTRUCTIONAL AUTHORS

Mark Davis, inventor and author of "FROM MIND TO MARKET".

Ronald Docie, inventor and author of "The Inventor's Bible".

PROSECUTION TECHNOLOGY

Responding to examiner's office action New rules about amendments and petitions

What can be done after FINAL office action: Requests for continued examination (RCE)

NEW PERSPECTIVES IN PATENT TECHNOLOGY

Business Methods,

Software

Biotechnology

I-Property Assessment

Milissa Rick of Wisconsin Innovation Services Center describes services offered for modest fee.

Dr Larry Udel, Calif Invention Center, also offers assessment services. His experience with Walmart invention system helps share expectations about retail markets.

The \$75 fee includes all sessions and optional one-hour Thursday afternoon tour of USPTO,
plus two lunches and light refreshment breaks,
**plus Friday evening reception - to meet friends and make new ones,
including prominent speakers and inventors.**

Editor: In addition to the aforementioned announcement, **I would heartily encourage all INCA members to adjust their work and family schedules to “get to” this conference on Aug 3 and 4.** Even if work demands your time on Aug 3; consider getting to the Friday evening reception and to the Saturday events.

Some INCA participation in last year’s Independent Inventor’s Conference helped us assess that its quality, at a fee of only \$75, at least matched, and probably greatly exceeded most professional level \$300 to \$500 two-day events.

Things to remember about **our June meeting**:.....

Bill Kuntz got brief introductions from guests.

Mr Jerome Jackson brought historic perspective to legal and commercial aspects of patent protection.

He described an environment prior to 1982, where independent inventors met hostile judicial attitudes, particularly where inventor-plaintiffs brought infringement action against large corporations. Defensive strategy was to challenge obviousness of an issued patent. 80% of infringement cases were won by defense. Now, only about 52% of infringement cases are won by defense.

Prior to 1998 there were few patents dealing with financial algorithms. Then State Street Bank appeal reversed a criteria that a physical element must be a part of the financial property. The new criteria is that the invention must differ from prior art.

Jerome spoke of fundamentals and brought new meaning for scissors. His analysis illustrated that one scissor was just a knife, and that a uniquely serrated scissor blade might be a new property, even though it would live in the family of 3-part scissors.

Jerome also cited the current FESCO case that has challenged the “Doctrine of Equivalents”. A Japanese manufacturer is being sued by Fesco for infringement. The case has gone on for 12 years, and a recent Federal District court held that those claims that were modified prosecution did not enjoy protection through the doctrine of equivalents. Most patent owners have been through the experience of adjusting claims in response to an examiners first office action. The Fesco ruling is a challenge to existing utility patents of high value. It is being brought before the Supreme Court.

Fundamentals for definition and prosecution of intellectual property are to meet examiner criteria. However an even greater challenge will face the holder of an issued patent as market conditions reveals its high value.

Accordingly, diligence in search, elegance in claims and linked-clarity in specifications are rigorous standards for those (of our) properties that will come to have high value.

Bill’s table topic asked, **“What IP objectives do you plan to accomplish by the end of summer?”**

As I heard it, more than half were committing themselves to enhanced prototypes - and tests.

PHILL SHAW and Ray Gilbert brought forward the status and options regarding membership income, distribution of the **newsletter and its distribution costs**. Ray announced that envelopes had been inserted in June newsletters for which the subscription was delinquent. Only names of paid members and otherwise qualified recipients would be included for the July-and-following distribution. Our mailing list will shrink by more than 1/3.

Floor comments suggested that some members would prefer an e-mail delivery instead of slow-mail. E-mail readers may be getting an inquiry to make that decision as soon as a volunteer steps forward to do the programming.

ITM NEWS of Santa Rosa, Calif renewed their delivery to INCA this month. It included material that Bob DeMatteis 888 537 2836 had presented in a seminar. Bob is author of “From Patent to Profit”.

His website is www.frompatenttoprofit.com **Condensation of DeMatteis strategic guide:**

Invention	Get Idea	Develop It	Crude Prototype	Oversee Development and solve problems	Improve It
Patenting	Protect It	Do a Patent Search	Write Provisional	File Provisional	Write and File Utility Application
Manufacturing	Seek and Qualify Producers	Make and Test Working Models	Gear Up for Production	Ship to First Customer	Ship more
Marketing	Seek Expert to Evaluate Invention Marketability	Engineer Specs and Design Packaging	Design, Oversee and Measure Tests	Sell to First Customer	Sell More

Free Help for inventors is at The Sawyer Center in Santa Rosa Jr College. 707 524 1773.

Other **helpful resources** cited in ITM NEWS::

Alliance for American Innovation www.alliance-dc.org 800 308 6933 Legislative news, patent info & links to university intellectual property sites.

Federal Trade Commission (FTC) **Check on invention promotion firms.** www.ftc.gov 202 326 2710

Invention Convention and National Congress of Inventors Organization www.inventionconvention.com
America’s Inventor Online magazine www.americasinventor.com

Inventors/ Digest Magazine www.inventorsdigest.com 719 479 2291

On-line patent searches: **Delphion used to be IBM.** www.delphion.com

Product Evaluation Services: WIN Program (Walmart Innovation Network) Innovation Institute, Rt 2, Box 184, Everton Mo. 65646. Coordinator: Shannon Yeary

National Technology Transfer Center 800 678 6882 www.knowledgeexpress.com

Small Business Innovation and Research Program (SBIR) For more info about Federal grants: www.sba.gov/sbir

Thomas Register on-line 212 695 0500 www.thomasregister.com

Trade Show Central www.tscentral.com Expoguide www.expoguide.com

Job Shop Network www.jobshop.com

United Inventors Association of the USA UIAUSA Carol Oldenberg 716 359 9310 UIAUSA@aol.com

Table-Top Vacuum formers for prototyping plastics; www.warmplastic.com

Note: Buyers of our inventive products must be smart people too. They are the ones with money.

Therefore, **a winning invention must also be a winning business idea.**

The Sept-Oct 2000 issue of Harvard Business Review (p129) introduces tools by Kim and Mauborgne to meet a common executive challenge: "Knowing a Winning Business Idea When You See One". The full text of this article is available in reprint R00510 at 2/\$11 617 783 7626.

The authors did considerable research to generate tools that help determine a new product's (a) utility, (b) price and (c) an appropriate business model for its market. Your editor found the most immediate need in scoping the breadth of an invention was to be found in their matrix approach. They structure a forced comparison of inevitable "buyer experience" with customer-valued "utility" criteria.

It seems likely that this structure of comparison grew out of (1) appreciating the owner/buyer's range of total life experience with a product or service, [call that buyer experience] and (2) considering a range of rational and emotional values from which business decisions are based [call that utility value].

By separating product considerations for pricing and business model from its "utility values", the product "idea" can be critically and creatively assessed very early in its development. The product's features can then be adjusted within the matrix to generate unexpectedly high value as seen by a customer.

Note about "surprises": **The only acceptable business surprise is an unexpected yet long-sought benefit.**

Applying the Experience - Matrix to a product:

A buyer-owner knows that each product or service for which he commits will draw additional funds and time resources throughout its life. For instance, a personal automobile is a big purchase for most individuals. Its life cycle draws upon owners resources in many ways:

PURCHASE How long will I need to shop? How quickly can we find the right one? How safe is this transaction?

DELIVERY When will it be ready? What else must I do to make it ready for my use?

USE What training and orientation is appropriate? Does everything work? Will it fit my parking slot?

SUPPLEMENTS Does this use regularly available fuel? What other services, including tax are required?

MAINTENANCE How will I know if it needs fixing? Who is qualified for its anticipated repair?

DISPOSAL What wastes occur during its regular life? [tires & batteries] Who will take it away?

Utility Values are positive, negative and often emotional. Some are general, like simplicity, risk and good will.

A marketer for a really new inventions should find and communicate about the utility values for products or services that compete, in the mind of the customer for business function and for customer assets.

A personal automobile might be designed to reveal customer-utility values to include “owner image”, convenience, robustness, user-productivity which would include operating costs and creature-comfort.

To build a working set of utility values to evaluate an automobile design of 100 years ago, comparative criteria would have drawn on functional competitors for transportation such as horses, trains, barges and boats.

INCA inventors are invited to build a set of value-utilities that in some manner measures the merit of their product in comparison to the competitive products, systems or services that are commonplace in today’s market.

On one matrix describe the buyer-owner experience stages of a functional competitor vs this set of value utilities.

On another matrix describe anticipated buyer-owner experience stages of your product vs your set of value utilities.

How could your product be enhanced or simplified to enhance the owner-buyers total experience?

Buyer-owner Experience vs Value-Utility basis for Judgment.

Value Utilities	PURCHASE	DELIVER	USE	SUPPORT	MAINTAIN	DISPOSE
Productivity						
Image / Owner						
Convenience						
Operating Cost						
Comfort						

Got a Big Idea for a toy or kid's product?

Big Idea Hunt's Toys and Kids' Product Search is a nationwide search for new and innovative children's product ideas. Inventors of all ages are invited to present their ideas to a panel of industry experts and qualify for an opportunity to earn cash awards and product development contracts.

Chicago: July 28-29 Newark, NJ: September 15-16

Virtual idea showings via telephone conference call are also available.

Last year seven winners were selected, and three of those products have been purchased for development.

This year, we're adding an Innovator's Boot Camp to coincide with Hunt dates and locales.

Our BIG Boot Camps offer inventors valuable insights into the process of creating marketable kids' products.

Boot camps are scheduled for Chicago (July 27) and Newark (September 14).

For more details, visit our Web site (www.BigIdeaGroup.net) or call 603-641-5955. Watch for the Spring 2002 Hunts.

United Inventors Association

September 6-8, 2001 TGIF 2001 **Toy and Game Industry** annual event Las Vegas, NV Call: (888) 683-TGIF
www.toysngames.com/tgif

Subj: **The Great American Toy Hunt is on!** Source :From: JGrass@haystacktoys.com (Jodie Grass)
Jodie Grass Inventor Communications www.haystacktoys.com 1-877-I INVENT (446-8368)

Haystack toys has set the dates for our 3rd annual Great American Toy Hunt.

The Evolving Process of Inventor Justice

American Inventors Corp. which was originally exposed on WGGY TV-40 "On Your Side" and then on ABC News 48 Hours in 1995, goes on trial Monday, May 14, 2001, in US District Court, Springfield, MA.

This prosecution, led by Assistant U.S. Attorney William M. Welch, marks the first federal criminal action against a company whose business is to help inventors promote their ideas, according to the Federal Trade Commission.

Ronald Boulterice, 62, who was president of the company, and other high-ranking employees are scheduled to go on trial May 14 for mail fraud and other crimes. The trial is expected to last two months.

Boulterice, of Westfield, MA; John Samson, 61, of Hatfield, MA, a former vice president; and John Hoime, 51, also of Westfield, a sales manager, will be tried before U.S. District Judge Michael A. Ponsor.

Besides facing charges of mail fraud, the three are accused of money laundering and Samson and Boulterice with filing false income tax returns. They have all pleaded innocent. [Your editor read that they were found guilty as charged.]

United Inventors Association <http://www.uiausa.org>

"How the Smart Inventor Does it" is now completely posted to the Internet. All ten installments are done in PDF format and can easily be downloaded or printed. See <http://www.uiausa.org/Primer.htm>

National Inventor's Month (August) Has your local library signed up for National Inventor's Month?. Free displays are available for all libraries. The way for librarians to sign up is just to go to www.inventorsdigest.com and click on "National Inventors' Month." This is an excellent opportunity to promote the image of the independent inventor.

THE DECISIVE WORD FROM OUR PRESIDENT

Based on the powers vested in me as President, I hereby appoint John Melius as Vice President - Program Director. He is doing a great job. [Look again at Page 1 for some of his future events.]
Let's give credit where due! Bill Kuntz

SELL IT!

Turn your unwanted items into cash! Sell your used or collectible items at Amazon.com. <http://www.amazon.com/sell-an-item>
Sincerely, Amazon.com

Reuters news agency has reported a patent litigation business that plans to buy patents that are believed to have been infringed. Who says there is no money in patents!!!

Perhaps we will hear more.

ASSOCIATED PRESS reports on June 18 that the Supreme Court will resolve a 12-year battle about copied trademark design.

A FEDERAL APPEALS court ruling against the U.S. firm, Festo Corp., last year narrowed the options for patent holders to claim infringement by copycats.

Critics of the lower court decision say it will stifle innovation in some of the most creative sectors of the economy, including computer products and biotechnology. Smaller inventors, who depend on patents to protect their investments, would be harmed at the expense of very large corporations, Festo and its backers claimed.

The decision also undermines some 1 million existing patents, the Festo appeal claimed.

The case attracted wide attention before the Supreme Court had even said whether it would hear Festo's appeal.

Festo first hired former Whitewater prosecutor Kenneth Starr to push the Supreme Court to take the case, then switched to failed Supreme Court nominee Robert H. Bork.

Advertisement

Lawyers for the Japanese firm claimed its device was not a copy of a Festo product and that the lower court had come up with a sound and workable way to consider such cases.

The case is Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushi Co., Ltd., 00-1543.

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“Knowing a **WINNING** business IDEA when you see one” is a lot like “knowing a winning **invention idea** when you visualize one”. Kim and Mauborgne authored the “business IDEA” article in The Harvard Business Review (HBR) of (Sept - Oct 2000). P129

They defined 3 analytical tools for this “knowing”: (1) a buyer utility map, (2) a pricing map and (3) a business model. Their article is available as reprint R00510. Call Frank Tamoshunas at 617-783-7626

Inventors and product developers need unusual clarity to meet their prospective buyer's personal satisfaction. An analytical grid for assessing expected satisfaction of the inventor's real customer tends to be comparable to a grid to help any business persons know their customer's values. The inventor/developer for substantive products are forced to embody a business model with internal and external "partners" as soon as their own funds set disappointing limits.

The HBR authors defined a continuum of ultimate buyer-experience processes: (1) Purchase, (2) Receive, (3) Use, (4) Support, (5) Maintain and (6) Dispose. They also defined "why" a customer would want something, listing value-based "utilities" of: [1] Customer Productivity, [2] Simplicity, [3] Convenience, [4] Risk Avoidance, [5] Fun & [6] Environment.

The Inventor/Developer might assign anticipated customer importance (utility) according to other value-standards of their culture.

To the extent that a product developer is a buyer, his customer experience may place highest value on utilities such as

(1) candid helpfulness (2) timeliness (3) productivity (4) risk-avoidance, (5) flexibility & (6) learning.