

## Meetings are held on the 3rd Monday of each month

Upcoming meetings:

**Monday, September 20**  
Joseph d'Entremont of Lenox Laser will speak on getting grant funding for projects.

**Monday, October 18**  
Steve Frank, INCA member, will speak on the invention process, including prototyping, business issues, patents, etc.

### Standard Agenda

5:30 – Open for networking  
6:00 – Pizza & treat  
6:30 – Meeting begins

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## Editorial Note

by Victoria Closson

Many thanks to **Ray Gilbert** for his five years of work as editor and creator of this newsletter. Ray, with President **Maurice Daniel's** approval, has turned over the responsibility of this newsletter to me. I will strive to serve INCA members with timely and useful news as Ray has done so well for so long. The first order of business is to reestablish monthly publication, as the newsletter has been suspended since March 2004. Formatting note: INCA member names within this publication appear in bold face. The year they became a member (if known at time of publication) follows their name in parentheses).

## INCA Meeting Recaps: March – August 2004

*Meeting recaps below are brief. Some information at publication time was limited or unavailable. Please contact the editor if you need additional information or if you have more complete information to share.*

### March 15

Pres. **Maurice Daniel** passed out cards for members to note their ideas for new INCA activities to improve the club. He also discussed options for: new meeting location, logo, club brochure, special event.

Speaker **Dan Gross** talked about the role of independent industrial designers and how they can help design your invention using materials and methods best suited for it and its intended audience. Dan is president of Giving Concepts Form, Inc., Potomac, Md., 301.869.6520. Dan also is vice-chairman of Mid-Atlantic Industrial Designer Society of America.

### April 19

Pres. **Maurice Daniel** polled attending members on changing the meeting location to near metro and inside beltway, and also increasing INCA membership. In his prepared speech, Daniel spoke of the importance of protecting your idea against infringers by arming yourself with a professional lab notebook, non-disclosure agreements, and a good lawyer.

Speaker John Darling, Pillsbury Winthrop LLP, was scheduled to speak.

Speaker Kiran Kumar, Intergraph Corporation was scheduled to speak on "Smart Sketch" drawing software.

Speaker **Glen Kotapish**, INCA Program Director, spoke about this year's American International Toy Fair.

### May 17

Pres. **Maurice Daniel** introduced the First INCA Wholesale Auction.

### June 21

Pres. **Maurice Daniel** introduced his idea to form teams in three categories: Patent Application, Prototype, and Marketing. Teams would meet separately and report back to the whole INCA group. Team members would sign NDAs, provide support, and graduate its members and new members would then join. INCA would build teams and provide awards.

*Recaps continued on page 2*

## Upcoming Events

*Compiled from UIA Newsletter and Inventors' Digest*

### September 26–29, 2004

Electronic Retailing Assoc. Annual Conference & Expo, Las Vegas, NV  
Info: [www.americaninventiveness.org](http://www.americaninventiveness.org) or 800-400-IDEA

### September 29–30, 2004

Emerging Technologies Conference, Mass.  
Info: [www.technologyreview.com](http://www.technologyreview.com)

### October and November, 2004

National Collegiate Inventors and Innovators Alliance (NCIIA) Workshops  
Info: 413-587-2172 or [www.invention2venture.org](http://www.invention2venture.org)

### October 1–2, 2004

Ideas to Profits: Learning From Innovative Leaders, Rochester, NY  
Info: 262-472-1663 or e-mail [tischendea10@uww.edu](mailto:tischendea10@uww.edu)

### October 22, 2004, 9am to 6pm

Product Idea-to-Market Boot Camp  
The Center for Design & Business, Providence, RI  
Info: [www.centerdesignbusiness.org](http://www.centerdesignbusiness.org)

### Oct 8–10, 2004

Home Idea Show, Spokane, WA  
Info: [www.homeideashow.com](http://www.homeideashow.com)

### Oct 8–11, 2004

The New York Gourmet Housewares Show, NY, NY  
Info: 213-430-2343 or [www.nygourmetshow.com](http://www.nygourmetshow.com)

### October 14–17, 2004

Natural Products Expo East, Washington, D.C.  
Info: 866-458-4935 or [www.expoeast.com/shows/index.cfm](http://www.expoeast.com/shows/index.cfm)

### October 15–17, 2004

Yankee Invention Exposition, Waterbury, CT  
Info: 203-575-8322 or [www.yankeeinventionexpo.org](http://www.yankeeinventionexpo.org)  
*See page 4 for special YIE news.*

### Oct 22–25, 2004

Transworld's Chicago Fall Merchandise & Gift Show, Rosemont, IL  
Info: 800-323-5462 or [www.transworldexhibits.com](http://www.transworldexhibits.com)

### October 23, 2004

InventorFest 2004, Cincinnati, Ohio  
Info: 513-665-3359 or e-mail  
[John.Schlipp@CincinnatiLibrary.org](mailto:John.Schlipp@CincinnatiLibrary.org)

*Events continued on page 2*

## Meeting Recaps (continued from page 1)

### June 21 (continued)

Speaker **Frampton Ellis**, charter member of INCA, continued his story of his patented shoes, their licensing and its litigation. Frampton also represents independent inventors within the Intellectual Property Owners Organization, a group that lobbies for inventors and represents them within a USPTO feedback organization.

**Glen Kotapish**, INCA Program Director, shared observations about the Patent Information User's Group Conf. in May. He also shared a demo of patent application software.

### July 19

Pres. **Maurice Daniel** continued the discussion from June's "Let's Graduate Inventors!" topic and worked with members to form teams and spokespersons. There was no speaker and the members were given the floor and asked to report on their progress.

### August 16

Members had a cozy atmosphere in which to enjoy the meeting, hosted by **Jerry** and **Barbara Porter** at their home in Kensington. They served a complete chili meal including side dishes, desserts, drinks, and personalized INCA cake for about 30 members. Thank you for the hard work and hospitality!

Pres. **Maurice Daniel** handed out sign-up sheets so members could join one of the three inventor graduate program teams: prototyping, marketing, or legal. In Daniel's speech, "If I Were Boss of the PTO," he presented the benefits of franchising the USPTO to other nations, arguing it would provide a foreign market for US inventors, increase US influence, and standardize patent formats and language. He also discussed the use of standard invention disclosure forms for industry.

Speaker **Don Kelly**, INCA charter member and former director of the USPTO's Office of Independent Inventor Programs roused the crowd with amusing history on INCA's first meetings and the patenting business of two centuries ago. He also spoke of his belief that the patent system is a "people system." His speech, "Traction Tips for an Inventor's Uphill Climb to Market," included the following advice: know your competition and realize it could be society as a whole; know barriers to the market; have a plan that's executable; include family in your effort. He also announced his commitment to write a book, and discussed the importance of members becoming involved in the HR 1561 bill that threatens increased fees to patent applicants. [See page 3 for more info on this topic.]



Don Kelly

## Upcoming Events (continued from page 1)

### Oct 23-24, 2004

Michigan Baby & Toddler Expo, Pontiac, MI  
Info: 888-433-EXPO or [www.babyandtoddlerexpo.com](http://www.babyandtoddlerexpo.com)

### October 25-27, 2004

China Sourcing Fair: Gifts and Home Products, Shanghai  
Info: [www.globalsources.com/TRADESHW/CSFGHAPRO4.HTM](http://www.globalsources.com/TRADESHW/CSFGHAPRO4.HTM)

### Nov 2-5, 2004

AAPEX Automotive Aftermarket Products Expo, Las Vegas NV  
Info: 780-226-1300 or [www.aapexshow.com](http://www.aapexshow.com)

### November 3, 2004

Innovation Expo, Brookings, SD  
Info: [scenterpriseinstitute.org](http://scenterpriseinstitute.org) or 605.697.5015

### Nov 5-7, 2004

25th Annual Fall Home Show, Hartford, CT  
Info: 860-563-2111 or [www.osbornejenks.com](http://www.osbornejenks.com)

### Nov 11-13, 2004

NY Gift Cash & Carry Show Gifts to Go, NY, NY  
Info: 914-421-3227 or [www.nygiftcashandcarry.com](http://www.nygiftcashandcarry.com)

### Nov 25-28, 2004

Expo Genius, Sao Paulo, Brazil  
Info: no further info available at this time

### Dec 3-5, 2004

The One of a Kind Show and Sale Chicago, Ill.  
Info: 800-677-6278 or [www.merchandisemart.com](http://www.merchandisemart.com)

### December 6, 2004

Patent & Trademark Office Day, D.C.  
Info: 202-466-2396 or [www.ipo.org](http://www.ipo.org)

### Deadline extended to December 20, 2004

Free Online Product Postings, Geneva, Switz.  
Info: [www.1000inventions.com](http://www.1000inventions.com)

### January 27-30, 2005

Toy Fair - London  
Info: [www.britishtoyfair.com.uk](http://www.britishtoyfair.com.uk)

### March 18-20, 2005

Travel Goods Show, Orlando, FL  
Info: 609-720-1200 or [www.travel-goods.org](http://www.travel-goods.org) or [www.thetravelgoodsshow.org](http://www.thetravelgoodsshow.org)

### Now Available

List of patent practitioners who deal with independent inventors is now available.  
Info: [www.uiuausa.org](http://www.uiuausa.org)

### Current

Eureka Medical Inc. is looking for innovative medical ideas.  
Info: [www.eurekamed.com](http://www.eurekamed.com)

## From the Editor

First, thank you for entrusting me with this newsletter, which I view as an important responsibility. I was told there were no rules in writing this publication and I could print anything I deemed of interest to members. I may be blessed with my share of common sense but I need your input to provide relevant, useful information on the array of topics our diverse group needs.

My personal interests tend toward topics related to profiting from consumer product inventions, such as marketing, manufacturing, packaging, licensing, publicity, and so on.

What interests you? What do you want to learn in these pages? You may have an industrial or scientific invention and are looking for grant opportunities; you may want information on starting a business, getting product liability insurance, finding a manufacturer, or patent-related legal news. While we may all be interested in profiting, for some, profits don't have to be financial: they could also be in the form of academic recognition or achievement in helping mankind. Please tell me what interests you so we can provide it here.

Also, please use this forum to share your story or comments. We have *Inventors' Digest*, the United Inventors Association, and other resources for much of the patent-related news we need. While *INCA News* will continue to

reprint relevant information from those sources, I want to use some of this space each month to get to know the members and learn from their experience. Please contact me and we'll proceed however necessary: You can submit articles in writing or we can conduct an interview, or a combination of the two.

My plans below include continuing some of Ray Gilbert's established practices, plus monthly sections on new topics:

### General Interest Info

- Meeting recap
- Patent news
- Member news (new development)
- Member profile (get to know members, i.e., background, current projects, plans, etc.)
- Story from the trenches (personal anecdotal story that teaches a lesson, illustrates one learned, or provides insight to a particular task)
- Upcoming events

### Info Targeted to Specific Interests

- Industrial and scientific news, i.e., grants, regulation, publicity, competitions, breakthroughs, milestones, etc.
- Consumer product news, i.e., marketing, licensing, manufacturing, research, packaging, trade shows, sales, etc.

With your help, this newsletter will serve all members and strengthen our sense of community.

## Member News

You are encouraged to share your news or comments with fellow INCA members. Please send to the editor at [victoria@theheadbone.com](mailto:victoria@theheadbone.com). The year a member joined INCA follows their name in parentheses.

**Ray Gilbert (95)**, was awarded a 40-hour science effort by Syracuse University to add computational fluid dynamics work for his nose-ring-steering patent. The University professor, Dr. Dang, invited a 5th-year engineering computer student to research Ray's issue, and resulted in a 156-page report with CFD color presentations.

Ray is now seeking additional funding for wind tunnel analysis and additional CFD analysis. The invention (one of nine patents held by Ray) is an unusual way to add steering forces on the nose of an airplane to minimize unnecessary aft drag to it.

On September 9 he completed NASA applications for SBIR and STTR grants. If either gets selected for a phase I grant, the other will be abandoned since both deal with the same objective.

**Victoria Closson (02)** obtained US registered trademark protection for her patented body support device, the Headbone® head and bodyrest.

Want to see a great website by and for an independent inventor? Visit INCA member David Whiteis' site at [www.bubblerrings.com](http://www.bubblerrings.com). Many of David's tactics are worthy of imitation.

## Member Profile

Share your story with fellow INCA members. Write your own story or let the editor write it based on an interview. Thanks to Allison for providing our first profile here. Please contact [victoria@theheadbone.com](mailto:victoria@theheadbone.com) for inclusion. by Allison Mills (03)

I designed Fridgefile™ after determining there was nothing in stores that met my particular filing/organizing needs: keeping track of my children's constant flow of papers to and from the school. Those papers included sports league dates, community events, birthday invitations, PTA announcements, school picture announcements, etc. All of this needed to be kept close at hand, and yet out of sight. So I designed a vertical plastic filing system that attaches to the refrigerator. We also included a dry erase message center for quick notes and reminders.



*Fridgefile® is 19" x 12" and made of lightweight plastic. Each of the four filing pockets have a dry erase tab so you can name the pocket; the 8.5" x 11" dry erase board with pen gives you an area for quick notes; 3 powerful magnets will hold over 50 sheets of paper without Fridgefile® sliding down the*

*surface; also attach it anywhere organization is needed using thumb tacks. Available in light blue or dark green.*



Having no idea about designing, manufacturing, retailing, or inventing I hit the Internet and began turning over every rock I could that led to manufacturers, part suppliers, patent attorneys, inventor networks, etc. In eight months, I went from the "idea" to the prototype to a final product. It has been extremely exhilarating to watch this project unfold. We have now entered the hardest part though, which is marketing. We have tried many different approaches, including Internet sales and selling through local school PTAs as a fundraiser. Now, the Fridgefile™ is being reviewed by a national supplier/manufacturer of write on/wipe off products and organizers. We hope to license it to them. Currently we have hooked up with Mom Inventors.com who has started a mom-invented only Ebay store, which is having decent success and getting national exposure.

The Fridgefile™ won an Honorable Mention award at this year's Invent Now America invention contest which was jointly sponsored by the USPTO and the Inventors Hall of Fame. Find Fridgefile™ at [www.mominventors.com](http://www.mominventors.com).

## Inventor Community Take Heed: Fee Increases Approved Despite Stong Opposition by IPO, AIPLA, ABA

Are the senators on the Appropriations Committee listening? Perhaps independent inventors haven't done enough grumbling. Contact your senator and voice your opinion. Read the events as they unfolded recently.

**Sen. Barbara Mikulski (D-MD)**

202-224-4654; fax 202-224-8858; [www.mikulski.senate.gov](http://www.mikulski.senate.gov)

**Sen. Paul Sarbanes (D-MD)**

202-224-4524; fax 202-224-1651; [www.sarbanes.senate.gov](http://www.sarbanes.senate.gov)

**Sen. John Warner (R-VA)**

202-224-2023; fax 202-224-6295;  
<http://warner.senate.gov>

**Sen. George Allen (D-VA)**

202-224-4024; fax 202-224-5432; <http://allen.senate.gov>

**Senate Appropriations Committee (SAC) Members**

Ted Stevens, AK, Chairman; Thad Cochran, MS; Arlen Specter, PA; Pete Domenici, NM; Christopher Bond, MO; Mitch McConnell, KY; Conrad Burns, MT; Richard Shelby, AL; Judd Gregg, NH; Robert Bennett, UT; Ben N Campbell, CO; Larry Craig, ID; Kay Bailey Hutchinson, TX; Mike Dewine, OH; Sam Brownback, KS; Robert Byrd, WV; Ranking: Daniel Inouye, HI; Ernest Hollings, SC; Patrick Leahy, VT; Tom Harkin, IA; Barbara Mikulski, MD; Harry Reid, NV; Herb Kohl, WI; Patty Murray, WA; Byron Dorgan, ND; Dianne Feinstein, CA; Richard Durbin, IL; Tim Johnson, SD; Mary Landrieu, LA

From the Intellectual Property Owners Assoc., [www.ipo.org](http://www.ipo.org)

**September 9, 2004**

**IPO and AIPLA Send Strong Letter – IPO**

Pres. J. Jeffrey Hawley and American Intellectual Property Law Assoc. (AIPLA) Pres. Rick Nydegger wrote to leaders of the Senate Appropriations Committee on H.R. 1561. The letter said, "...we absolutely oppose any fee increase without legislation to ensure that all user fees will either be available to the U.S. Patent and Trademark Office (PTO) or returned to PTO users." It continued, "Our members are willing to support raising fees to fund reforms at the PTO, but we must urge no fee increase unless [it] is accompanied by a long-term solution to fee diversion."

**September 10, 2004**

**Senators Ask for Agreement to Stop Fee**

**Diversion – Sens. Hatch (R-UT) and Specter (R-PA)** wrote to SAC leaders urging an agreement on passage of H.R. 1561. They said they would object to "any short term or long term increase in the fees . . . that does not have specific legislative language to prevent the practice of what the user

community refers to as 'fee diversion.'"

**September 14, 2004**

**ABA Urges Appropriators Not to Raise Fees –**

The American Bar Association, the world's largest professional association, sent a letter asking SAC not to move ahead with plans to raise patent fees for a year without stopping fee diversion.

**SAC Approves Fee Increase –** The SAC reported out S. 2809, which funds the USPTO and other agencies for 2005. The bill contains a temporary, one-year increase of 15 to 25 percent in patent fees without the long term guarantee against diversion of fees sought by IPO, AIPLA, ABA and other groups. It also omits other provisions supported by IPO. The bill takes effect on the later of Oct. 1, 2004, or the date of enactment. The schedule for bringing up the bill on the Senate floor is unclear.

**Sen. Specter Supports IPO –** At the SAC meeting, Sen. Specter voiced his opposition to increasing patent fees without anti-diversion language. [IPO asks members to thank Specter for his support at 202-224-4254.]

P.O. Box 15150  
Arlington, VA 22215  
www.dcinventors.org

**MEETING LOCATION**

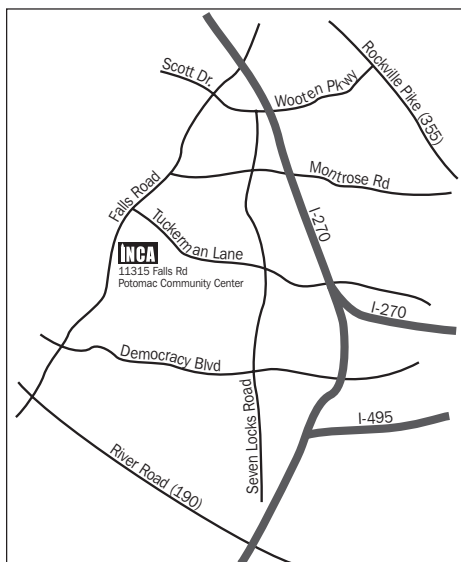
**Potomac Community Center**

11315 Falls Road, Potomac, MD

**September 20, 2004**

5:30 pm – Networking

6:30 pm – Meeting begins



**Intellectual Property Lawsuit News this Week**

*Edited for size and reprinted in part from the IPO website. Please visit ipo.org for more details.*

**Juicy Whip, Inc. v. Orange Bang, Inc. 03-1609**

A Federal Circuit court vacated a lower court's decision that denied Juicy Whip an opportunity to present evidence of lost profits damages of its patented commercial beverage dispenser. The device uses an unpatented syrup; Juicy Whip sought to recover lost damages profits on the sale of the syrup. The Federal Circuit decided the dispenser and syrup are "analogous to parts of a single assembly or a complete machine," which opens the opportunity for Juicy Whip to recover damages.

**Lighting World, Inc. v. Birchwood Lighting, Inc. 03-1534, 1535**

The Federal Circuit overturned a decision construing a Lighting World patent claim for a lamp fixture. The lower court construed the language "a connector assembly for connecting each pair of adjacent support members..." as being in means-plus-function form, which narrowed the scope of the claim. The Federal Circuit disagreed, because the limitation does not contain the word "means" and the word "connector" is used in the field to designate structure, albeit a broad class of structures.

**Cardiac Pacemakers, Inc. v. St. Jude Medical, Inc. 02-1532, -1559**

The Federal Circuit reinstated a jury verdict that Cardiac Pacemaker's patent is valid. The patent is an implantable cardiac defibrillator that determines the nature of an arrhythmia and applies electrical shocks, including shocks to correct "cardioversion." The Federal Circuit found substantial evidence to support the jury's verdict that the invention would not have been obvious. Other issues included claim construction, damages, and patent term extension.

**Member Musings: Holding Fire**

*by Jerry Porter (98)*

Keeping the fire(s) going from an inventor's point of view is a skill and an aspect of inventing I am just coming to grips with. A variation of the old adage that the squeaky wheel gets the grease is sort of it. The squeak that gets the attention of whomever and thus builds a fire under them seems to be pure and simple self interest. Staying in touch with these whomevers—anyone who might do the next aspect of a project and fairly continuously thinking about what would motivate them to do so—is where my mind has been.

**Special Session with Don Kelly at Yankee Invention Expo**

*From the UIA website*

**Don Kelly**, INCA charter member and board member of the Yankee Invention Expo, has generously agreed to donate his time and expertise free of charge to those seeking his advice before the expo opening. Reservations are being accepted for one-on-one sessions. Kelly's sessions will take place **Friday, Oct. 15**, 9a.m. – noon in the lobby area of the Courtyard by Marriott in Waterbury. To schedule, contact Don at [dgrantk@aol.com](mailto:dgrantk@aol.com) or 703-548-8213 before Oct. 12, 2004.

Don heads the Washington-based Intellectual Assets Management Assoc., LLC. He established and directed the Office of Independent Inventor Programs in the U.S. Patent Office. More about Don Kelly at [www.iama-hq.com](http://www.iama-hq.com).