

PATENTS and IDEA Workshop



How To Capitalize On Your Million Dollar Idea!

“Innovation is the specific instrument of entrepreneurship... the act that endows resources with a new capacity to create wealth.”

Peter Drucker (1909 - 2005), Innovation and Entrepreneurship, 1985

“IF YOU CAN DREAM IT, YOU CAN DO IT”
Walt Disney

*He who builds a better mousetrap these days
runs into material shortages, patent-
infringement suits, work stoppages,
collusive bidding, discount discrimination--and
taxes."*

H. E. Martz

*This is patently absurd;
but whoever wishes to become a philosopher
must learn not to be frightened by absurdities.*

Bertrand Russell (1872 - 1970)

*Everything that can be invented has been
invented.*

*Charles H. Duell, Commissioner, U.S. patent
office, 1899 (attributed)*

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To invent, you need a good imagination and a pile of junk.

Thomas A. Edison (1847 - 1931)

Introduction, Foreword, Overview And Layout Of The Book

For most of us coming up with our ideas, especially innovative ones sometimes seem like the easy part of doing things and making money off it, the harder, more challenging part of the equation and process! Both can be challenging.

These days, working smarter, NOT harder, seems to be the way to go. Commodities, products, as well as innovations change with the times and advancements in society. New needs and demands drive the market and many capitalize on these types of opportunities.

There are THREE main ways you can profit from a new idea:

- Licensing to a manufacturer
- Licensing to a full service firm
- Manufacturing your product on your own

It is all about limiting your exposure and financial risk as the ‘inventor’ . This guide is about how to make the most of your patents and new ideas. How to capitalize (make it count FOR YOU!) on what the market has to offer, tapping your ingenuity, innovation and invention, for all it has to give and MORE! It would attempt to answer some of the more practical questions surrounding how to get a million dollar idea to market, profit and pocket!

But, what is an ‘idea’ and what does it have to be, in order for it to be considered ‘NEW’ or patentable? How can we make the most of these ideas?

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These TWO questions will form the core of this brief musing provided here. Coming up with and making these ideas count, making money off them!

The FREE online encyclopedia (www.wikipedia.org) defines an idea (Greek: ιδέα) as a *specific thought which arises in the mind*. We would argue, in order for it to be **new**, you will either have to be the first person ever to think it up, **OR** be the first to market, to **capitalize** on it!

We can come up with ideas all the time because of our human capacity for reason and self-reflection. Ideas give rise to concepts, which are the basis for any kind of knowledge, invention, innovation etc. Ideas can also happen spontaneously as well, without reflection or planning, sheer genius in-the-moment! All is possible...WELCOME TO THE WORLD OF NEW IDEAS!

How we deal with these ingenious IDEAS, moments, planned or otherwise, is enabled, regulated and governed by intellectual property rights and patent law.

Patents have a direct relationship with ideas! How we bring them to market, how we improve them and how they are executed and dealt with in business is at the center of our musings here. Intellectual property and/or copyright, exclusivity or legal monopoly on ideas, relating to the use, copy, production, sale or other form of profitization from the idea or idea itself.

Copyright for example does not pertain to the intellectual 'rights' or properties of an idea, just the usage and application of same. In business there are complex guidelines and rules governing ideas. Here are some examples of them:

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- (i) Confidentiality agreements
- (ii) nondisclosure agreements
- (iii) legal instruments that assist corporations and individuals in keeping ideas from escaping to the general public.
- (iv) covered by contract law

Getting a new idea off the ground, is NEVER easy. It can succeed greatly, or fail miserably and everything in-between! The GOOD NEWS however is that YOU DO NOT HAVE TO GO IT ALONE, RISK (OR LOSE!) ALL IN AND THROUGH THIS PROCESS! There are numerous companies and investors, willing to spend lots of capital on getting an idea off the ground or a new product, service, invention or useful tool to market and in the hands of the general population. This guide will show you how to mitigate business risk and get the capital you need, generate interest, market and reap reward!

Royalties, licensing fees and more abound in the modern business world, with patents and secrets getting more prominence than ever before. These are tools and processes that are at your disposal. You can opt to utilize them or not in your pursuits, passions and undertakings (OR NOT!).

If you consider yourself an ordinary Joe/Jill with a GREAT idea, you too can reach higher, beyond and further than you have ever imagined possible! Insights and inspiration from these pages will set you well on your way. We trust that you find them useful.

In addition to the above, in this life, there are not many purely original ideas. There are lots of variations on a theme, improvements or expansions, substitutes etc., but very few TOTALLY NEW inventions and products.

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There are very few REALLY GOOD AND NEW IDEAS. There are just smart ways of getting there first! Translating ideas (your own, or those of others) into marketable products, with licenses, patents and royalties.

Human thought, ingenuity and the process of invention itself cannot be patented, but licensing of an item, product, invention or service is a totally different story. If you act on an idea or thought, be sure to protect your best interests. The last thing you want to have happen to you, is that someone claims or proves that they had thought of it before! YOU TOO CAN CAPITALIZE ON IDEAS and reap rewards STARTING TODAY and right now.

You DO NOT HAVE TO RISK LIFE, LIMB AND FUTURE TO GET these rights, royalties and new ideas, patents protected either! REMEMBER, The good news is *you do not have to go it alone.*

This journey has many peripheral willing participants, that are standing by to assist you, throughout this licensing and launch process, from start to finish. Having other individuals, investors and groups, businesses or consortiums assume the costs and risks, have been a trusted method of ‘going about business’ and still presents a great avenue to get your idea off to a great start.

Money-making ideas are not necessarily easy to come by, but once you have it, you will be set for life! Imagination and creativity are the chief ingredients for new ideas. They do not just automatically happen. You have to work on and act on your idea to really make something GREAT unfold and happen for you and your ‘new’ IDEA.

This guide will attempt to shed some needed light on this topic and provide practical suggestions, in a workshop fashion

So, how are new ideas born and bringing dreams into reality every day?

Creation And Birth Of Ideas, Innovations, Patents And Brilliant Million Dollar Thoughts, Products And Services (From Need To Needed!)

In related law, intellectual property (IP) is a broad and encompassing nomenclature for numerous exclusivity rights and other legal entitlements pertaining to information, ideas, or other intangibles. The 'owner' of inventor of these ideas is generally empowered for a limited time to control all related ownership, distribution, sales etc. of it.

These ideas, patents or outcomes are seen as the result or product of the mind or the intellect, which is PROTECTED BY LAW. It is seen and dealt with in a similar fashion as any other type of property.

The laws and application might vary and depend on location, state regulation and more. The processes involved in the acquisition, registration or enforcement of these owner and 'product/property type' rights, have to be dealt with and addressed separately, locally, nationally and internationally, in each region, district, state, country etc. International agreements and treaties have all made these processes more streamlined.

Increasingly there are idea trade-networks and professional niche, specialist providers all wanting to capitalize on this market of new ideas, patents and licensing. There are domestic, zones, regional and international, limited and unlimited scope patents available. Sometimes you can file for a patent for protection in more than one area at once.

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Information is the new commodity in our lives and times and if you can figure out how to get ideas to market quickly, before everyone else, protecting the right to benefit and profit from its brilliance and success, all the better.

You can license, buy or sell ideas, new inventions, as well as patents and trademarks, through myriads of different channels and means. Some are even internationally recognized, but can also be extremely costly, if you do not know your way around the process, legal documentation and intricacies etc.

FAST FACT: Intellectual property laws are designed to protect different forms of intangible subject matter, although in some cases there is a degree of overlap.

Copyright and patents are different from each other.

Copyright

- This protection format covers creative and artistic works (eg. books, movies, music, paintings, photographs and software).
- It secures exclusive use and right to it regarding adapting and/or reproducing, distributing and profiting from it, for a period of time.

Patents

- may be granted in relation to an invention that is new, useful and not simply an improvement or variation on an existing idea or product.
- Exclusivity regarding commercial potential and profits are given
- Normally for a period of 20 years from the filing date.

Trademarks

- Used for branding
- a distinctive sign to tell services, products and businesses apart

Industrial design rights

- Protective measures regarding the form of appearance, style or design of an industrial object (eg. spare parts, furniture or textiles).

Trade secrets

- Deals with confidential information
- secret, non-public information
- Like the commercial practices or proprietary knowledge of a business.

NOTE: Patents, trademarks and designs rights are all part of IP, also called industrial property.

These types of protective measures and exclusivity rights actually facilitate and encourage the on-going pursuit, growth and disclosure of innovation for prosperity, greater good of society. Owners and inventors of ideas can benefit and utilize, as well as control the 'rights and privileges' of these for a limited period of time to reap the ultimate benefit. Using these processes you can also make the most of your million dollar idea and get most of that into your profits and pockets in the process, while still meaningfully contributing to society and the betterment of all!

Some wonder and contemplate whether these protective measures are actually more about greed, money and profits than the greater good.

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These so-called exclusivity rights only allows you to protect your interests against legal 'infringement' per se. They are fully transferable, can be licensed to third parties as well.

The TWO types of protective measures have to do with preventing someone from doing something with your idea for a limited period of time.

Copyrights do not stop others from coming up with variations or improvements, competing ideas etc. with regards to your idea, product or service.

Trademarks and patents are more powerful and robust. This has to do with property and exclusivity rights. It has to do with registered rights or so-called "sui generis" rights.

Things to pay attention to when filing these instruments and processes are:

- Field of specialization and product, subject matter may actually vary
- What they permit or not specifically with respect to the idea, patent or product
- The period, scope and duration of particular exclusions
- What they do not protect or limitations on these rights.
- They typically have to do with unauthorized reproduction or commercial exploitation that is prohibited and controlled.

These processes and outcomes will help you actually keep someone else from capitalizing on your idea(s). This is however NOT giving the owner all rights and privileges licensing by default. Some regulatory guidelines and requirements will still have to be met. It is not automatically granted, just because these 'rights' are in place.

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These protective measures also give you recourse of action that can form the means for legal action. Others will approach you in writing for the rights and permission, fees to do something with this great idea of yours! These licensing mechanisms drive business and online enterprise. There are many entrepreneurial opportunities globally that wait to be enacted upon.

Copyright licenses for example will grant parties permission to do something specific, normally at a cost.

These processes are touted by the trade organizations worldwide to be the way to stimulate and encourage the economy to grow and reach higher and beyond! It can be a costly process if you are not aware of all the implications, considerations and potential consequences. It is not about merely granting monopoly type rights and permissions. These are meant to act as impetus for greater things!

Our minds and intellect are used everyday to come up with new ideas. Innovation is a powerful human capacity. Originality, new and useful inventions, unique identifiers, regardless of the process, purpose of instrument, making the most of your patent or new idea is crucial! You have to use all means and channels at your disposal to best prepare, package, pitch and present your idea to the world, to your best advantage of course!

These measures have also been referred to recently as individual capital, instructional capital and social capital. You are making the reservation of the right to sell, or license 'rights' to ideas and patents for a limited period of time. You will be the exclusive seller of this particular item in the market for a while, putting you in the perfect position to make the most of it! You could see it as YOUR OWN MONOPOLY! (at least for a brief and specified time)...

You can make this exclusivity work best for you, particularly utilizing things like niche marketing to further target your audience and market, standing out amongst and above the rest of the offerings.

This is not about only competition and monopoly however. You are utilizing powerful legal processes to make the most of your possibilities. Rivalry and tragedy or conflict and unhealthy competition can also arise if it is not dealt with effectively. These exclusivity rights are commonplace and accepted standard practice and there for your use and optimization! IT IS UP TO YOU TO USE THEM AND PUT THEM TO WORK IN YOUR OWN BEST INTEREST.

The incentives are also not always monetary. Sometimes it is just about the ownership and pride of coming up with something novel and new! Recognition and exclusivity go a long way to protect ideas that way as well. Creditability and reputable, quality and improvement thus also stay top priorities, stimulating the economy and ingenuity even MORE!

The developing countries and economies of scale often compete and differ on the advantages and necessities of these IP, processes and outcomes. There are many examples from around the globe, where the newest trends with new ideas and patents are for the greater good for all, re-utilization and extraction of substantial parts, rather than fostering monopolies. It is more about development and advancement and sharing information, than unhealthy competition! Public information is a fundamental right according to some and these processes at heart actually want to affect and enable this by sharing information. Its economic contributions are touted as the best way to stimulate and grow the economy and therefore remains a necessity of means!

It is all really quite simple. By using these new idea and patent processes, you can ensure and expand your rights and benefits, as it pertains to the idea itself and its use.

It also helps the general public in the sense that the product and information gets to market in a timely fashion with recognition to its origin and originator!

Infringements on these rights typically costs global business millions of dollars each year. Just look at software and music piracy and you quickly understand the back-drops, playing field and contexts of these processes.

There are different types of intellectual property as our discussion has already shown. Here are some more examples:

- Copyright
- Domain Names
- Geographical indications and filings
- Industrial design rights
- IP cores used in electronic design
- Moral rights
- Patents
- Personality rights
- Plant breeders' rights
- Plant variety protection
- Trade secret
- Trademark
- Traditional knowledge

If you want to be an inventor, innovator, pioneer or leader, taking your new idea all the way, there are ways to secure and guarantee your success, protecting your intellectual property, structuring profit and royalty payments as well. Linking innovation and investors is a crucial step and we will spend some time later in this guide on how to best do that.

Taking an idea, abstraction, concept to market, tangible deliverable, commodity to buy and sell is everyone's dream. TO MAKE IT BIG! HAVE THAT ONE GREAT BIT IDEA THAT WILL SET YOU UP FOR LIFE, the ever-elusive pursuit! Well, now it can be possible and all yours, with the right kind of steps, strategies and action plan to make your idea a moneymaker, earning you millions.

But, I am sure you still have lots of questions lingering. Here are some examples from entrepreneurs, inventors and innovators just like YOU:

- *Can you commercialize your idea?*
- *What about expertise and resources to deliver this product effectively to market?*
- *How do you make sense of intellectual property?*
- *Where do you start if you have a great idea and you are not sure what to do with it?*

All of these questions and MORE, will be addressed as the text continues to unfold and we explore the practical side of what to do and when, a little closer and in specific detail.

FAST FACT: When it comes to dealing effectively with new ideas and making them COUNT FOR YOU, there are many considerations and consequences to be thinking about as well. You will need to have a dual focus on BOTH process and outcome for optimal results.

Here are just some examples of what to think of initially to get your juices and motivation flowing, point you in the right direction making the most of your new ideas:

- **YOU HAVE TO START SOMEWHERE!** For all new ideas and patents as well as new inventions for sale, you need to go where the market is (and/or bring the market to you!). What are you most likely to have and need? What are the inventions, licenses and patents, royalties etc., that you will need both locally, domestically, nationally and internationally. How will you go about getting worldwide exposure quickly, affordably and effectively?
- New ideas and new inventions need secure contexts and protection, expedient and decisive action to get to market. How can you safely go about ensuring that this in fact happens, (without someone beating you to it or stealing your ideas) How do you plan to position, pitch, present, promote and sell your idea? What are your strategies and plans?
- In our new fast-paced, globalized economy, how will and can you benefit, making the traditional transfer of intellectual property processes and intricacies work for you, without getting lost in the complexities, complications, costs, expertise etc. required to get things done?

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- How would you go about speeding up this process of innovative, ingenious, invention submission or invention marketing and licensing of new ideas and new inventions.
- How could you learn more and all you need to know on how to post your patent ideas or inventions for sale, while protecting your best interest, intellectual rights and potential profits?
- How would you go about promoting, advertising, marketing and delivering your new inventions or patents for sale? How would you market new ideas and what would you have to be on the look-out for?
- You should also, always be thinking about how you would go about making the most return on and from research and development investment.
- Ask yourself if you are in a position to be licensing your unused new inventions and patents as well as pitching new ideas to and of others.
- How could you get your product/idea to market without all the associated costs, marketing, risks etc.
- If you are convinced that you are in business wanting to buy ideas, licenses inventions and patents, then this guide is for YOU!
- How would you deal with competitors, claims to your idea, lawsuits and more?

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- What are the traditional geographic, industrial and marketing barriers to getting your idea into production, to market and in the hands of consumers?. What can you realistically do about it?
- Invention submission and marketing is an exciting and highly competitive arena, how are you positioning and preparing yourself for it?

In the end, it is about MORE than mere ideas, patents and licenses. It is MORE about turning YOUR dreams into reality! What are you doing with yours?

Intellectual patent laws can be extremely complex. Especially once you get into issues (even legalese) regarding fair use, copyright law, idea-expression patents and patent law, patentability, sufficiency of disclosure, patent infringement, trademarks, passing off and/or dilution , geographical implications and reach, industrial design rights, trade secrets, *sui generis* rights, database rights, traditional knowledge, even moral rights! There is more here than typically meets the eye. What do you need to consider upfront, even BEFORE you start thinking about bringing your product, idea, patent to market, turning it into that million (or billion!) dollar all-time GREAT idea!

Defining And Protecting Innovation – THREE QUESTIONS

In actual fact, all these processes, protective measures and steps you are taking are meant to characterize, define, distinguish and give life to your idea. It brings it into reality. It makes dreams REAL! In the process, you are also safe-guarding the innovation and inventing itself. You are the source and originator of this idea. To keep this intact, your ‘owner’ rights, considerations and privileges are secured and guaranteed.

Part of bringing any new product to market is effectively researching, seeing, analyzing and evaluating if it is an effective, needed, original idea, patent, feasible and useful, with a viable market and interested, motivated consumer base, prospective clients. THREE questions you can ask yourself to assess this for yourself are:

- *Is There A Need For This?*
- *Is This A Truly Original Idea?*
- *What Is The Potential Of This New Idea Of Patent?*

There are obviously numerous ways to go about each of these individually and collectively. It is up to you to make them each work for its best magic for you and your idea. Market research, talking to experts, others, surveys and more will pay and serve you well in the long run as you go about collecting data and input for your presentation and marketing pitch, define and refine what your idea actually is, offers and could mean to you, others, investors and more.

Claims to originality has to be investigated too. Comparisons and contrasting from existing markets, products, competitors and more will also help you more clearly lineate what makes your idea special, unique and NEW!

Market analysis, financial forecasting and more all form part of this process too. If you are not comfortable to be doing this research yourself, there are numerous specialist and niche providers out there to assist you with this part of the process (see reference and links at the end of this text for some useful parties)

Let us dive in together a little deeper on how to make your million dollar idea a reality utilizing these different processes at your disposal.

Patents, Copyright And Trademarks

A patent is about exclusivity! It is defined by numerous sources as a

- *collection of exclusive rights granted by a state or body,*
- *to an individual (or group),*
- *for a fixed period of time,*
- *in exchange for the regulated, public disclosure*
- *pertaining to certain details of a device, method, process or composition of matter (substance) (known as an invention)*
- *which is new, inventive, and useful or industrially applicable.*

Globally speaking, these exclusivity rights center around the right to CONTROL, OR EVEN PREVENT others from making, using, selling, offering to sell or importing the claimed invention, idea or patent for a period of time. That much we have established. But it is also about more than that.

Claimed originality, source of origin and invention is guaranteed, secured and protected, which also means the profits, royalties and recognition goes where it belongs! WITH YOU – the owner of the ‘idea’. It becomes property of sorts. However, you also want to show your willingness and enthusiasm of sharing this ‘precious item’ with the general populace and broader society.

Going back to the root of the word used here, according to online sources (www.wikipedia.org), the term "patent" originates from the Latin word

patere which means "to lay open" or make available for and to public scrutiny.

Patents have a proud history and origin themselves. It stems from earlier practises and the ancient term letters, which originally denoted royal decrees granting exclusive rights to certain individuals or businesses, bestowed for recognition, award and reward for their enjoyment and benefit.

Modern patent rights are like property rights of sorts. You are excluding others from making, using, selling, offering, or importing it for the duration of the patent. It is like reserving and exercising the right of exclusivity, by means of formal process!

You will be sharing your idea(s) with the general populace in exchange for the exclusive rights to be the inventor and one to bring it to market! Even this patent or new idea can be sold, licensed, mortgaged, assigned or transferred, or simply given away. The opportunities, promise, potential and profit seems endless! These processes can help you make our million, first and many to come! Channeling and funneling the potential

Packaging, Pitching And Presenting Your New Idea Or Patent

The patent process

So, without further ado, here is what you have to consider and effectively do, if you want to 'register' a patent of new idea:

- You have to give a full written description of the idea, innovation or invention
- It has to have enough detail to have others understand and grasp what it is, how it works and how it has to be made.

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- It has to make sense from all perspectives, including their use and usefulness!
- Some call this a patent specification
- It may have drawings, diagrams, or figures that show how the invention is made and how it operates.
- You have to also specify in detail what your individual claims to innovation or idea actually constitutes or is!
- This description or declaration will give due notice as to what you are potentially saying is your own. This will contain the detail of the patent you are filing, in other words what exactly and precisely, as the idea, invention, innovation, product, service, or patent owner is. This in turn will secure the right to exclude others from making, using, or selling it for a period of time. This will form the real basis of evaluation of your 'right' or claim to fame and exclusivity.
- It states what is covered and what not.
- Each patent that is filed, might have many claims to it, covering lots of inventions.
- To take any legal effect, standing and acceptance, this patent application must meet the requirements of the national law related to patentability.
- ONLY The inventor themselves and/or legal counsel representing the inventor can apply for patents.

A patent is an exclusionary right. It effectively gives YOU the right to exclude others from infringing on the patent, it does not mean that you have FREE reign to exploit the patent. It might just be a slight variation or improvement on an existing patent and will be filed accordingly.

Civil law protect and enables patent. You can take advantage by NOT having others utilize your idea for their own financial gain and advantage.

Some patents can easily be declared by the court to be invalid, so doing your homework in every region that you file in, will also go a long way to protect your BEST interest and ensure the widest, broadest and deepest coverage around.

All does not have to be lost or adversarial either! Patent licensing agreements are quite common as well. They are in true nature, effectively contracts that set out limited scope or rights, use and application with permission, protection against infringement. Most often technical companies will have various licensing agreements and cross-functional stipulations on what is allowed and what not. These cross license agreements allow for even faster to market products and innovation, so partnering up with the right party could definitely be to your benefit, if you legally protect your best interest as well.

Patents are thus legal instruments you can file at relevant patent offices. Details about your invention and all protective measures claimed, and all accompanying documentation packages can easily be obtained and filled out. This will all help you learn about the process, what is involved and how best to make the most of your idea, with confidence in the marketplace. In some countries (like the US), inventors will not even have to build a prototype of their idea, product or invention BEFORE bringing it to market or pitching it to investors. You can also secure legal advice and representation to ensure smooth transition and procedural protocol, accuracy and completeness of documentation. Having someone familiar with the process on your side is crucial.

Compliance searches are done through and by the patent office as a next step. Objections are then handles as well through legal means and channels, allowing you to further shape, refine, clarify and correct, to assist you in

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successfully getting the patent. There will be some fees attached up-front for these and on-going costs for renewal and upholding of the patent can be expected and should be budgeted for annually.

A patent attorney is a valuable partner and asset to have in your million dollar idea process and outcome. These are typically specialist attorneys who help consumers and specifically inventors, obtaining patents. They represent your best interest with confidence and specialist knowledge, expertise and competence, that you might not have!

Patent law and oppositions, protocol and documentation all become a breeze in the hands of an expert and you will not feel intimidated, demotivated or overwhelmed by the intricacies of the processes at all!

The titles patent agent and patent lawyer are also used in some jurisdictions. Getting the allies and partners you need to assist you in this million dollar idea and protective processes do not stop at legal counsel. There are many investors and interested markets out there to capitalize on.

Securing Capital, Funding And Dollars

When it comes to pitching your ideas to investors, not going it alone and getting others to front the money to get your idea, patent to the market, there are many options available to you. More-so than having to start your own business and risk everything to get this million dollar idea off the ground.

There has been lots of developments, even online exchanges brought to life, niche funding specialists, venture capital avenues and niche providers whose sole purpose and function is getting you the money you need to make the most of your million dollar idea.

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Companies and investors are always on the hunt for ways to make more money. In the end business is about more than merely profits, most like the idea of competitive edge and innovation forming part of their business. Anything to get and keep them ahead is seen as a worthwhile investment.

Once you have figured out for yourself what your idea is, gone through the description, patent and/or other protective processes, have disclaimers and non-disclosures in place for all parties you are involved with and presenting for, it is time to package, ready and present your piece to others on order to get the backing you need, or licensing in place to get your million dollar idea in and on the market! There is a lot involved in preparing and presenting new product ideas to corporations for licensing.

New product concepts (read YOUR MILLION DOLLAR IDEA) from independent investors like yourself can have quite an impact on their profits as well. Negotiating licensing and royalties are probably best handled through legal representation. It does all however start with the genius of your own idea, patent or product. You can sit back and watch others enjoy and benefit from your idea, while the financial compensation and profits start rolling in. Manufacturing, marketing and distribution can all be handled or licensed out, without you necessarily taking an active role in it at all.

Securing a license agreement with businesses and corporations are a great way for you to make your idea into a money-making machine, without having to front the capital necessary to get through these initial process.

Oftentimes it happens that a product will rarely make it past the 'conceptual' stage. Getting it onto shelves and into the hands of consumers can be a tricky, uphill battle and tough road, especially if you have no experience presenting ideas, have no experience with the market-segment, etc. As one

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industry expert so aptly puts it “Simply having an invention will not guarantee that a product will make its way onto a store shelf. For a product to have a fighting chance, it requires skills and expertise from product specialists and process experts familiar with requirements and expectations.”

www.inventionprocess.com

Moving through each of the process steps in getting to your million dollar idea, market, profit and results can be a long haul. There is no shame in getting assistance with any, some or all of the process. You can design, develop, and present your ideas with ease and confidence yourself or get a third party, even legal specialists and representation to assist you. Without money to get the balls rolling, nothing is going to happen to your idea. It is tough, in some cases almost impossible to GO IT ALONE! It is also unnecessary in this day and age. The risk and burden does not have to fall on your shoulders alone. Getting your product to market is the top priority. Doing so before anyone else does crucial!

Expertise, experience, track record and specialist knowledge that come from experienced professionals can also make all the difference in the overall success of presenting your product. Many inventions never make it past the idea stage, because the inventor had to go it alone without any assistance. Banks and even venture capital firms all want guarantees and it is really tough to give those and live up to those requirements initially especially! Stack the odds in your favor and set yourself up for success by getting the backing, licensing you require to make the most of your million dollar idea, with money to spare in your pocket.

The Intricacies And Complexities That Are Contracts And Profits

When it comes to getting a new idea to market and making the most of it in terms of profit and ownership for you, there are many considerations and consequences, intricacies and complexities to consider. Patents, drawings, legal exclusivity rights, representation, funding, licensing and more. As we have seen so far, it is not as simple as just coming up with something and trying to 'sell' it!

According to industry sources, there are FOUR primary justifications for granting patents: innovation, disclosure, production investment, and designing.

Sharing the news and idea is a top priority and one of the most common reasons people want to go through these processes. Encouraging disclosure for the greater good what is in question. If there were not these legal means of protecting your idea(s), you might not be so willing to share information and competitive advantage with others, rather opting to keep it a secret and going it alone. This might take longer, or the risk is also there of inventions and genius not getting captured and even lost, for lack of input, funds or experiences, means to get it to market. These enabling factors keep our economy and development ticking. These processes are there to help you make the most of your million dollar idea without risking losing ownership and/or profits! Getting the details of new technology publicly available, through patents and licensing, for use and exploitation by anyone with your explicit permission and benefitting from it for a period of time can go a long way in getting money and satisfaction in your pocket!

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Once the period specified has passed, there are still licensing in place that can earn you royalties for example for years to come. Others might improve on your original idea and so the cycle continues. Documenting these inventions through these processes also help us to ensure that they are retained for generations to come. These will be record of it for future reference and a new generation of inventors and brilliant ideas!

We keep on improving, advancing and developing as a species and a community. Society at large, businesses and corporations, even individuals in research and development to continue this quest.

Modern corporations all typically have annual R&D budgets of hundreds of millions or even billions of dollars. You can dip into this pool with the right representation and product presentation for your million dollar idea. Then merely watch it take off, reaping in the rewards for you – almost on auto-pilot! These processes and your new ideas fuel the economy, technological advances and breakthroughs. You are contributing to society, being recognized as the owner, inventor of something different, useful and through licensing, patents and other measures your interest, property and claims are protected.

It is all about ownership and recognition. The what is in it for me if I do this principle.

Getting the idea and funding is only half the battle for most companies and businesses. Production, testing, manufacturing, marketing, packaging, distribution, service etc all cost money as well. Companies would not want to risk other jumping on the band wagon or having access to your idea as well. And their productization investment can be protected effectively through relevant licensing agreements, that will then help protect their

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rights as well. So not only do these processes and measures protect the initial inventor (YOU!), but also your partners!

Capitalizing on new ideas and innovation is a great way to get ahead, both personally and collectively as a society. Creating and enabling improved or alternative technologies that might not otherwise have been developed keeps us moving forward.

These methods described here afford every inventor exclusive rights and status to become a licensor. You can assemble capital and funding quickly (seeing reward and financial income /profit quickly!) from licensing the invention is very attractive and satisfying as well. It will keep you wanting more new ideas to benefit from! This in turn enablese rapid innovationwithout having to spend time, energy, money on prototypes and the other issues of manufacturability, marketing etc. **Think of it as a support network and enabling framework for you and your ideas. It is the quickest way to get your product to market.**

Also have an exit strategy for initial, partial and original investors. How will they/you make a return, protect your investment and best interest? How will the profit-taking and money out part of the value-equation work. Getting these put in writing in a legal agreement, is prudent and advisable PRIOR to any activity or profits rolling in.

You need to focus NOT so much on what you know or do not know about getting your idea, product, invention or ingenious innovation ot market, but also to whom you affiliate yourself. It is also about WHO you know and partner with!

New Economy And Online Marketing, Virtual Marketplace

Now that you have seen and learned about some of the steps to invention, new idea and patent success, it is time to also consider the playing fields of the new economy. There are many things you can do to make the most of your million dollar idea. You are not participating and entering the globalized, technology-enabled, online and virtual marketplace. Again partnering with the best, will let you benefit from all the existing and new channels and means that become available to reach the global audience.

Whether local, domestic, national and/or international markets appeal to you, bringing your new idea into it has a lot to do with packaging, pitching and presenting it just right! Here are some suggestions of how you can utilize some planned strategies to get the most bang for your buck, not having to do everything yourself:

STEP 1: BE AN INVENTOR, BUT ALSO AN ‘initiator’! What we mean is that you can actually already do a lot of the most earliest of work yourself.

Capturing, describing, drawing and defining your idea **YOURSELF**. Giving shape, character and features to it. Bring the concept into reality that others understand it to. In other words, some of the early grunt and groundwork as best done by you anyway. You can enroll and solicit some help here if you are not sure how to get started exactly. We recommend a good note-book and daily idea-diary. Write things done, like the original date of your idea or invention. Keep track of the development process, first public disclosure. It is an understated and often overlooked part of the process. You as the inventor, has to take some responsibility for good notes and records of all your work.

As mentioned earlier, getting it notarized is also a great way you can take some precautionary steps to protecting your ‘ownership’ and claim to

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originality and first to market type proof. If there are any troubles ahead, legally or otherwise, these notes and documentations will become useful evidence. YOU WILL BE GLAD YOU KEPT THEM!

STEP 2: CHOOSE YOUR PARTNERS WELL Collaborate with the best and complementary skills to your own. Secure and align yourself with the legal and financial collaborators that will and can assist you best in getting your million dollar idea to market. Focus on licensing and options that have others doing what they are good at, without having to front all the capital and carry the risk alone.

STEP 3: UTILIZE PROTECTIVE MEASURES AND EXCLUSIVITY RIGHTS IN YOUR BEST INTEREST, while also protecting the rights and licensing, investment of your partners and financiers.

STEP 4: DIVERSITY AND DISTRIBUTE THE RISKS Ensure that the resources and manufacturing, marketing forces etc. behind your product are spread out. Minimize risk in the making, assembly and distribution of the product, serving the needs of customers a priority, consider off-shore and outsourcing options when they make sense.

STEP 5: GO GLOBAL! Set up channels and partnerships that work anywhere and everywhere overall when put together. Streamline all logistics and distribution keeping costs as low as possible, passing value back to both you and consumers!

How Licensing Helps You Optimize Your New Idea, Patent And Innovation

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Making the most of your million dollar idea has a lot to do with spending your energies where they belong- coming up with the new ideas! Focus on what you actually do best. Leave the rest up to those who are set up and qualified to do their bit! Do not just stop at one idea, keep trying to create and come up with new products for your target market. By partnering with financial, legal and manufacturing, marketing and distribution partners, setting in place licensing agreements and protecting all parties involved in these processes all go hand in hand in making the most of your new idea, patent and innovations. It saves time, money and effort and gets dollars in pockets quicker and more effectively, with the minimum risk. It has all the elements of a successful process and outcome, for all parties. You are spreading and sharing the risks and rewards involved! WITHOUT having to give up ownership, recognition and satisfaction that springs from it.

Lowering margins and outsourcing are ingenious ways you can make the new economy work. Licensing agreements (limited tie exclusivity shared with partners, for mutual benefit) helps all make a profit from every unit sold. Royalties are calculated and stipulated and everyone benefits.

Overhead costs are kept at a minimum and you are spending less money of actually making, selling and distributing the product by yourself and through your own means, using your own capital.

For any business owner keeping the costs low is what it is all about. Worries about staffing, manufacturing etc. are now not yours solely or at all (depending on the contracts and agreements in place).

Sales and marketing expenses is another area that can eat up capital fast, it not run well. It can be as high as 20%! There are lots of specialist firms and

online strategies that can help you keep this as low and effective as possible, making every dollar spent count and worthwhile!

Patents and clauses to protect you from competitors or theft of your ideas are very important and a key element, combined with all the practical realities and strategies you have in getting your million dollar idea into the marketplace, earning you riches, profits and glory!

Frequently Asked Questions Regarding Patents, New Ideas, Copyright And Trademarks

(SOURCE: Taken from the US Patent and Trademark Office website
<http://www.uspto.gov/main/faq/>)

How would I know what to file for my idea: Patents, Trademarks, or Copyright?

There are THREE types of intellectual property protection. They are different and serve different purposes.

- Patents protect inventions, and improvements to existing inventions.
- Trademarks include any word, name, symbol, or device, or any combination, used, or intended to be used in commerce to identify and distinguish the goods of one manufacturer or seller from goods manufactured or sold by others, and to indicate the source of the goods.
- Service marks include any word, name, symbol, device, or any combination, used, or intended to be used, in commerce, to identify and distinguish the services of one provider from services provided by others, and to indicate the source of the services.
- Copyrights protect literary, artistic, and musical works.

FAST FACT: For general information, publications and other copyright related topics, you may visit their Web site at <http://www.copyright.gov>. Copyrights information can be obtained from the U.S. Copyright Office, Library of Congress, Washington, DC 20559 or you may call 202 707-3000 or 202 707-6737 (TTY).

Conclusion

When it comes to moving through the invention process, getting an idea to market FIRST, quickly, cost effectively, with minimum risk, the financial means to do so and the right partners, can all help you make the most of your million dollar idea. The processes themselves are as complex or easy as you choose to make them. You can go it alone, which is typically harder and not impossible, but riskier, or partner with the best the legal, financial, manufacturing, marketing, distributing or other related licensing parties can provide, individually and collectively.

In the end it is all about making the most of your idea, market and the exclusivity rights that go with it, for a period of time, guaranteed by law, giving you're the advantage and competitive edge above all other. This happening with some legal protective measures to give you the opportunity and time to make the most of your idea and reap maximum reward from it.

The central question revolves around **who actually owns the rights to a certain idea, patent, work or product.** This is by far the best way to make the most of your million dollar idea. These measures and processes are there to protect and enhance – you, your idea, your profits and society, the greater good, human advancement. The scope and impact is endless. They ensure everybody is able to profit from their originality and creative ideas.

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You do not go through these processes in a haphazard fashion or light-heartedly. Profit is not the only motivation for ‘protecting these exclusivity rights; YOUR NEW IDEA! As in investor and investor in your own future and well-being you are taking and enjoying legal control over when, where and how this new idea takes shape, gets a life of its own outside of you. YOUR DREAM IS BECOME REALITY ON YOUR TERMS!

The patent and other protection processes can be as broad and/or as detailed as you choose and can afford realistically. There are numerous highly subjective interpretations and legal details that are best served by and expert eye to further minimize your risk and exposure to possible theft, liability etc.

You are in fact controlling all production selling and use of this invention, protecting and holding the idea, its ownership and property where it belongs (WITH YOU!) It is and remains a tricky procedure and process to take on all by yourself, but can be done.

Whatever you do, take the time upfront to spend all your talents on setting your idea apart and showing how it is a significantly original creation, that can be told apart from millions of others, unique in its features, service, nature and functionality. One of the basic requirements of tests to see if your idea is truly NEW and ORIGINAL is to ask yourself if it is ‘innovative’ Is it creative enough that it wouldn't be obvious to others?

Checking for similar inventions in the U.S. Patent and Trademark Office's Patent Database or even getting their staff to do these searches for you is highly recommended. Filling out a patent application can be done on your own or with/through legal channels and representation. Patent lawyers and firms can go a long way to help you initially to get a jumpstart.

Here is a sampling from what the patent application documentation and related requirements might expect from investors:

APPLICATION FOR PATENT

(Source: Excerpted from General Information Concerning Patents Print Brochure , from the US Government website – patent and trade organization – see reference listing at the back for full details)

Non-Provisional Application for a patent, is made to the Assistant Commissioner for Patents and includes:

- (1) A written document which comprises a specification (description and claims), and an oath or declaration;
- (2) A drawing in those cases in which a drawing is necessary; and
- (3) The filing fee. Payment of small entity fees must be supported by a small entity statement.

Fees change each October.

All application papers must be in the English language or a translation into the English language will be required along with the required fee set forth in 37 CFR 1.17(k).

All application papers must be legibly written on only one side either by a typewriter or mechanical printer in permanent dark ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable and white paper.

The papers must be presented in a form having sufficient clarity and contrast between the paper and the writing to permit electronic reproduction. The application papers must all be the same size -- —either 21.0 cm by 29.7 cm (DIN size A4) or 21.6 cm by 27.9 cm (8 1/2 by 11 inches), with a top margins of at least 2.0 cm (3/4 inch), a left side margin of at least 2.5 cm (1 inch), a right side margin of at least 2.0 cm (3/4 inch) and a bottom margin of at least 2.0 cm (3/4 inch) with no holes made in the submitted papers. It is also required that the spacing on all papers be 1 1/2 or double spaced and the application papers must be numbered consecutively (centrally located above or below the text) starting with page one.

Other detailed requirements that are considered prerequisites when filing for your patent are as follows:

- **COMPLETE AND ACCURATE:** The application for patent is not forwarded for examination until all required parts, complying with the rules related thereto, are received.
- **INCOMPLETE OR DEFECTIVE:** If any application is filed without all the required parts for obtaining a filing date (incomplete or defective), the applicant will be notified of the deficiencies and given a time period to complete the application filing (a surcharge may be required)—at which time a filing date as of the date of such a completed submission will be obtained by the applicant.
- **RETURNS AND HANDLING FEES:** If the omission is not corrected within a set, specified time period, the application will be returned or otherwise disposed of; the filing fee if submitted will be refunded less a handling fee as set forth in the fee schedule.
- **ONE PACKAGE APPLICATION:** It is desirable that all parts of the complete application be deposited in the Office together; otherwise each part must be signed and a letter must accompany each part, accurately and clearly connecting it with the other parts of the application.
- **SERIAL NUMBERS AND FILING RECEIPTS:** All applications received in the PTO are numbered in serial order and the applicant will be informed of the application serial number and filing date by a filing receipt.

- **FILING DATE:** The filing date of an application for patent is the date on which a specification (including at least one claim) and any drawings necessary to understand the subject matter sought to be patented are received in the PTO; or the date on which the last part completing the application is received in the case of a previously incomplete or defective application.

PROVISIONAL APPLICATIONS FOR A PATENT

Inventors also have the option of filing a provisional application for patent which was designed to provide a lower cost first patent filing in the United States and to give U.S. applicants parity with foreign applicants.

What makes these provisional filings slightly different, is the fact that

- Claims and oath or declaration are NOT required for a provisional application.
- They provide the means to establish an early effective filing date in a patent application
- They permit the term “Patent Pending” to be applied in connection with the invention.

****NOTE: Provisional applications may not be filed for design inventions.**

FILING DATE: the date on which a written description of the invention, drawings if necessary, and the name of the inventor(s) are received in the patent office.

COMPLETE AND ACCURATE: To be complete, a provisional application must also include the filing fee, and a cover sheet specifying that the application is a provisional application for patent.

VALIDITY AND PROCESS: It is valid for a period of 12 months, in which period a non-provisional application for patent has to be filed as described above.

Why use it? The earlier filing date protects your ownership and first to idea and market status!

Other requirements include:

- Provisional applications are not examined on their merits.
- A provisional application will become abandoned by the operation of law twelve months from its filing date.
- The twelve month period for a provisional application is not counted toward the 20 year term of a patent granted on a subsequently filed non-provisional application which relies on the filing date of the provisional application.
- A surcharge is required for filing the basic filing fee or the cover sheet on a date later than the filing of the provisional application.

A brochure on Provisional Application for Patent is available by calling the PTO General Information Services at 1-800-786-9199 or 703-308-4357 or by accessing PTO's Web site at <http://www.uspto.gov/web/offices/pac/provapp.htm>.

**THIRTY WAYS TO BEST PROTECT AND CAPITALIZE ON YOUR
MILLION DOLLAR IDEA**

1. Utilize all aspects of patent law and what it has to offer.
2. Clearly specify the details as it pertains to your unique idea, patent and new product.
3. Include the general field of subject matter and expertise required, state what is and can be patented and what not
4. Clarify the conditions under which a patent may be obtained, licensing requirements and parties.
5. Remember that patents and protective measures are open to everyone. If you are someone who “invented or discovered a new and/or useful process, machine, manufacture, or even improvement to and existing product or service, you can realistically get the protection that goes with it through these processes and legal exclusivity rights instruments.
6. Everyone and everything is subject to the conditions and requirements of the law and equal under the law.
7. These measures work exceptionally well for all industrial or technical processes.
8. You can practically include everything which is made by man and all processes for making the products in these protective processes. BE FIRST TO MARKET, DO SO QUICKLY, WELL AND PROTECT YOURSELF! These are the first steps on your road to success and profits!
9. Ensure that your idea, product or service is “useful.” Describe the utility and function in detail. Do drawings, make notes and get them notarized, certified as your own original work, date it and keep it in a safe place.

10. Continue to make notes and refinements to capture the development process. **YOU WILL BE GLAD YOU DID** if it ever comes to legally defending your original idea, ownership and claims to property or exclusivity rights.
11. Note that laws of nature, physical phenomena and abstract ideas are not patentable subject matter.
12. A complete description and detailed requirements are pre-requisites to benefit fully from these processes
13. New ideas do not just happen by themselves! You have to work, plan and execute hard and well to get things done and guarantee success.
14. These processes and outcomes have nothing to do with miracles and chance (some may beg to differ) Our position is that they are rather the exception than the rule!
15. To get results from your new ideas and patents, we would argue that you would have to plan to succeed and then **GO FOR IT!** You need to have a plan, you need to be informed and take appropriate actions to make **YOUR DREAM A REALITY!** You can profit from your invention, idea and patent **TODAY!**
16. **WE CAN NOT OVERSTATE THIS ONE ENOUGH!** Keep track of your ideas by actually writing them down – these notes and moments of inspiration will come to pay off loads later. You can turn this into a churning money-making machine later on, generating additional income. Your own money-mill of sorts. Date your entries and draw it, bring the concept into reality, describe it, what will it be used for, useful for, who would use it, how is or will it be made, variations on it, refine and define it more over time etc.
17. Get official recognition and registration of this idea if you deem it necessary and prudent. Get notes notarized by an official notary. This will prove date, time and the fact that it is your idea if it ever came to

- a legal position where you would have to defend your originality and first to idea or market.
18. Do a patent search and research patentability internet or professional patent searcher can be used in and for this process.
 19. Prototypes will be next, to see and prove it works. (or look for funding, partners and manufacturers licensing agreements, non-disclosures in place to FAST-TRACK to market)
 20. Read up about inventing and inventions and educate yourself on what to expect, what to encounter and what to do.
 21. Non-disclosure agreements have to be signed by all parties with whom you are sharing your idea. They attest NOT to reveal anything regarding your idea without your written permission. It safeguards and protects your best interest.
 22. Analyze costs, market research, manufacturing, production, distribution, delivery etc. both locally and abroad.
 23. Look at the benefits and disadvantages of your product, competitors, marketplace, feasibility, longevity in the marketplace.
 24. Professional prototypes and patents filings are next. Provisional and non-provisional patents, with revisions filed by legal counsel representative.
 25. Licensing and royalties (3-7% of net sales) licensing agents in field of invention is a wise choice and investment, worthwhile pursuing.
 26. Making and distributing the product, financing and capital
 27. PROTECT YOUR IDEA! Some have called this process and outcome the product development from concept to consumer – find your balance between keeping your idea and sharing it with the world! Turning it into an economically rewarding mutual value proposition in the spirit of the new economy and the commodities that exchange hands there and enable our lives!

The earliest history regarding patents can be found in the rationale that inventors have to be rewarded to be encouraged to keep coming up with useful and new ideas! It was used to fuel inspiration. This spirit lives on today. It drives our progress in society and keeps us improving and moving forward. Patent protection has a proud history and a bright future. YOU TOO CAN BENEFIT FROM IT, by making and putting it to work for you, not against you! **Get limited time exclusive rights to your ideas and inventions. This is your time, choice, channel and means to control exploitation of the invention and to realize any profits for a specific length of time.**

28. HAVE FORESIGHT AND BE FORWARD-THINKING - provide the necessary protection for newly developed products or processes. Be ready for success and even perhaps creating new industries or new companies. Who knows your idea might just be the ONE that sparks the development of numerous other multi-billion dollar ideas or even new industry! TAKE THE CHANCE!

29. DREAM BIG! See your name up there with the greats of all time Eli Whitney, Samuel Morse, Thomas Edison, Orville and Wilbur Wright, Gertrude Elion and George Washington Carver.

30. Be part of protection-while nurturing creative thinking, scientific problem-solving and technology development that will pave the way for our future.

An Eclectic Glossary Of Legal Concepts Dealing With Patents, Licensing And New Ideas Taken From Online Sources

There are some great concepts, descriptions, definitions and even legalese found on the US Government website for trade and patents at <http://www.uspto.gov/main/glossary/>, as well as at www.wikipedia.org . This is just a sampling of some of the terms you might actually come across in your undertakings, when trying to make the MOST of your million dollar idea!

Assignor estoppel this bars a patent's seller (assignor) from attacking the patent's validity if he/she is found to have infringed that patent later.

Claim the extent of the protection, described, conferred and conveyed by a patent.

Clearance search and opinion A search done on issued patents or on pending patent applications. This process is used to determine if a product or process infringes any of the claims of the issued patents or pending patent applications.

Defensive publication A publication intended to prevent the grant of a patent to a competitor by placing information in the public domain.

Disclaimer An amendment consisting in limiting a claim by introducing a negative technical feature.

Doctrine of equivalents A legal rule that allows a court to hold a party liable for patent infringement even though the infringing device or process does

not fall within the literal scope of a patent claim, but nevertheless is equivalent to the claimed invention.

Essential patent A patent that is required to make a certain product is described as essential.

Exhaustion of rights A legal concept stating that rights in a product are exhausted by its sale.

Filing date The filing date of a patent application is the date on which that application is legally accepted at the patent office. That date is typically the date on which the documents are deposited at the office, but may be later if there are defects in the documents.

First to file A legal concept in which the right to a patent for an invention is determined by the first person to file for a patent to protect that invention, cf. First to invent.

First to invent A legal concept in which the right to a patent for an invention is determined by the first person to make that invention, cf. First to file.

Industrial applicability A requirement of many patent systems, requiring that an invention be capable of industrial applicability in order for a patent to be granted for that invention.

Interference proceeding A type of proceedings, particularly at the USPTO, to decide who is entitled to the grant of a patent for an invention.

Inventive step A patentability requirement according to which an invention should be sufficiently inventive, i.e. non-obvious, in order to be patented. See also non-obviousness.

Inventor The actual deviser of an invention that is the subject of a patent.
Letters patent An old term for a patent, sometimes used in reference to a bound formal copy of a patent provided by the USPTO to the inventor upon a patent's issue.

Maintenance fee A fee to be paid to maintain a patent in force.

Non-obviousness A patentability requirement according to which an invention should be non-obvious in order to be patented. See also Inventive step.

Novelty A patentability requirement according to which an invention is not patentable if it was already known before the date of filing.

On-sale bar A concept of US law in which the grant of a patent is prevented if the invention that is the subject of the patent application was on sale more than one year prior to the priority date.

Opposition proceeding Proceedings in which a third party opposes the grant of a patent in an attempt to prevent that grant, or have the patent revoked.

Patent classification Classification of patents in technological areas for convenient retrieval during prior art searches.

Patent family A group of patents related by a common priority claim.

Patent infringement Commercially exploiting an invention claimed in a patent without permission of the patentee.

Patent misuse In United States patent law, an affirmative defense used in patent litigation after the defendant has been found to have infringed a patent.

Patent model A miniature model that shows how an invention works.

Patent pending A term used to describe an invention for which a patent application is pending at a patent office. Used to mark products to alert people to the possible existence of a patent, thereby initiating the date from which damages may be claimed.

Patent pool A consortium of at least two companies agreeing to cross-license patents and other IP rights relating to a particular technology.

Patent watch A process for monitoring newly issued patents on a periodic basis to see if any of these patents might be of interest.

Patentability A set of substantive requirements for a patent to be granted.
Patentable subject matter Patent systems exclude certain areas from the grant of patents. Material not so excluded is known as patentable subject matter.
Person having ordinary skill in the art A hypothetical person having typical knowledge of a particular field or art, used such as to assess whether an invention is non-obvious or whether the specification of the patent enables one to practice what is claimed.

Petition to make special A United States patent law procedure that requests the U.S. Patent and Trademark Office to accelerate a patent's prosecution,

based on a showing that certain conditions are met. For example, if the inventor is old or sick, or the field of invention is a favored area of science that significantly enriches people's lives, The U.S. PTO may allow such a petition.

Piracy Pejorative term. Generally refers to the willful infringement of a patent. May also be applied to the vigorous enforcement of a patent.

Prior art Material publicly available prior to the priority date of an application which may anticipate the subject of and prevent the grant of a patent.

Priority right The priority right is a right to claim priority from an earlier application. Claiming priority gives the later filed application a priority date of the filing date of the earlier application.

Prosecution history estoppel In certain states actions during prosecution can estop a party from certain later actions or assertions.

Provisional rights The rights conferred to a published or non-published patent application, i.e. the rights conferred before the patent is granted. See also U.S. patent law, 35 USC 154(d).

Reasonable and Non Discriminatory Licensing A type of licensing typically used during standardization processes.

Reduction to practice In United States patent law, the embodiment of the concept of an invention.

Reexamination The examination of a granted patent, which can result in the revocation of that patent.

Research exemption In some legislations, an exemption to the rights conferred by patents, pursuant to which performing research and tests for preparing regulatory approval does not constitute infringement for a limited term before the end of patent term.

Submarine patent A patent first published and granted long after the original application was filed.

Sufficiency of disclosure An important requirement to be met by a patent in order to be validly granted. According to this requirement, an invention must be described in the application or patent in a sufficiently clear and complete manner to enable the person skilled in the art to carry out the invention.

Supplementary protection certificate A *sui generis* right available for medicinal and plant protection products. The right comes into force after the corresponding patent expires and has a maximum life time of 5 years.

Swear back of a reference A procedure under US patent law whereby an inventor can get a patent even if the invention has become public before the patent application was filed.

Term of patent The maximum period during which it can be maintained into force.

Transfer An operation by which the owner of a patent or of a patent application changes (for instance as a result of a financial transaction).

Unity of invention A requirement that a patent application can relate only to one invention.

Utility A patentability requirement mainly used to prevent the patenting of inoperative devices such as perpetual motion machines.

Resources

Reese, H. , (2002): How to License Your Million Dollar Idea: Everything You Need To Know To Turn a Simple Idea into a Million Dollar Payday, 2nd Edition, John Wiley & Sons Canada, Ltd. ; ISBN: 0471204013

Arthur Raphael Miller, Michael H. Davis, Intellectual Property: Patents, Trademarks, and Copyright, West Wadsworth; 3rd edition, 2000, ISBN 0314235191 (textbook particularly covering copyright and patent law)

Stephan Kinsella, "Against Intellectual Property", Journal of Libertarian Studies, Vol. 15, No. 1, pp. 1-53, 2001. Available in .PDF here

Jason Mazzone, Copyfraud, <http://ssrn.com/abstract=787244>

Michael Perelman, Steal This Idea: Intellectual Property Rights and the Corporate Confiscation of Creativity, Palgrave Macmillan, 2002, ISBN 0312294085, (a critical discussion of some of the social, scientific and cultural impacts of recent intellectual property developments)

Roger E. Schechter, John R. Thomas, Intellectual Property: The Law of Copyrights, Patents and Trademarks, West Wadsworth, 2003, ISBN 0314065997 (textbook)

Siva Vaidhyanathan, Copyrights and Copywrongs: The Rise of Intellectual Property and How it Threatens Creativity. New York: New York University Press, 2001.

Siva Vaidhyanathan, The Anarchist in the Library: How the Clash Between Freedom and Control is Hacking the Real World and Crashing the System. New York: Basic Books, 2004.

Also see http://en.wikipedia.org/wiki/Patent_office for a listing of patent offices and providers internationally. (compare below)

There are also numerous sources of information available both online and in print. Intellectual property organizations encompass international intergovernmental organizations that involve cooperation in the area of copyrights, trademarks and patents, and non-governmental, non-profit organizations, lobbying organizations, think tanks, as well as professional associations.

General organizations

- [World Intellectual Property Organization](#) (WIPO)
- [African Regional Intellectual Property Organization](#) (ARIPO)
- [Organisation Africaine de la Propriété Intellectuelle](#) (OAPI) or African Intellectual Property Organization

Patent-related organizations

- [European Patent Organisation](#) (EPO or EPOrg)
- [Eurasian Patent Organization](#) (EAPO)
- [Patent Office of the Cooperation Council for the Arab States of the Gulf](#) (GCC)

Trademark-related organizations

- [Office for Harmonization in the Internal Market](#) (OHIM)
- [Benelux Trademarks Office](#)

Design-related organizations

- [Benelux Designs Office](#) (BDO)

Think tanks, institutes and non-profit organizations

- [AHRC Research Centre for Studies in Intellectual Property and Technology Law](#) (SCRIPT)
- [American Intellectual Property Law Association](#) (AIPLA)
- [Arab Society for Intellectual Property \[1\]](#)
- [International Association for the Protection of Industrial Property](#) (AIPPI)
- [Centre for International Industrial Property Studies](#) (CEIPI)
- [Center for Intellectual Property Studies](#) (CIP)
- [Institute of Patentees and Inventors](#)
- [European Patent Institute](#) (epi)
- [International Association for the Protection of Industrial Property](#) (AIPPI)
- [International Federation of Intellectual Property Attorneys](#) (FICPI)
- [International Intellectual Property Alliance](#) (IIPA)
- [International Intellectual Property Institute](#) (IIPI)
- [Intellectual Property Owners Association](#) (IPO)
- [International Trademark Association](#) (INTA)
- [Japan Intellectual Property Association](#) (JIPA)
- [Max Planck Institute for Intellectual Property, Competition and Tax Law](#)
- [Public Patent Foundation](#) (PUBPAT)
- [Queen Mary Intellectual Property Research Institute](#)

- [Trade Marks, Patents and Designs Federation](#) (TMPDF)

Anti-patent organizations

- [Patent Commons](#)
- [Pirate Party](#)

External links

- Europe
 - [Institute of Professional Representatives before the European Patent Office](#) or "European Patent Institute (epi)"
 - [The Chartered Institute of Patent Attorneys \(CIPA\)](#) - United Kingdom
 - [Deutsche Patentanwaltskammer](#) - German Chamber of Patent Attorneys, in [German](#)
 - [Find German Patent Attorneys](#)
- North America
 - [USPTO database of patent attorneys and agents](#)
 - [USPTO Office of Enrollment and Discipline](#)
 - [Manual of Patent Examining Procedure](#)
- New Zealand
 - [New Zealand patent office](#)
 - [New Zealand patents](#)
 - [New Zealand patent attorneys](#)
- Singapore
 - [Intellectual Property Office of Singapore](#)
 - [Singapore Register of Patents](#)

Notable blogs

- Canada, [Now, Why Didn't I Think of That?](#), ed. Sander Gelsing.
- China, [IP Dragon](#), patent, copyright and trademark.
- Europe, [BLOG@IP::JUR](#), ed. Axel H. Horns.

How To Capitalize On Your Million Dollar Idea!

- US, [Anything Under the Sun Made By Man](#), ed. Russ Krajec.
- US, [Just a Patent Examiner](#), Dialog between [patent examiner](#) and patent attorneys/agents.
- US, [Patent Baristas](#) pharma and biotechnology patents.
- US, [Patently-O: Patent Law Blog](#), ed. [Dennis Crouch](#).
- US, [Patent Pros](#), ed. Benjamin Tramm and Andrew DeMaster.
- US, [Promote the Progress®](#), Patent law and policy. Founded and maintained by [J. Matthew Buchanan](#).
- US, [The Invent Blog](#), ed. Stephen M. Nipper.
- US, [Rantings of an Urban Terrorist](#) Blog on patent reform issues.

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<http://www.inventiontomarket.com/>

Resources for raising capital:

The following are some sites that may help you to raise money that is needed:

http://dmoz.org/Business/Financial_Services/Venture_Capital/Resources_for_Entrepreneurs

<http://www.businessfinance.com>

<http://forum.capital-connection.com>

<http://www.nsf.gov>

<http://www.fundingpost.com>

www.financehub.com

<http://www.oit.doe.gov/Access/inventions/inventions.html>

How To Capitalize On Your Million Dollar Idea!

<http://www.sbaonline.sba.gov>