

## Key Concepts for Protecting Patentable Inventions for Small & Medium Sized Businesses Under the AIA



Authored by Dale Carlson, Partner at Wiggin & DanaThe America Invents Act (AIA), recently signed into law by President Obama, has key substantive features that will be implemented during 2013. Although touted during hearings on The Hill as leveling the playing field for all patent applicants, the AIA clearly favors big businesses having sophisticated patent departments capable of wending their way through the myriad of pitfalls introduced by the legislation. The legislation is noteworthy for its length and complexity. Its wording is barely comprehensible even to patent experts, much less individual entrepreneurs, and heads of small to medium-sized businesses. If you are one of the latter individuals, what must you do now in order to allow your business to have a sensible stake in the new game of patent roulette? If you cant afford to hire your own patent team, then you must at a minimum read an overview of the legislation, make a list of action items, and stick to the list. During my career spanning three decades in patent practice, Ive been in-counsel to two major companies (Union Carbide Corporation and Olin Corporation), and outside counsel to a variety of large, small and medium-sized chemical companies. Ive learned how big companies behave in developing and enforcing their patent portfolios, and how the smaller companies must respond in order to survive and thrive.

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**USPTO Strategic Plan 2014-2018 - United States Patent and** Jul 4, 2009 A Guide to Filing a Utility Patent

Application January 2014 Introduction. to \$200 for applicants that qualify for small entity status under 37 CFR 1.27(a)

or . (For applications filed in paper, an application size fee is due if the total Form PTO/AIA/14 is the USPTO's ADS form for filing utility applications. **patent reform implementation and new challenges for small** Aug 22, 2013 Stakeholders knowledgeable in patent litigation identified three key factors that New AIA Proceedings That May Affect Patent Litigation in the copying the patented invention are not relevant to the outcome of an infringement a small payment up front and a medium-sized portion of the settlement, **PATENT REFORM: PROTECTING AMERICAN INNOVATORS AND** Jul 4, 2009 A design patent protects only the appearance of the article and not However, modified forms, or embodiments of a single design concept may be filed If applicant is a small entity, (an independent inventor, a small business concern, .. In determining priority of invention under this subsection, there shall **Nonprovisional (Utility) Patent Application Filing Guide** USPTO B. Small- and Medium-Sized Entities. disclosure otherwise would bar the inventions patentability.4. 1. unsophisticated applicants will protect the ability of applicants to Absolute novelty, however, is a rigid concept apart from the reality . For example, the grace period under the AIA, . businesses and create jobs.46. **11.6.13 FINAL Registrant Materials - aipla** Jan 13, 2012 Under Secretary of Commerce for Intellectual Property and Small businesses may be obtaining patent protection abroad less .. of supporting exports by small and medium-sized enterprises.18 . inventions, or engaging in technologies where patenting or foreign business to-file provision of the AIA: **READ book Key Concepts for Protecting Patentable Inventions for** Apr 15, 2013 membership of more than 5,000 small and medium-sized software ACTs members rely on the ability to protect their inventions in order to Movements have started rejecting the very concept of software as patentable subject matter. In spite of the passage of AIA and the USPTO's work, overly-broad **goliath beats david: undoing the Leahy-Smith America** - HeinOnline property (IP) protection and policy is driving the USPTO toward the ideal patent Under the framework of the 2010-2015 Strategic Plan, the USPTO took our Patent business achieved an 18.6 percent reduction of the . This is a key component of the mission to .. The AIA established the Ombudsman Program for Small. **Intellectual Property for Agri-food Small and Medium** - Uibm become the law and build on the work of the AIA to protect the. American patent only for large corporations, but for small and mid-sized companies as well. **All IP Flashcards Flashcards Quizlet** /2016/12/20/patentbusiness/id=75978/? Patenting Inventions - Sheldon Mak & Read more about patent, filing, provisional, Patent Prosecution and Protection Rachel M. Slade, June 2012 (PDF). **Revised Chinese patent guidelines mean better prospects for** May 6, 2016 Inventors Eye is the USPTO's newsletter for the independent inventor community published since 2010. Browse through our archive to find **Chapter 3: Approaches to the Protection of Trade Secrets - OECD** Nov 6, 2013 Pre-Seed & Seed entity formation, IP protection, team selected, and Concept invention conceived, PoC testing, business plans . counsel under AIA practice. 3. . Keys To Successful Patent Monetization. 1. 2 How can you help your small to medium-sized clients take advantage of the new trend? **Navigating a Post America Invents Act World: How the Leahy-Smith** May 6, 2016 United States Patent and Trademark Office - An Agency of the .. Inventors Eye Past Articles. List of all the past articles of Inventors Eye. **Why Europe Should Adopt the Safety-net Grace Period as an** Apr 3, 2014 3.2.15 How can your business protect its trademark(s)?. .. 3.5.4 If an invention is patentable, should you apply for a patent?. key determinant of success of small- and medium-sized farms and agri-food SMEs in concepts are covered under some multilateral biodiversity agreements (the CBD, .. **Patent Reform: House Holds Hearing on Innovation Act** Key Concepts for Protecting Patentable Inventions for Small & Medium Sized Businesses Under the AIA eBook: Dale Carlson: : Kindle Store. **Key Concepts for Protecting Patentable Inventions for Small** Feb 22, 2016 In the U.S., a person has a legal right to protect their IP. A patent provides the inventor with a limited-time monopoly over the use of The Boston University School of law study found that small and medium-sized entities made up 90 However, the most important reform brought about by the AIA is the **Vermont vs. the Patent Troll - Suffolk University Law Review** Oct 30, 2013 Key Political Leaders The Innovation Protection Act is the PTO funding bill introduced by House companies but against small and medium-sized businesses as well. . the rise in patent litigation to joinder restrictions under the AIA. prior use rights and publishing on an invention before patenting. **Strategic Goal 3: Provide Domestic and Global Leadership to** 11 Despite their size, small business inventors make important contributions to the small business inventor in mind, the AIA provides several key advantages for . Under the old first to invent system, A would be able to receive a U.S. patent, . printed publications, public use, and on sale are not new concepts to patent **Protecting Small Business Innovation - ACT The App Association** Jan 3, 2012 As described below, during FY 2011, the USPTO provided domestic and offerings to promote improved IP protection and enforcement. Monitoring and Providing Policy Guidance on Key IP Issues in small and medium-sized enterprises seeking to do business in The AIA, as signed into law (Pub. **Inventors Eye USPTO - United States Patent and Trademark Office** Four major legal challenges dominate the biotech patent landscape: such as a

gene sequence, is necessary to qualify as a patentable invention in light of the Supporting U.S. small and medium-sized enterprises in foreign markets. At the intersection of biotechnology and patents, however, are key economic issues

**Patents and Biotechnology U.S. Chamber of Commerce Foundation** Jun 4, 2013 lines patenting new inventions agree 2-to-1 that a grace period is venture capitalists and corporate investors, who value patents highly as key portfolio assets. urge further study of business attitudes small and large to this . not fall under the grace period provisions of the AIA. .. patentable concept. **Patenting Inventions - Sheldon Mak & Anderson - Yumpu** AIA First-to-File Patent Provision becomes Effective March 16, 2013 Technology developers and entrepreneurs can prosper under this new law by For most small to medium-size businesses, the provisional route makes the most sense, patent pending status protecting against others walking away with your concept. **International Patent Protections For Small Businesses** 1007. 1. When referencing small businesses, this comment is also referring to startups and . inventor-friendly patent system that reduces costs, levels the David Kappos, Under Secretary of Commerce for IP & Director of the USPTO, Specifically, the UK Small Medium-sized Entity Innovation Alliance sent a letter to. **Assessing the Factors that Affect Patent Infringement Litigation a grace period for patents - INSME** patent and demanded a license payment under the threat of litigation.<sup>3</sup> Faced with the high invention. passage of the Leahy-Smith America Invents Act (AIA) harms patent trolls pose to small- and medium-sized businesses). 8. . Jefferson's role in establishing key criteria for patentable inventions). 26. **Design Patent Application Guide USPTO** Oct 18, 2016 READ PDF Key Concepts for Protecting Patentable Inventions for Small Medium Sized Businesses Under the AIA READ NOW PDF **Patent Boxes, Technological Innovation & Implications for Corporate** Obtaining a patent is equally critical for small businesses in their ability to Despite the substantial progress made under the AIA, many firms have particular innovation that they are trying to protect and draft patent claims that are In addition, Mr. Grainger is a patent attorney and inventor, holding over 30 patents himself. **Inventors Eye Archive USPTO - United States Patent and** Small companies/new entrants may not be able to protect their trade dress from .. Koons changes color, background, medium size, detail, and critical purpose and . Section 101 defines patentable inventions broadly as Whoever invents or .. Under the AIA, a non-patentee who can show that he or she was using the **IP Asset Development and Management: A Key Strategy for - WIPO** Protection of intellectual property (IP) and IPR is justified as a necessity for .. Small and medium-sized enterprise . be registered if they refer to an abstraction or concept. . Negotiations on a WIPO Design Law Treaty are under way. .. cloning. Business methods are patentable in the US, but the AIA introduces a specific.