

1
00:00:00,000 --> 00:00:04,710
two or make you think that it's close to

2
00:00:02,310 --> 00:00:07,259
some value or something so it ends up

3
00:00:04,710 --> 00:00:08,969
just there's ways to go around it but

4
00:00:07,259 --> 00:00:12,769
just I want you to understand it's

5
00:00:08,970 --> 00:00:12,769
difficult but sometimes you can do that

6
00:00:13,369 --> 00:00:20,460
the this is actually kind of similar but

7
00:00:17,760 --> 00:00:24,600
um and I apologize that my I should be

8
00:00:20,460 --> 00:00:28,829
over the when you prepare a patent

9
00:00:24,600 --> 00:00:30,330
application I think I think some of

10
00:00:28,829 --> 00:00:33,629
these other slides are probably along

11
00:00:30,329 --> 00:00:36,509
the same genre and i'm going to i'm

12
00:00:33,630 --> 00:00:38,129
thinking of maybe keeping my lecture

13
00:00:36,509 --> 00:00:40,759
short which would be a little bit I'm

14
00:00:38,128 --> 00:00:43,349
maybe you need more time for people the

15
00:00:40,759 --> 00:00:44,939
unusual for a lawyer I suppose but I'm

16
00:00:43,350 --> 00:00:47,609
also thinking that it's not the most

17
00:00:44,939 --> 00:00:49,939
interesting fabric for all of you but I

18
00:00:47,609 --> 00:00:52,558
think in preparing a patent application

19
00:00:49,939 --> 00:00:55,170
there's some requirements of having a

20
00:00:52,558 --> 00:00:57,718
complete written description has to be

21
00:00:55,170 --> 00:01:00,020
enabling disclosure to the public when

22
00:00:57,719 --> 00:01:03,390
you draft claims to protect your

23
00:01:00,020 --> 00:01:06,810
technology it has to be clear terms and

24
00:01:03,390 --> 00:01:10,920
many of these terms that that are being

25
00:01:06,810 --> 00:01:13,740
used are not widely understood terms you

26
00:01:10,920 --> 00:01:15,170
know how do you focus your intent you

27
00:01:13,739 --> 00:01:17,609
know what does it mean by your tent

28
00:01:15,170 --> 00:01:19,560
feeling of you know certain types of

29

00:01:17,609 --> 00:01:22,289
things you have to mentally do and you

30
00:01:19,560 --> 00:01:24,719
describe that in terms which the Patent

31
00:01:22,290 --> 00:01:27,080
Office will not understand and so it's

32
00:01:24,719 --> 00:01:30,209
um I think it can be very difficult to

33
00:01:27,079 --> 00:01:32,840
draft applications and to focus a patent

34
00:01:30,209 --> 00:01:38,039
in a way that would actually be

35
00:01:32,840 --> 00:01:40,200
acceptable well I guess one other thing

36
00:01:38,040 --> 00:01:42,329
and I think this is probably important

37
00:01:40,200 --> 00:01:44,820
for people here too is if you are ever

38
00:01:42,328 --> 00:01:47,279
thinking about obtaining a patent is

39
00:01:44,819 --> 00:01:50,069
there's a time requirement to get it

40
00:01:47,280 --> 00:01:52,349
into the Patent Office if you publish

41
00:01:50,069 --> 00:01:54,688
your technology you basically have a

42
00:01:52,349 --> 00:01:58,019
one-year period within which to file

43
00:01:54,688 --> 00:01:59,188

something so that that can kind of start

44

00:01:58,019 --> 00:02:00,509
the ball rolling you have to actually

45

00:01:59,188 --> 00:02:04,258
get moving into the Patent Office

46

00:02:00,509 --> 00:02:07,649
however sometimes you don't know when

47

00:02:04,259 --> 00:02:10,080
you're going to market something you

48

00:02:07,649 --> 00:02:11,189
start at the beginning going I think I

49

00:02:10,080 --> 00:02:12,930
was sitting there in the

50

00:02:11,189 --> 00:02:14,729
that thing buzzes right when it's like

51

00:02:12,930 --> 00:02:16,469
you get these ideas and then you come

52

00:02:14,729 --> 00:02:18,299
out and give a lecture about that before

53

00:02:16,469 --> 00:02:20,219
you know what you've got three years of

54

00:02:18,300 --> 00:02:22,439
background disclosures before you

55

00:02:20,219 --> 00:02:25,770
realize the invention and so you can

56

00:02:22,439 --> 00:02:27,449
kind of create all these earlier

57

00:02:25,770 --> 00:02:30,570
disclosures become prior art against

58
00:02:27,449 --> 00:02:32,969
yourself so it's like you create kind of

59
00:02:30,569 --> 00:02:35,310
a situation where it's difficult to be

60
00:02:32,969 --> 00:02:37,409
patenting so I think it ends up you you

61
00:02:35,310 --> 00:02:40,379
end up with this balance of if you want

62
00:02:37,409 --> 00:02:42,389
to try to protect things is some things

63
00:02:40,379 --> 00:02:46,859
should be trade secret some things you

64
00:02:42,389 --> 00:02:49,189
can may be disclosed and actually with

65
00:02:46,860 --> 00:02:51,930
that I think that sometimes when people

66
00:02:49,189 --> 00:02:54,329
decide while all the others disclose the

67
00:02:51,930 --> 00:02:58,020
general stuff well sometimes the general

68
00:02:54,330 --> 00:02:59,940
stuff is enough to negate the

69
00:02:58,020 --> 00:03:02,189
possibility of the patent because when

70
00:02:59,939 --> 00:03:03,689
you apply at the pan of us sometimes

71
00:03:02,189 --> 00:03:05,909
you're just speaking very general terms

72
00:03:03,689 --> 00:03:07,949
so I think it's just that one's an

73
00:03:05,909 --> 00:03:11,039
important thing to understand and I

74
00:03:07,949 --> 00:03:13,139
think it's definitely a problem in areas

75
00:03:11,039 --> 00:03:16,139
where you might some of the ideas that

76
00:03:13,139 --> 00:03:18,389
people are working on now might be in in

77
00:03:16,139 --> 00:03:19,559
inventions in 20 years from now you know

78
00:03:18,389 --> 00:03:21,359
maybe people will be doing a lot of

79
00:03:19,560 --> 00:03:23,939
things with random event generators or

80
00:03:21,360 --> 00:03:25,920
other things long term dunroe it who

81
00:03:23,939 --> 00:03:35,000
knows you know when you try to think

82
00:03:25,919 --> 00:03:35,000
about patenting now I think this is

83
00:03:35,389 --> 00:03:42,238
maybe not the best organized this is a

84
00:03:38,689 --> 00:03:45,090
really more of a read a reiteration of

85
00:03:42,239 --> 00:03:48,709
some of the concepts that the emerging

86

00:03:45,090 --> 00:03:51,090
technologies are more I think complex

87
00:03:48,709 --> 00:03:54,599
based on principles that are not so well

88
00:03:51,090 --> 00:03:56,879
understood and I think a lot of times

89
00:03:54,599 --> 00:03:59,430
difficult to identify the inventive

90
00:03:56,879 --> 00:04:01,019
aspect a lot of things like you can

91
00:03:59,430 --> 00:04:02,760
obtain a patent when you know you do a

92
00:04:01,019 --> 00:04:05,900
certain process you obtain a patent on a

93
00:04:02,759 --> 00:04:08,579
process when you know the outcome is

94
00:04:05,900 --> 00:04:10,920
something you take certain steps to get

95
00:04:08,580 --> 00:04:12,630
there but if you don't understand what

96
00:04:10,919 --> 00:04:15,030
it is that's happening along the way

97
00:04:12,629 --> 00:04:17,040
it's hard to get a patent on that and

98
00:04:15,030 --> 00:04:18,358
like I think about the remote viewing

99
00:04:17,040 --> 00:04:21,479
it's something that I've been into now

100
00:04:18,358 --> 00:04:22,039

and like yeah you for me I see things

101

00:04:21,478 --> 00:04:23,569

you know

102

00:04:22,040 --> 00:04:26,180

and they're really close to the stuff

103

00:04:23,569 --> 00:04:27,860

that's there I don't exactly know why

104

00:04:26,180 --> 00:04:29,959

you know people talk about it's the

105

00:04:27,860 --> 00:04:32,240

higher self it's this that I don't know

106

00:04:29,959 --> 00:04:35,089

what's happening so can can identify

107

00:04:32,240 --> 00:04:36,829

what it is that you know in a way that's

108

00:04:35,089 --> 00:04:38,119

clear and concise that would the Patent

109

00:04:36,829 --> 00:04:44,449

Office would like it I think it would be

110

00:04:38,120 --> 00:04:46,970

pretty hard this is a slide that just

111

00:04:44,449 --> 00:04:49,069

goes into talking about some of the

112

00:04:46,970 --> 00:04:51,050

complexities of software and I think I

113

00:04:49,069 --> 00:04:54,740

was focusing on thinking of focusing

114

00:04:51,050 --> 00:04:56,030

more on software because I think a lot

115
00:04:54,740 --> 00:04:57,949
of the inventions that you guys might

116
00:04:56,029 --> 00:05:02,569
have would probably be in software

117
00:04:57,949 --> 00:05:04,279
related areas and one of the problems

118
00:05:02,569 --> 00:05:06,939
with software is a lot of times you

119
00:05:04,279 --> 00:05:09,759
maybe have in trying to have

120
00:05:06,939 --> 00:05:13,370
interactions between different devices

121
00:05:09,759 --> 00:05:15,469
may be a server that's located you know

122
00:05:13,370 --> 00:05:17,060
anywhere in the world you have people in

123
00:05:15,470 --> 00:05:17,990
different countries sending data back

124
00:05:17,060 --> 00:05:20,839
and forth it could be a lot more

125
00:05:17,990 --> 00:05:23,389
complicated than to patent the system

126
00:05:20,839 --> 00:05:26,359
that you can put on your desk and

127
00:05:23,389 --> 00:05:29,899
identify the components another thing

128
00:05:26,360 --> 00:05:32,930
with software a lot of times and you end

129
00:05:29,899 --> 00:05:35,419
up with you know the inventor comes up

130
00:05:32,930 --> 00:05:37,550
with an idea hire some programmer to do

131
00:05:35,420 --> 00:05:38,420
some stuff gives them general guidelines

132
00:05:37,550 --> 00:05:40,009
before you know it you got the

133
00:05:38,420 --> 00:05:41,840
programmer working on stuff and then

134
00:05:40,009 --> 00:05:44,420
it's a matter of well who invented this

135
00:05:41,839 --> 00:05:45,679
where's the invention lie and I that's

136
00:05:44,420 --> 00:05:48,319
one of the reasons I brought up before

137
00:05:45,680 --> 00:05:49,850
is you know contracts is very important

138
00:05:48,319 --> 00:05:52,159
when you are working with people that

139
00:05:49,850 --> 00:05:56,660
you hiring some of our task make sure

140
00:05:52,160 --> 00:06:00,050
you own the technology I only have 20

141
00:05:56,660 --> 00:06:02,290
more Splinter so I threw in something

142
00:06:00,050 --> 00:06:05,420
about the types of patent applications

143

00:06:02,290 --> 00:06:08,000
basically I mean there's also plant

144
00:06:05,420 --> 00:06:09,590
patents which I would think that I don't

145
00:06:08,000 --> 00:06:11,389
really know anything about nobody i

146
00:06:09,589 --> 00:06:13,639
would think would care too much about

147
00:06:11,389 --> 00:06:16,250
them but perhaps in this room some

148
00:06:13,639 --> 00:06:18,529
people can find invention and i think of

149
00:06:16,250 --> 00:06:20,810
that's right yes we're talking to plants

150
00:06:18,529 --> 00:06:23,179
perhaps will come to me afterwards and

151
00:06:20,810 --> 00:06:26,600
i'll find out some more information but

152
00:06:23,180 --> 00:06:27,980
there's a basically there's utility

153
00:06:26,600 --> 00:06:29,840
patent applications with basically the

154
00:06:27,980 --> 00:06:32,090
main type is focusing on technical

155
00:06:29,839 --> 00:06:33,319
inventions and there's design patents

156
00:06:32,089 --> 00:06:34,899
which focus on the way something looks

157
00:06:33,319 --> 00:06:37,719

the ornamentation of it

158

00:06:34,899 --> 00:06:39,609

and there's two procedural things you

159

00:06:37,720 --> 00:06:41,560

can sometimes file before talk and I'm

160

00:06:39,610 --> 00:06:44,288

giving a talk tomorrow you can file a

161

00:06:41,560 --> 00:06:46,329

provisional application which is more of

162

00:06:44,288 --> 00:06:49,599

filing mechanism to get you into that

163

00:06:46,329 --> 00:06:53,159

enough us more quickly and that is the

164

00:06:49,600 --> 00:06:53,160

end of my talk thank you very much

165

00:07:13,569 --> 00:07:21,829

for the sorts of directions the same for

166

00:07:18,079 --> 00:07:25,069

me because if you want company wants to

167

00:07:21,829 --> 00:07:27,490

develop technology they globally

168

00:07:25,069 --> 00:07:30,569

investment

169

00:07:27,490 --> 00:07:30,569

so having that

170

00:07:36,600 --> 00:07:38,720

and

171

00:07:42,269 --> 00:07:48,259

these attacks have produced investment

172
00:07:57,949 --> 00:08:00,949
good

173
00:08:02,788 --> 00:08:05,939
industry in general

174
00:08:08,449 --> 00:08:11,449
sure

175
00:08:19,620 --> 00:08:25,030
that's where you run into issues if

176
00:08:22,899 --> 00:08:29,049
there's trade secrets if you keep your

177
00:08:25,029 --> 00:08:31,449
invention behind closed doors then right

178
00:08:29,050 --> 00:08:33,549
if you also explained that if you if you

179
00:08:31,449 --> 00:08:35,979
hide it then someone could come out and

180
00:08:33,549 --> 00:08:38,199
patent it if you disclose it you can

181
00:08:35,979 --> 00:08:40,479
actually then prevent others from being

182
00:08:38,200 --> 00:08:43,120
able to patent it one of the things you

183
00:08:40,479 --> 00:08:45,370
might run into is you disclose it and

184
00:08:43,120 --> 00:08:46,690
what is it you might disclose the basic

185
00:08:45,370 --> 00:08:48,820
idea and then someone comes out and

186
00:08:46,690 --> 00:08:50,320
finds the little improvement and patents

187
00:08:48,820 --> 00:08:53,290
that and stops the whole world so you

188
00:08:50,320 --> 00:08:55,330
it's like sometimes being the first to

189
00:08:53,289 --> 00:08:58,179
disclose doesn't necessarily mean that

190
00:08:55,330 --> 00:09:00,129
you've protected the whole area and

191
00:08:58,179 --> 00:09:04,079
that's actually very common to have

192
00:09:00,129 --> 00:09:04,080
later comers with more power from

193
00:09:11,000 --> 00:09:16,929
very careful because i'll have all seen

194
00:09:17,409 --> 00:09:20,009
and

195
00:09:20,029 --> 00:09:22,449
his rule

196
00:09:25,750 --> 00:09:28,500
and

197
00:09:28,750 --> 00:09:30,870
earth

198
00:09:32,289 --> 00:09:35,669
at them and

199
00:09:36,460 --> 00:09:39,730
and actually

200

00:09:41,129 --> 00:09:44,428
all that is

201
00:09:49,679 --> 00:09:53,379
patent work with the University of

202
00:09:51,549 --> 00:09:56,500
Virginia a good friend of mine is

203
00:09:53,379 --> 00:09:59,200
actually patent counsel here and it took

204
00:09:56,500 --> 00:10:01,889
me a while to actually admit to him some

205
00:09:59,200 --> 00:10:01,890
of the research I was