



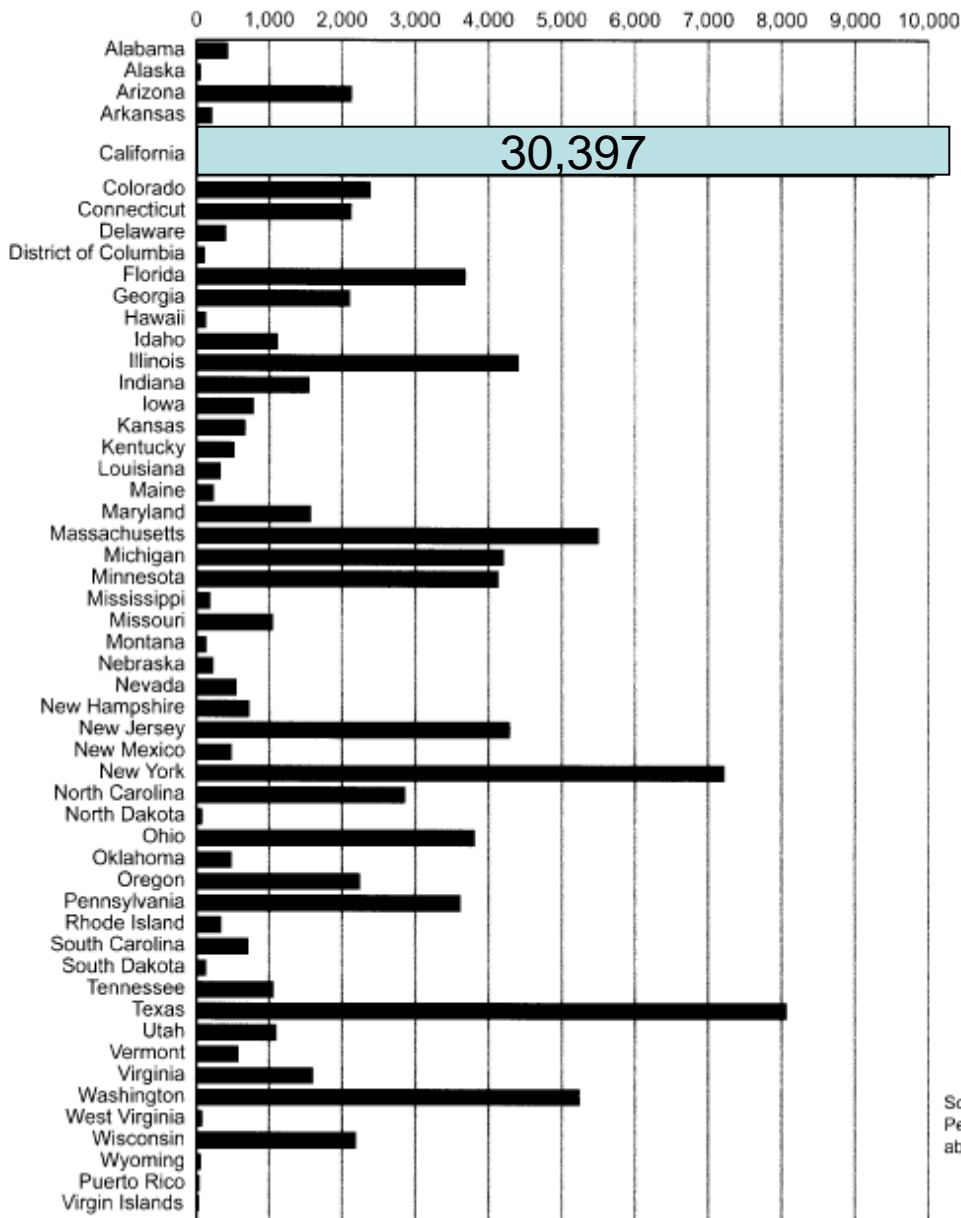
Established in 1982, our firm specializes in the practice of intellectual property law. We counsel clients in evaluating, protecting and licensing their intellectual property rights in the areas of patents, trademarks, copyrights, mask works, trade secrets, and unfair competition. Our legal practice is distinguished by our ability to work in the most sophisticated and technologically intensive areas of science and engineering.

Fliesler Meyer provides creative legal and business solutions based on our knowledge and understanding of the **law** and of our clients' **business** and **technology**. The quality of our services is reflected by the **long-term relationships** with our clients, the technical degrees of our attorneys, and the intellectual property rights we have obtained, asserted and defended on behalf of our clients.

2011 Patent Owners

Numerical Listing

Rank	Organization	2011 Patents	Percent Change From 2010
1	International Business Machines Corp.	6,148	4.8
2	Samsung Electronics Co., Ltd.	4,868	7.7
3	Canon K.K.	2,922	10.0
4	Hitachi, Ltd.	2,857	0.2
5	Panasonic Corp.	2,689	6.0
6	Toshiba Corp.	2,666	20.5
7	Microsoft Corp.	2,368	-24.1
8	Sony Corp.	2,265	6.3
9	Fujitsu Ltd.	1,762	7.0
10	Siemens Corp.	1,698	-2.6
11	General Electric Co.	1,697	11.9
12	Seiko Epson Corp.	1,525	6.1
13	LG Electronics Inc.	1,404	-5.6
14	Hewlett-Packard Co.	1,360	-14.8
15	AT&T Corp.	1,325	35.2
16	Ricoh Co., Ltd.	1,246	4.0
17	Intel Corp.	1,244	-24.7
18	Broadcom Corp.	1,164	21.5
19	Toyota Jidosha K.K.	1,140	21.8
20	General Motors Corp.	1,092	16.2
21	Qualcomm, Inc.	1,055	36.7
22	Xerox Corp.	1,027	0.1
23	Honeywell International Inc.	1,003	-6.6
24	Renesas Electronics Corp.	984	101.6
25	Oracle Corp.	982	-19.6



2011 Patent Counts by State

2011: 225,000 patents issued
30,397 California

Source: USPTO
 Performance and Accountability Report FY 2011

September 2012 Patents Data, at a Glance

Number of months from filing to issuance

Number of months from filing to 1st Office Action

Patent Examination Work completed by Examiners

Utility, plant and Reissue (UPR) applications allowed including RCEs

Effort to clear oldest applications in pipeline – applications are 13+ months old

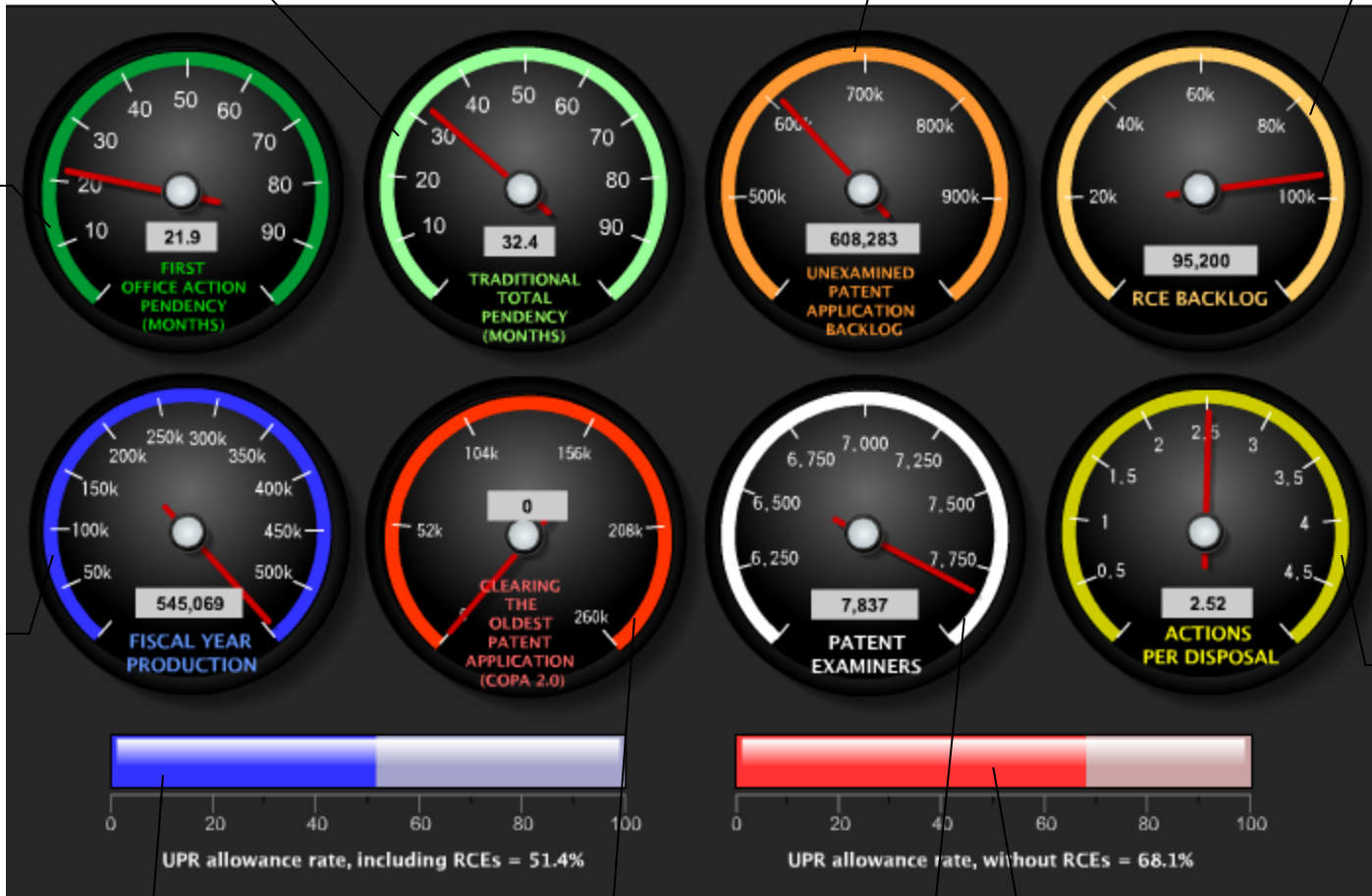
Patent Examiners on staff

Utility, plant and Reissue (UPR) applications allowed without RCEs

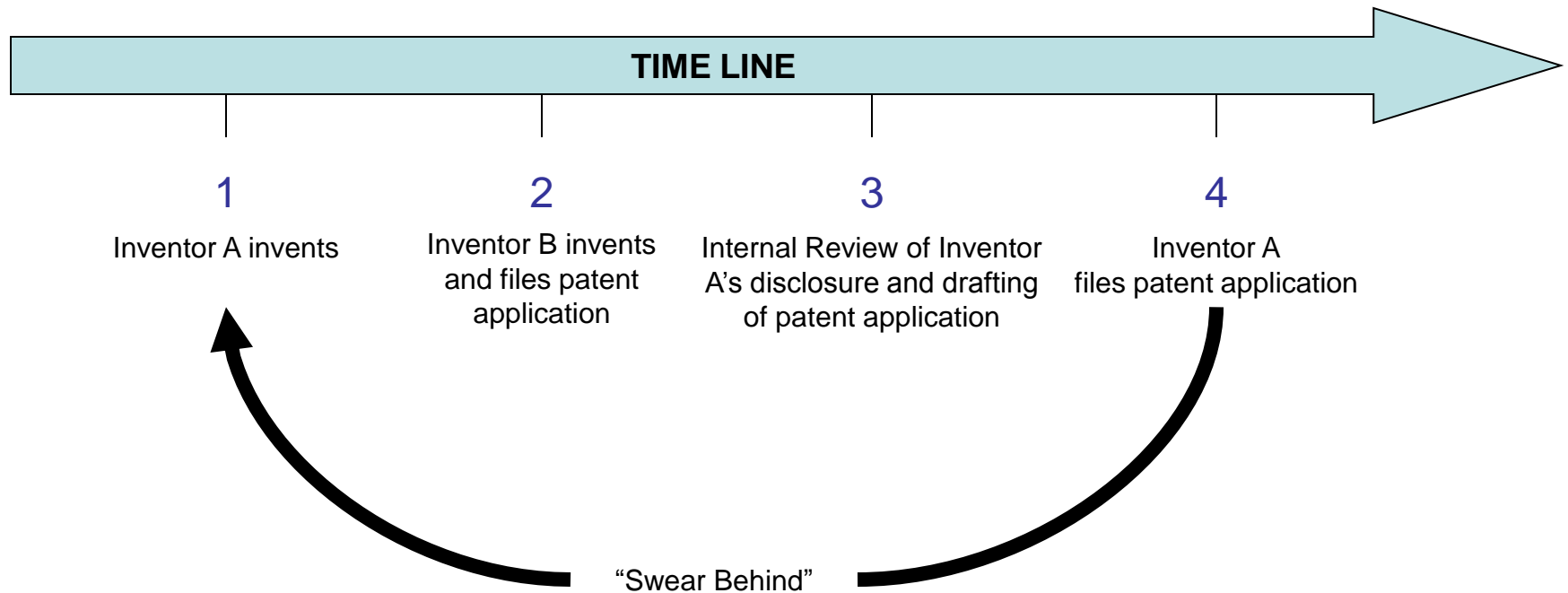
Awaiting action by Examiner

Awaiting action after RCE filing

Number of actions leading to final disposition per Examiner

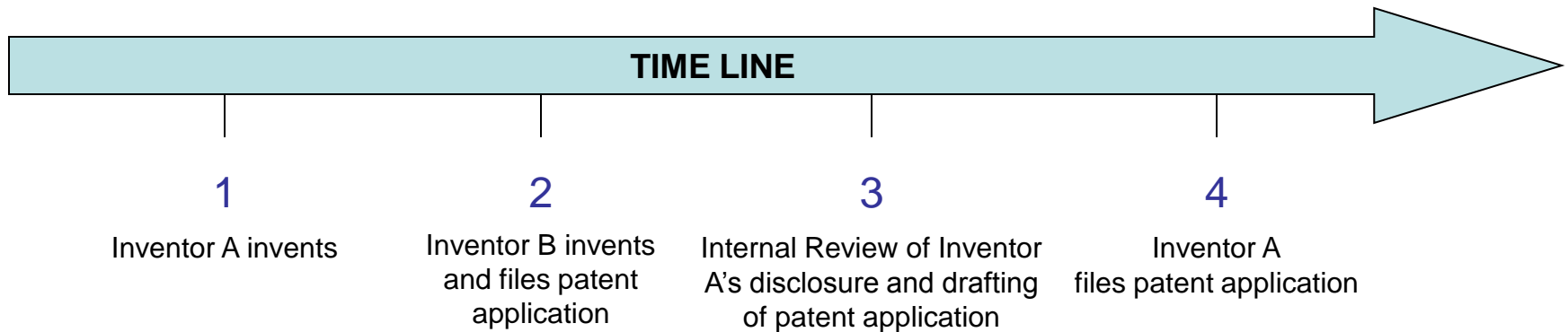


PATENT APPLICATIONS UNDER FIRST-TO-INVENT



INVENTOR A IS
AWARDED THE
PATENT

PATENT APPLICATIONS UNDER FIRST-TO-FILE (Starting 3/16/2013)



INVENTOR B IS
AWARDED THE
PATENT

Fighters in a Patent War

Apple has been involved in 142 smartphone patent lawsuits — and in six instances, suits with multiple plaintiffs — since 2006. A majority of patent suits within the smartphone industry are filed by so-called trolls, companies that exist solely to sue. But tech giants have also traded lawsuits among themselves. [Related Article >](#)

Mobile phone lawsuits filed since 2006
Each arrow represents a lawsuit involving a mobile patent. In some cases, when multiple firms are plaintiffs or defendants, a single suit is represented with multiple arrows. The circles are sized according to the total for each company.

KEY

Suits among the top 10 litigants

Defendant with party not shown

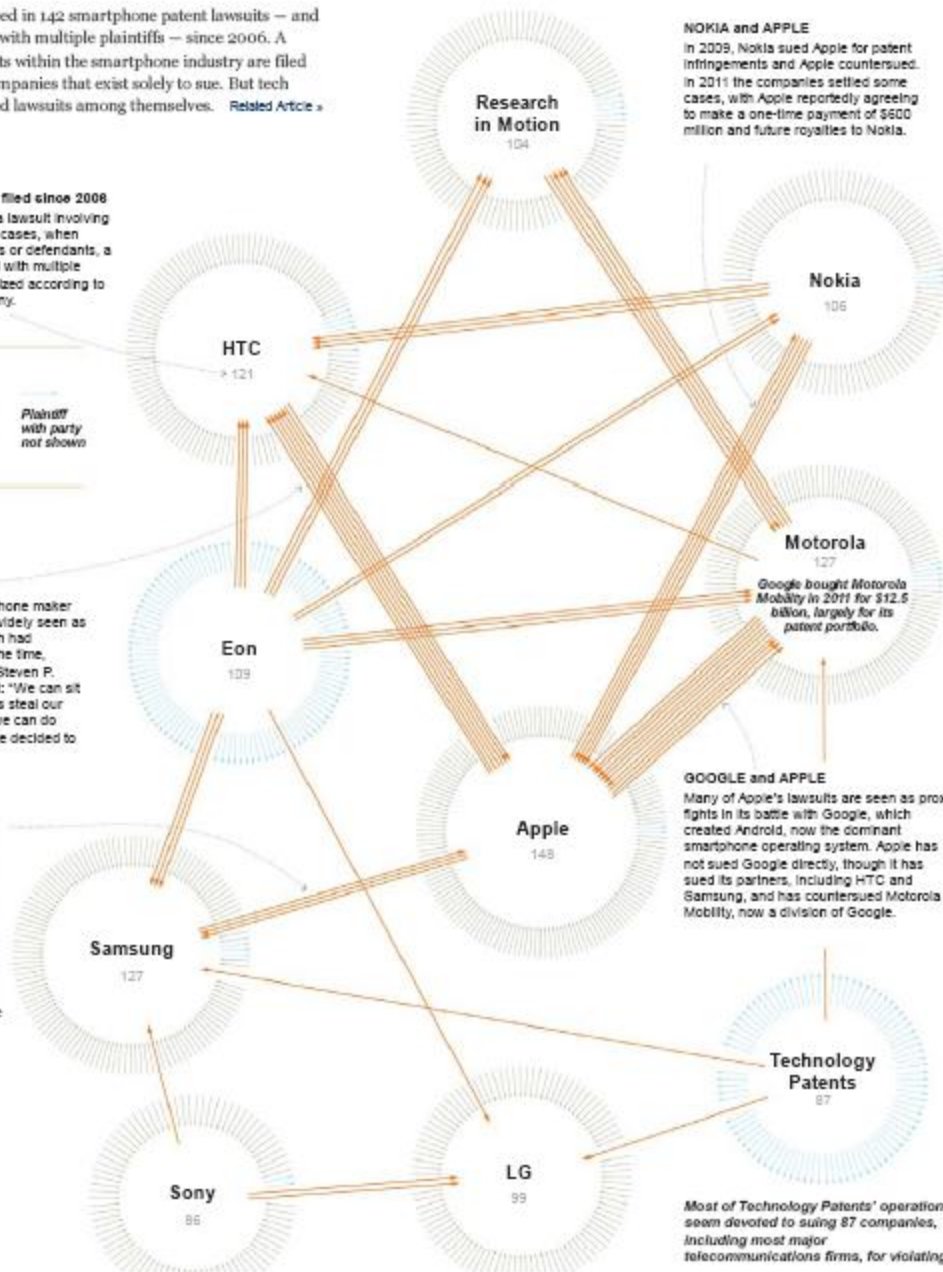
Plaintiff with party not shown

HTC and APPLE

Apple filed suit against phone maker HTC in 2010 in a move widely seen as directed at Google, which had partnered with HTC. At the time, Apple's chief executive, Steven P. Jobs, said in a statement: "We can sit by and watch competitors steal our patented inventions, or we can do something about it. We've decided to do something about it."

SAMSUNG and APPLE

Apple and Samsung are suing each other around the world. In August, a California jury awarded Apple \$1 billion. The same day, in South Korea, a court delivered a mixed verdict that, in part, ruled in Samsung's favor. A week later, in Japan, Samsung was the winner.



Patent Benefits

- Plaintiff in lawsuit – stop infringement / recover damages
- Defendant in lawsuit – countersue / effect on jury (NPE/Trolls)
- Mark product / cease & desist letters / provisional rights
- Marketing position with respect to competitors
- IPO / merger / buyout / acquisition

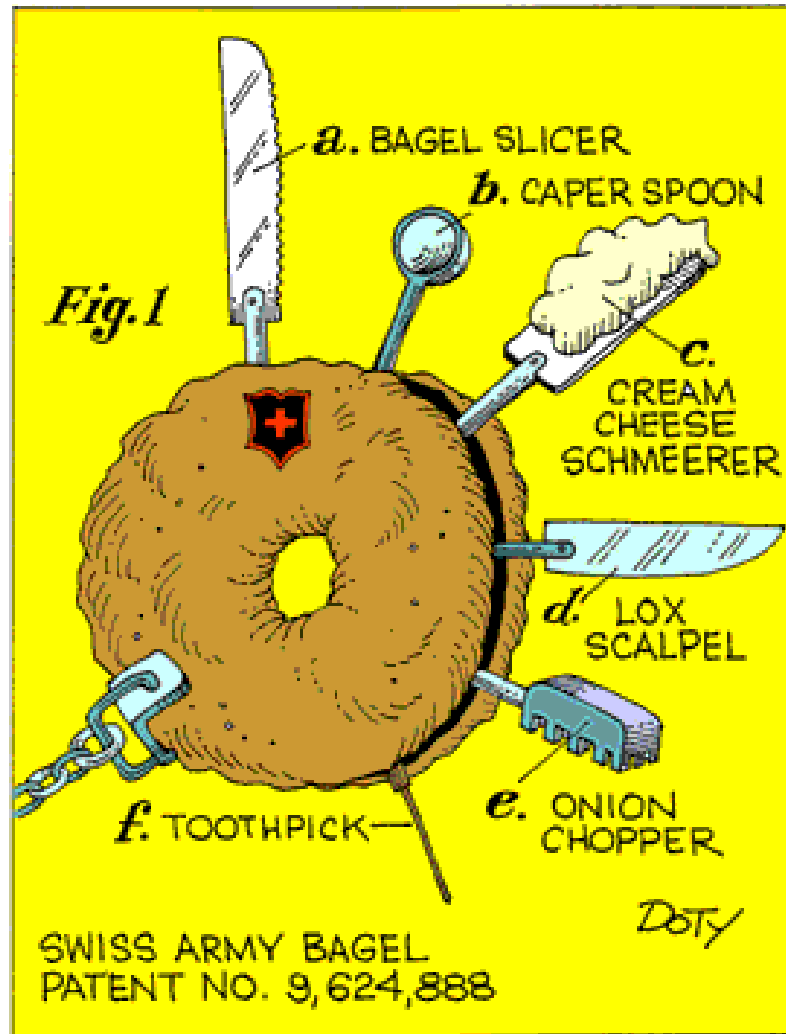
Patent Benefits

- Cross-licensing (larger portfolio may reduce royalties)
- Customer Licensing
- Joint venture with hardware & software providers (define technology)
- Standards Committees & implementations
- Inventor's Recognition Program

Claim Strategies

- Customer features
 - Market differentiations
- Engineering features
- Conceptual features
 - Brain storming sessions





§112: Content of Application

- Provides a written description of the invention
- Description enables anyone of *ordinary skill in the art* to make and use the invention
- Best Mode

Patent Disclosure

- Roadmaps
- Marketing requirements document
- Product requirements document
- Design/Functional specification
- Architecture document
- User documentation
- Release Notes
- Invention Disclosure Form

Invention Disclosure Form

Your Name:

Email:

Phone:

Today's Date:

1. Descriptive Title or Subject of the Invention:

2. **Contributors:** (Full Name, Residence and Post Office (business) Address, cell phone, telephone, email, citizenship)

3. Detailed Description of the Advancement

- 3.1 Describe the problem, and how it was solved prior to the advancement

- **3.2** List and provide links to all known documents the describe the prior art.

- **3.3** Describe and identify any additional prior art which may not be written or in document form.

- **3.4** Describe the solution of the advancement; include the reasoning and physical laws utilized, how to make, use and enable the advancement, as well as the best and other methods of practicing the advancement.

- **3.5** Contrast the advantages/disadvantages of the prior solutions and the advancement.

- **3.6** Identify and attach or provide a link to all materials that describe the advancement.

4. Dates

- **4.1** When was the advancement first conceived?

- **4.2** When was the advancement first reduced to practice?

- **4.3** Has the advancement been disclosed outside of ____? If so, when? How? Describe and provide a link to the disclosing products.

- **4.4** Has the advancement been used in providing products/services sold to date. If so, when? Identify the products/services.

- **4.5** If the advancement has not been disclosed or released, when with the advancement be disclosed and released? How? Identify the product/service.

Prosecution

- File application
- Prior art – duty to disclose
- Application receives filing date & application number – Patent Office sets up File Wrapper
- “Patent Pending” – *up to three years +*
- Email publications to inventors
- First office action
- Final Office Action
- Allowance

35 U.S.C. 102

35 U.S.C. 102 – Conditions for Patentability – novelty and loss of right to patent

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the application for the patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

Changes to 35 USC 102

35 U.S.C. 102 Conditions for patentability; novelty.

FIRST TO FILE

(a) Novelty: Prior Art – A person shall be entitled to a patent unless

(1) the claimed invention was patented or described in a printed publication in public use, on sale, or otherwise available to the public before the effective filing data of the claimed invention.

(b) Exceptions-

FIRST TO DISCLOSE

(1) DISCLOSURES MADE 1 YEAR OR LESS BEFORE THE EFFECTIVE FILING DATE OF THE CLAIMED INVENTION – A disclosure made 1 year or less before the effective filing date of a claimed invention shall not be prior art to the claimed invention . . . if the disclosure was made by the inventors . . .

35 U.S.C. 103

35 U.S.C. 103 – Conditions for Patentability – non-obvious subject matter

(a) A patent may not be obtained . . . if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art Patentability shall not be negated by the manner in which the invention was made.

PCT CONTRACTING STATES



Member States	PCT Entry	Member States	PCT Entry
Albania	04.10.95	Finland (via EP only)	01.10.80
Algeria	08.03.00	France (via EP only)	25.02.78
Angola	27.12.07	Gabon (via OAPI only)	24.01.78
Antigua and Barbuda	17.03.00	Gambia (via AP only)	09.12.97
Armenia	25.12.91	Georgia	25.12.91
Australia	31.03.80	Germany (via EP only)	24.01.78
Austria	23.04.79	Ghana (via AP only)	26.02.97
Azerbaijan	25.12.95	Greece (via EP only)	09.10.90
Bahrain	18.03.07	Grenada	22.09.98
Barbados	12.03.85	Guatemala	14.10.06
Belarus	25.12.91	Guinea (via OAPI only)	27.05.91
Belgium (via EP only)	14.12.81	Guinea-Bissau (via OAPI only)	12.12.97
Belize	17.06.00	Honduras	20.06.06
Benin (via OAPI only)	26.02.87	Hungary (via EP only)	27.06.80
Bosnia and Herzegovina	07.09.96	Iceland (via EP only)	23.03.95
Botswana	30.10.03	India	07.12.98
Brazil	09.04.78	Indonesia	05.09.97
Bulgaria	21.05.84	Ireland (via EP only)	01.08.92
Burkina Faso (via OAPI only)	21.03.89	Israel	01.06.96
Cameroon (via OAPI only)	24.01.78	Italy (via EP only)	28.03.85
Canada	02.01.90	Japan	01.10.78
Central African Republic (via OAPI only)	24.01.78	Kazakhstan (via EA only)	25.12.91
Chad (via OAPI only)	24.01.78	Kenya (via AP only)	08.06.94
Chile	02.06.09	Democratic People's Republic of Korea	08.07.80
China	01.01.94	Kyrgyzstan (via EA only)	25.12.91
Columbia	28.02.01	Lao, People's Republic of Korea	14.06.06
Comoros	03.04.05	Latvia (via EP only)	07.09.93
Congo (via OAPI only)	24.01.78	Lesotho (via AP only)	21.10.95
Costa Rica	03.08.99	Liberia	27.08.94
Côte d'Ivoire (via OAPI only)	30.04.91	Libyan Arab Jamahiriya	15.09.05
Croatia (via EP only)	01.01.08	Liechtenstein (via EP only)	19.03.80
Cuba	16.07.96	Lithuania (via EP only)	05.07.94
Cyprus (via EP only)	01.04.98	Luxembourg (via EP only)	30.04.78
Czech Republic (via EP only)	01.01.93	Madagascar	24.01.78
Denmark (via EP only)	01.12.78	Malawi (via AP only)	24.01.78
Dominica	07.08.99	Malaysia	16.08.06
Dominican Republic	28.05.07	Mali (via OAPI only)	19.10.84
Ecuador	07.05.01	Malta (via EP only)	01.03.07
Egypt	06.09.03	Mauritania (via OAPI only)	13.04.83
El Salvador	17.08.06	Mexico	01.01.95
Equatorial Guinea (via OAPI only)	17.07.01	Moldova (via EA only)	25.12.91
Estonia (via EP only)	24.08.94	Monaco (via EP only)	22.06.79

PCT CONTRACTING STATES



Member States	PCT Entry	Member States	PCT Entry
Mongolia	27.05.91	Sierra Leone (via AP only)	17.05.97
Montenegro	03.05.06	Singapore	23.02.95
Morocco	08.10.99	Slovakia (via EP only)	01.01.93
Mozambique (via AP only)	18.05.00	Slovenia (via EP only)	01.03.94
Namibia (via AP only)	01.01.04	South Africa	16.03.99
Netherlands (via EP only)	10.07.79	Spain (via EP only)	16.11.89
New Zealand	01.12.92	Sri Lanka	26.02.82
Nicaragua	06.03.03	Sudan (via AP only)	16.04.84
Niger (via OAPI only)	21.03.93	Swaziland (via ARIPO only)	20.09.94
Nigeria	08.05.05	Sweden	17.05.78
Norway (via EP only)	01.01.08	Switzerland	24.01.78
Oman	16.10.07	Syrian Arab Republic	26.06.03
Papua New Guinea	14.06.03	Tajikistan (via EA only)	25.12.91
Peru	06.06.09	Thailand	24.12.09
Philippines	17.08.01	The former Yugoslav Republic of Macedonia	10.08.95
Poland (via EP only)	25.12.90	Togo (via OAPI only)	24.01.78
Portugal (via EP only)	24.11.92	Trinidad and Tobago	10.03.94
Qatar	03.08.11	Tunisia	10.12.01
Republic of Korea	10.08.84	Turkey (via EP only)	01.01.96
Romania (via EP only)	23.07.79	Turkmenistan (via EA only)	25.12.91
Russian Federation (via EA only)	29.03.78	Uganda (via AP only)	09.02.95
Rwanda	31.08.11	Ukraine	25.12.91
Saint Kitts and Nevis	27.10.05	United Arab Emirates	10.03.99
Saint Lucia	30.08.96	United Kingdom (via EP only)	24.01.78
Saint Vincent and the Grenadines	06.08.02	United Republic of Tanzania (via AP only)	14.09.99
San Marino	14.12.04	United States of America	24.01.78
Sao Tome and Principe	03.07.08	Uzbekistan	25.12.91
Senegal (via OAPI only)	24.01.78	Vietnam	10.03.93
Serbia and Montenegro	01.02.97	Zambia	15.11.01
Seychelles	07.11.02	Zimbabwe	11.06.97

PCT MEMBER REGIONS



European Patent (EP)

Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Malta, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom and any other State which is a Contracting State of the European Patent Convention and of the PCT.

EP Extension

Bosnia and Herzegovina, Montenegro.

Eurasian Patent (EA)

Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT.

OAPI Patent (OA)

Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire (Ivory Coast), Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal, Togo and any other State which is a member State of OAPI and a Contracting State of the PCT.

ARIPO Patent (AP)

Angola, Botswana, Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mozambique, Namibia, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe and any other State which is a Contracting State of the Harare Protocol and of the PCT.

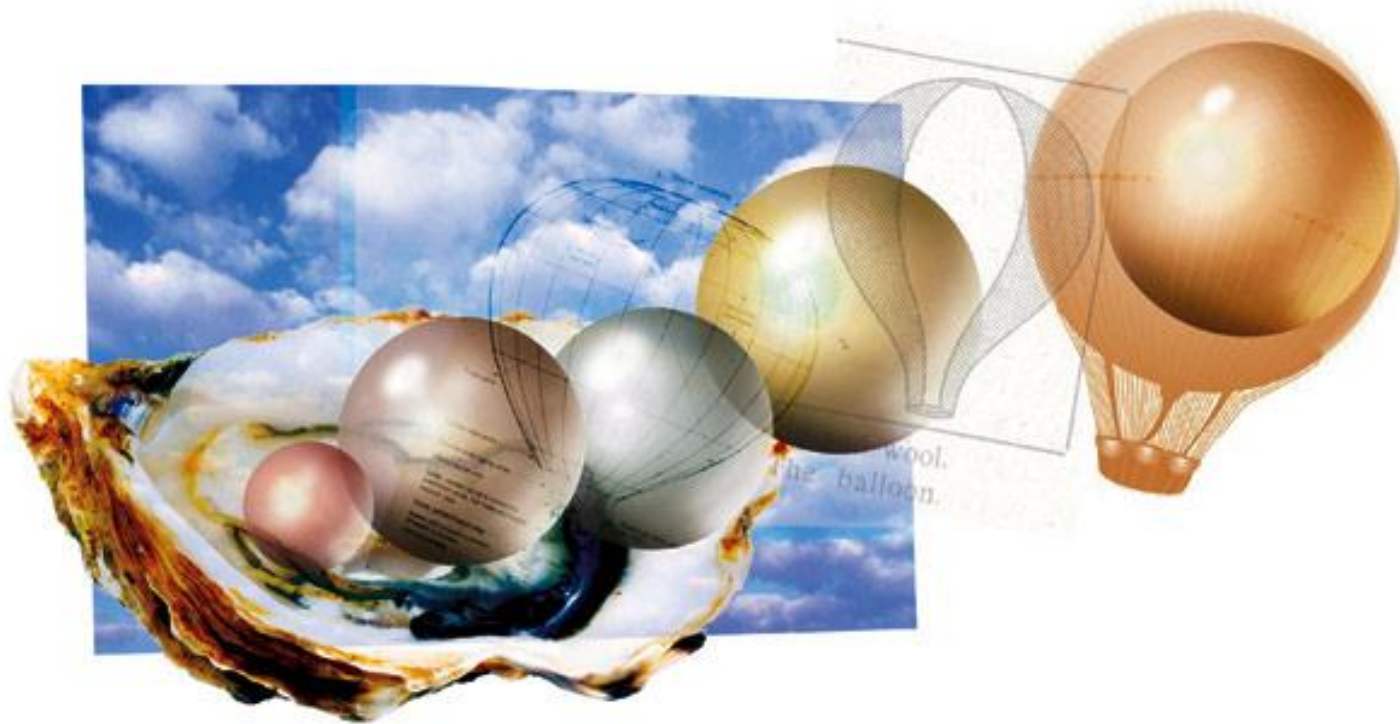
MARKETPLACE

THE WALL STREET JOURNAL.

More Patents, Please!



Bright Ideas



Eureka! It Really Takes Years of Hard Work

Common Threads

- Entrepreneurship
 - 1% inspiration + 99% perspiration + many failures
 - A few Aha! moments & then a slow process of building small insights
 - An epiphany is an occasional bonus of working on tough problems
 - “Chance favors the prepared mind”
 - Louis Pasteur

Snake Walker

US Patent No. 6,490,999, December 10, 2002

Every animal needs its exercise and snakes are no exception! Fresh air and warm sunshine are great for the reptile and the reptilian squire alike. But have you ever tried to put a small dog or cat collar on a snake? We didn't think so, because if you had, Mr. Slither would have given you the slip. You see, snakes have the ability to alter the shape of their circumference, and they can easily slide out of a normal neck collar. So our serpentine inventor came up with a special collar, one that old forked tongue can't escape from because it includes a "concertina movement-neutralization device". We're not sure exactly what that means but if you can actually get your snake to go for a leashed walk, or should we say, leashed wiggle, you can look just as cool as this guy does. Oh yeh, uber snake-walkin' cool!

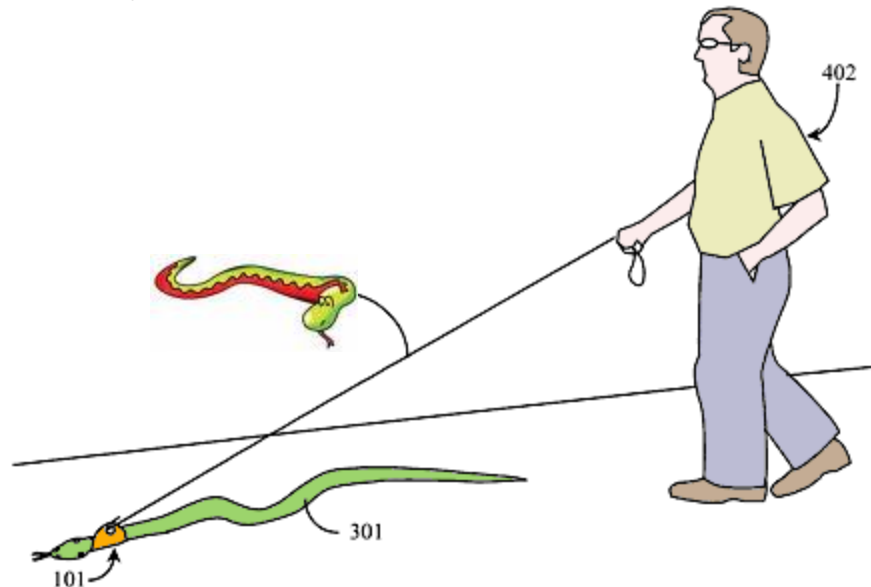
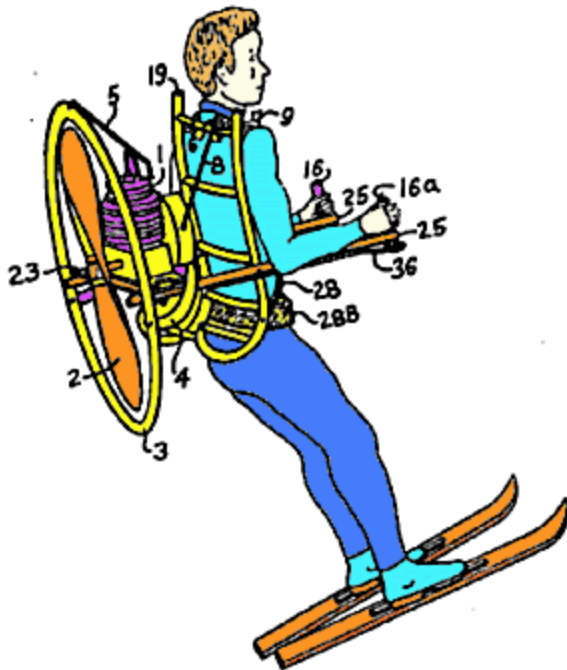


Fig. 4

Ski Fan

US Patent No. 4,189,019, February 19, 1980



Did you hear about the newest winter Olympic event, uphill skiing?.....Not! Interested in snow skiing but you don't have any hills or mountains nearby, not to mention the energy required to swoosh all day long? Now you can actually ski and relax at the same time with the gas powered Ski Fan.

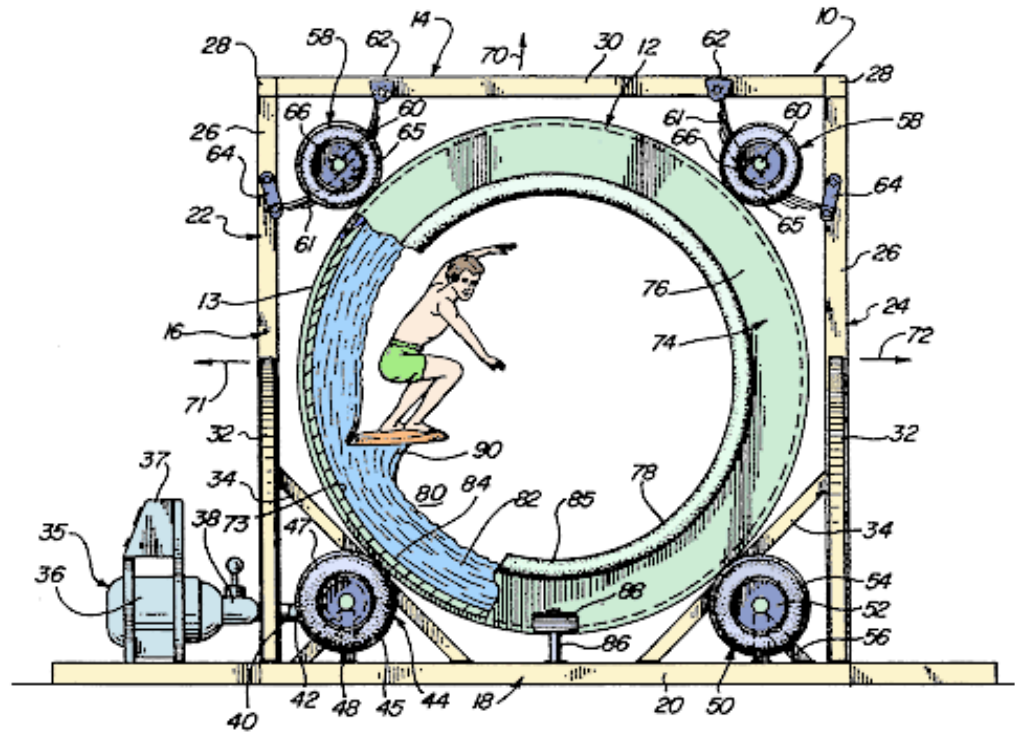
Patented in 1980, this invention straps onto your back and is steered by hand controls. Peaceful solitude usually associated with skiing may be lacking here (think your lawn mower is noisy?) and don't even ask about the brakes.

Surf Donut

US Patent Issued In 1995

To be a real surfer dude requires what? Well, first and foremost you gotta have some surf! You know, roiling water with peaks and valleys to push you along as you super glide your way to surfer dude-dom. But having surf requires having an ocean, and many land-locked dudes would like to be surfers too, dude. So our inventor dude brainstormed his way to the Surf Donut, a giant spinning drum full of wetness that rotates it's way into creating an artificial surf.

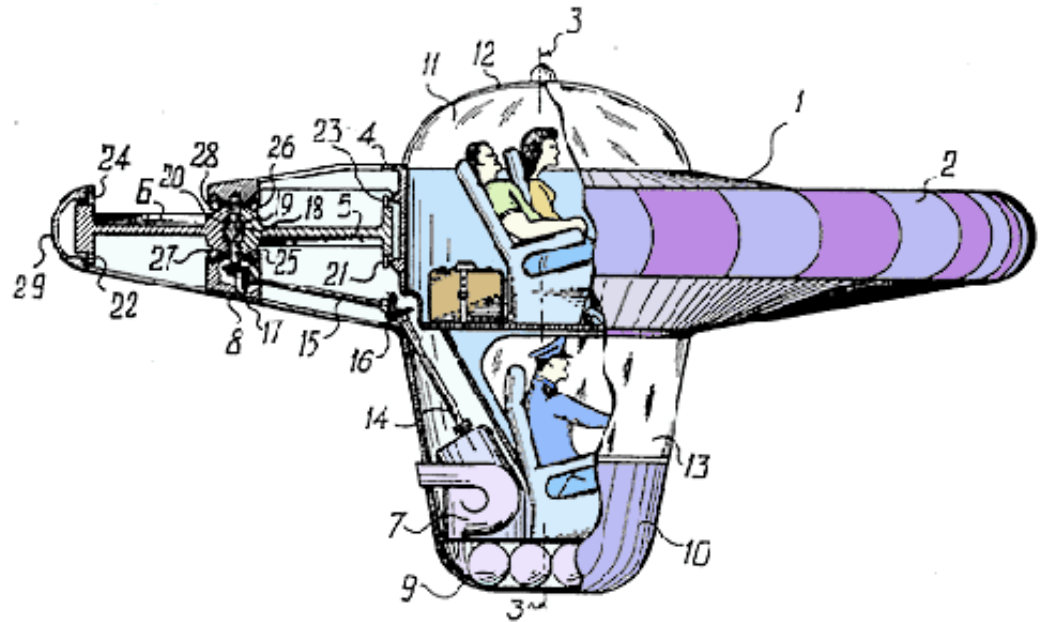
We're not sure exactly how you are going to step into this spherical stream machine and bring your board to a hang ten stance without falling but we are pretty convinced that once you do fall, you are going to flail around inside this thing like a dude caught in a giant washing machine during it's spin cycle!



Flying Saucer Submarine US Patent Issued In 1997

The future is now! Check it out, the world's first Flying Saucer Submarine! Nuclear power drives the twin, counter-rotating internal rotors in a radical departure from Leonardo da Vinci's continuous screw design. Features include vertical take off and landing, three dimensional maneuverability, flight up to 36,000 ft. altitude and the ability to zip around *under the water!*

That's right, the FSS can move on the water, under the water and in the air, all without having to shift gears. An automatically deployed inflatable balloon/parachute combination for emergencies is stored under the dome-like hood. We love it... James Bond never had it so good.



United States Patent [19]

Brown et al.

[11] Patent Number: 5,094,343

[45] Date of Patent: Mar. 10, 1992

[54] COMBINATION BEVERAGE TRAY AND SUN VISOR

[76] Inventors: Harry Brown, 876 Peninsula; Andrew Primack, 2426 Michigan Dr., both of Claremont, Calif. 91711

[21] Appl. No.: 492,630

[22] Filed: Mar. 13, 1990

[51] Int. Cl.³ A42B 1/20; A42B 1/22

[52] U.S. Cl. 206/216; 206/364; 229/103; 229/904; 2/196; 2/177

[58] Field of Search 2/184.5, 209.3, 171, 2/183, 209.1, 196, 177; 40/329; 229/904, 103; 206/232, 216, 427, 564, 607

[56] **References Cited**

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4,192,017	3/1980	Fay	40/329	X
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4,719,651	1/1988	Teresinski	2/209.1	X
4,837,865	6/1989	Roth	2/177	X

Primary Examiner—Paul T. Sewell

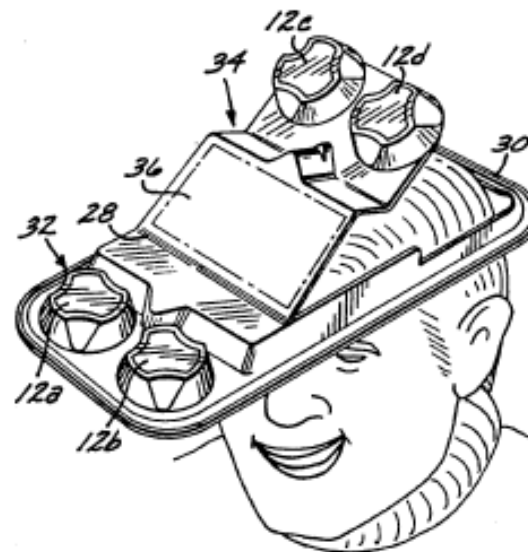
Assistant Examiner—Jacob K. Ackun, Jr.

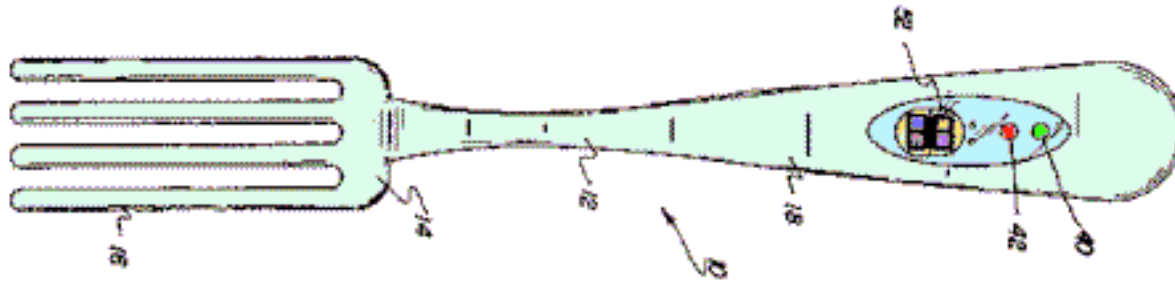
Attorney, Agent, or Firm—Fulwider, Patton, Lee & Utecht

[57] **ABSTRACT**

A combination beverage tray and sun visor comprised of a beverage tray having raised side walls and including a pre-formed perforation along a portion of the junction of the base of said tray and the side walls wherein the base may be separated from the sidewalls thereby forming an opening which allows the beverage tray to be converted into a sun visor and worn upon one's head.

11 Claims, 1 Drawing Sheet





Alarm Fork
US Patent 5,421,089
Issued 1995

Less food, less weight gain. And we're here to help, with the amazing Alarm Fork.

You can only eat when your fork gives you the green light. That's right, once you've shoveled some food into your mouth, the fork sensors cue the fork to emit a red light. And you know what that means, STOP! Now wait, tick, tick, tick, tick... ding! Green light, take a bite.

[54] SALAD ON A STICK

[76] Inventor: **Rodney E. Russell**, 4460 Wallace Ln., Salt Lake City, Utah 84117

[22] Filed: **Sept. 5, 1972**

[21] Appl. No.: **286,152**

[52] U.S. Cl. **426/110, 426/115, 426/134**

[51] Int. Cl. **B65b 29/10**

[58] Field of Search 426/91, 134, 110, 111, 426/115, 116, 117, 106, 80, 124, 394; 222/205, 207; 141/21-25; 206/56 R, 47 A, 46 F

[56] **References Cited**

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2,735,778	2/1956	Taylor	426/110
2,766,123	10/1956	Moubayed	426/134 X
2,882,170	4/1959	Stewart	426/110
3,312,255	4/1967	Miller	141/24
3,332,421	7/1967	King et al.	141/25 X

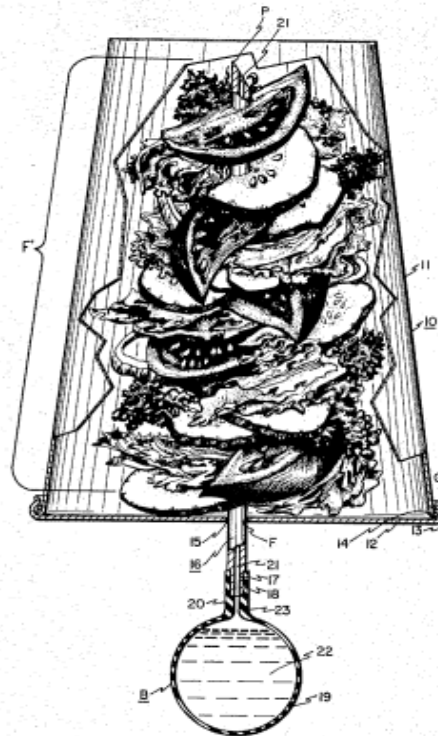
3,342,609 9/1967 Bank et al. 426/110

Primary Examiner—Frank W. Lutter
Assistant Examiner—Steven Weinstein

[57] **ABSTRACT**

A food storing and serving device comprising an elongate member temporarily principally enclosed within a combination container and lid. The elongated member or "stick" is constructed to pierce a series of meat and/or vegetable items and includes a hollow interior, serving as a conduit for the passage of liquid flavoring medium such as salad oil, dressing, sauce, or the like. A squeeze-type bulb is intimately associated with the stick such that depression of the former will cause the salad oil or dressing, for example, to exude upwardly through the interior of the stick so that the same comes out the end thereof and descends gradually over the food items disposed upon the stick. A frictional engagement is enjoyed as between the stick and lid such that the latter may serve to advance food to the end of the stick and also serve as a base for catching any drippings as the device is held erect.

5 Claims, 2 Drawing Figures



Floating Furniture

US Patent 4,888,836
Issued 1989

Tired of looking at your table and chairs all day long?

Furniture taking up entirely too much space?

Store this lighter than air levitated furniture filled with helium gas on your ceiling when you're not using it!

Grab the tether rope and pull your bed down from the ceiling to use.

Never make your bed or clear off the dinner table again!

