

# Inventors' Network Volume 7

of the Capital Area [INCA] Issue 7

Our meeting (on the 3<sup>rd</sup> Monday) is 19 July 99

## **Question: Who has responded so-far to Dennis' final assignment?**

**“Please inform me by e-mail, phone 301 656 9090, or fax 301 907 9393 with your assessment and comments about this Concepts / Invention workshop approach.”**

**- What you liked most and least. -How often it should be repeated. -Ideas or patents or plans you want to be assessed in INCA-MIT workshop manner.**

## **FRAMPTON'S ODYSSEY**

**On June 21 Frampton Ellis [fellis@anatomicresearch.com] shared his odyssey [travel story] of searching and finding great economic reward in return for his then-secret relief from shoe-induced foot pain.**

**Approximately 14 million pairs of Adidas shoes per year are licensed for use of his**

**51-claim US patent: 5544429 and related foreign patents on “Shoe with naturally contoured sole”.**

**In 1988 Frampton started his inquiry into how to prevent damage to his own foot. It took until last year (10 years) for his invention efforts to “break even”. At first he wished there was an INCA group in which he could network. [The Capital Inventors Society, now INCA, was not yet established. It is only 7 years old.]**

**He was a civil servant in the Veteran's Administration, so he was not burdened with employer's invention clauses. Conversely, all research and development toward developing his concept of an appropriate shoe was a freedom, yet one that he would demand his time and financial resources.**

**Fortunately, he was able to perform much of the patent research personally.**

**Persistently, he was able to fund his own travel and interviews with experts in the field.**

**Advisedly, he was willing to “hire the best” prototype producer, testing source and counsel for patent and licensing.**

**His first managerial “Issue” about inventing a new shoe was:**

**“Is an effort sufficient to change the shape of athletic shoes WORTH IT?”**

**His first patent “Issue”, “Is my notion about the shape for shoes NOVEL?”**

**His search within Biomechanics patents and trade media revealed no prior art.**

**His research into footwear revealed Roman Soldier Sandal to be flat surface between foot and road. [His criteria for an effective footwear included both lateral flexibility and cross sectional rounding. Shoe makers for Roman Soldiers did not have appropriate materials to meet this seemingly contradictory criteria for materials of an earlier era. ]**

**In managerial reinforcement, a Wall Street Journal article in “Form & Function” column was favorable, but shoe makers of the world did not call.**

**Letters to shoe makers and shoe marketers were seldom answered, and those seemed non-committal.**

**Like Homer's Odyssey story of a 20-year travel, Ellis' Odyssey of 10 years introduced him to these human (and**

business) frailties.

People who did call him included promoters who were not knowledgeable of the field, but probably sensed a big reward if the invention were made successfully. -Real Help vs Greed-

One company who responded to his letters offered only vague promises in exchange for an exclusive secrecy demand. -Unfairness of a suitor-

Many companies were suffering from their own managerial problems during a period of major change in International business environment. -Confusion-

Development laboratories within major companies tended to discount ideas that did not come from recognized experts in their field. “Not invented here” “Not developed here”

Until his attractive theory could be demonstrated with viable prototype and independent test, investors from outside or inside target client companies, were not willing to gamble.

-Literal proof is demanded- -Limited reliance on science-

Like Homer’s hero, Ellis sought truth:

He studied the literature to find viable experts.

Consultants include academics and former employees of development laboratories.

He made appointments, flew to their location, interviewed them, and paid their fee.

They explained the power structure and assisted in getting

(1) “access to the decision-making persons”.

They explained essential criteria for product acceptance.

(2) “viable prototype”

(3) “acceptable test results”

They cited responsible and able model makers.

[Suitable prototype would cost \$25,000]

They cited responsible independent testing laboratories.

After attempting a do-it-yourself prototype to meet his defined criteria;

he made appointment, flew to prototype expert’s laboratory, determined achievable criteria and committed the \$25,000.

When Frampton had the three critical elements that met his standard of excellence, his first market presentation resulted in his customer’s first decision toward licensing.

*Frampton has volunteered to share more generic background on licensing at a later meeting.*

Some INCA members have called your editor to express their appreciation for the real experiences shared by Frampton: “Words from the cauldron”.

**July PROGRAM: Jerry Porter & his co-inventor, Pat Coffee** anticipate presenting to INCA their “**combination**” that has resulted in a positive cash-flow from their design, development and patenting simple, much-needed, licensable products.

A N D they are willing to share their secrets-of-success with other inventors. Jerry has asked Pat to share

with INCA: “How we used video in marketing to Tupperware”.

Ray has asked Jerry & Pat to share with INCA: “How many inquiries-of-interest did you communicate, how many responses, and how much follow-up did it take to make your deals come to pass?”

*This is another 3<sup>rd</sup> Monday to invest in “Inventor Trade Knowledge” not available through usual references or programs.*

### **VOLUNTEER SHORT PRESENTATIONS:**

Our program timing will again offer time for members to share information about their invention-status.

We recommend 2-5 minute presentations, with pictures, sketches, and prototype hardware where possible. Any such presentation needs to have been practiced out loud, in front of someone with a minute-had clock, at least two times.

The nature of our membership tends to be very responsive to a well-prepared presentation.

When response and their answers have used about the same time as the presentation, the chairman will invite further inquiry to occur after the formal meeting.

We can probably handle up to 4 reports per meeting. Call (703) 971 9216 for your time-slot.

**Note: August will be “Inventor’s month”. Some volunteers might report on their research results from using the Information box of <http://inca.interspeed.net>.**

**Raoul designed & made a very valuable tool for our use. Has it enhanced your invention yet?**

**August 16 meeting will include some short-term planning for a September family picnic.**

**- Provided that John Eckert has his 8+ volunteers. On June 21 he needed 2 more. John’s work phone is 301 972 3020.**

### **HOSPITALITY**

**Those green badges** were being worn during our June Saturday Seminar.

Six new members signed up for the rest of our year. They include

**Richard Singer of Rockville;**

**William Spanus of Vienna;**

**Stuart Lesley of Crofton;**

**Tim Moloney of Yorktown,**

**Craig Rasmussen of Salt Lake City and**

**Roderick Belcher of Virginia.**

**Have you read Raoul’s article “Accidental Inventions” in Inventor’s Digest? P12**

**His whole book, THE ART & METHODS OF INVENTION is available through Amazon.com for \$17.95 + shipping.**

### **SENSITIVE ISSUES SUCH AS HOSTMANSHIP AND MONEY**

**It is OK to invite guests to be members of INCA. We just trimmed 50 names from our mailing list because records show no payment in 1999. Others on the list now have a ?? notation that follows their newsletter address. We expected they would want to keep the newsletter coming, so will correct our records with their annual \$36 dues.**

It is OK also to invite participants in our Pizza feed to contribute to the “kitty”.

Our current level of paid membership offers a budget sufficient to publish a newsletter to membership, other inventor organizations, past speakers, and to underwrite some of the monthly nourishments that are consumed by guests who might not understand the nature of a voluntary kitty box (that overcomes the expense of purchased items).

Candidly, in June our kitty yielded only \$23.00. This was less than half the cost of the Pizza.

My e-mail file has been collecting member-interest information. Here is some sharing:

Raoul Drapeau [r-drapeau@usa.net] got a call from Laurie Rackas of WETA-TV(703) 998 2619.

She was preparing a program about independent inventors. He sent a video on one of his inventions.

Last month, concurrent with the INCA meeting, Raoul, Phill and George were being filmed for TV. This was great exposure for INCA, said Raoul. “Things are starting to click”.

George Jones showed his pet toy on that WETA pilot show. He and his borrowed dog, Winston, won a special category that promised representation to other pet-owner market channels.

*There is high likelihood that Laurie will be needing films for subsequent shows. Are you ready?*

Inventors' Digest's **FIRST NATIONAL NEW PRODUCTS SEARCH** will begin July 15 and will continue through National Inventors' Month - August.

Companies that are looking for hot new products are sponsoring the Search.

to sign up . . . just go to [www.inventorsdigest.com](http://www.inventorsdigest.com) and click on "Product Scouts."

Joanne Hayes-Rines, Editor of Inventors' Digest, will let you know how you can submit your inventions to companies after July 15.

Note: Ray has application forms to subscribe to Inventors' Digest @ inventors rate of \$18.

## **Also, Internet News/Media Company Seeks Products to Showcase**

ctollis@intline.com (Craig D. Tollis) says this is a one-time email “sent to you by a real person”. His LightSpeedNetworks.com, is a “revolutionary Internet broadcasting company”. He is seeking innovative products and promotional video to incorporate into a lineup of original programs. *This also may be your channel to gain global exposure for products or services.*

Tollis says LightSpeedNetworks creates informational and entertainment programs in areas such as new technology, travel, food, health and medical, e-commerce and Internet finance.

Intline.com 1430 W. Peachtree St, #700 Atlanta, GA 30309. (404)881 9331

## **UIAUSA Update: Corning Products Search**

Carol Oldenburg reports that Corning Glass is evidently searching for new product ideas: Henry Oat is a product scout for Corning Consumer Products Co., which includes such brands as Corningware, Revere and Pyrex.

Corning is on an aggressive campaign to find new products to license. “If any of the inventors that you work with have kitchen or cooking inventions that are patented or patent pending, I would be happy to review them for potential license by Corning.”

**Address: Henry C. Oat, New Product Consultant**  
**Corning Consumer Products Co. C/o BKV, Inc. 2964 Peachtree Rd., Suite 700**  
**Atlanta, GA 30305 Phone: 404-233-0332 Fax: 404-233-0302 E-mail: hoat@flash.net**

In Santa Rosa Cal, the inventors organization is called **ITM [Idea To Market Network]**.

ITM reports that Jeff Madson, Product Manager for Presto Industries announced that Presto is inviting inventions from outside.

While their history has focused on products for the home, Mr Madson expressed willingness to consider other products too, for they have \$200,000,000 available to support business in other directions.

They prefer patent-protected products. However, even ideas will be examined, provided a nondisclosure agreement has been exchanged before the idea is delivered.

For an inventor's kit regarding idea submission, write to  
Inventor Relations, National Presto Industries Inc.,  
3925 No. Hastings Way, Eau Claire, Wisconsin 54703  
Phone (715) 839-2121 <http://prestonet.com/invent.html>

**<http://netshadow.com> is an online marketplace exchange** where corporations, universities and **individual inventors** manage their asset portfolios. Presently there are 2085 users of this center and 1389 patents are listed. According to my conversation with Cindy Schmidt, [651 222-3000] **Intellectual Property (IP) assets will be listed, with offering price for purchase or license. Listing is at no charge to the patent owner. At a successful sale or license, some % of the transaction will be retained by netshadow. - Negotiate -**

**This website has three business sectors:**

- (1) an IP Marketplace and Exchange**
- (2) an IP Search Engine &**
- (3) an Asset Control Center**

1. They provide an online auction and exchange through which you can promote your intellectual assets. Interested parties can search for technologies and assets to license, purchase, pool or exchange and can make anonymous inquiries and offers for intellectual property.

2. Their search engine combs the internet for potential licensees for your intellectual assets.

3. Their asset control center offers staff services for an active portfolio of properties.

Mr Kent Sieffert is CEO, a founder of NetShadow and a practicing patent attorney with degrees in Electrical Engineering and Computer Engineering. His industrial design experience with 3M included software architecture for medical imaging products.

The other very talented first team is described on [www.netshadow.com](http://www.netshadow.com) company profile.

Netshadow 287 East 6<sup>th</sup> Street, Suite 615 St Paul MN 55101 (651) 222 3000

**Hammacher Schlemmer conducts their SEARCH for INVENTION during winter and spring.**

*A preparation for next year might be prudent for some inventors.*

This competition is open to all inventors of patented consumer products that have not yet reached the marketplace. Winners of the competition have their entries displayed at the New York City store and share \$9,000 in awards, \$5,000 going to the highest winner.

Categories include (1) recreation, (2) personal care, (3) personal electronics and (3)utilitarian home and garden.

Criteria for competition include:

1. A patent must already be issued and be for a tangible product..
2. There must be a working or non-working prototype available..
3. The product must be for general consumer use, not industrial use.

Product entries may be offered during Feb 1 - May 17 through:

1. on-line entry at [www.hammacher.com](http://www.hammacher.com) Click "about us"
2. Download entry form and mail it in or
- 3 request an entry kit by calling 1-773-INVENT-1

In 1998 there were 300 applicants, 14 semi-finalists and 5 with money award.

Of course a major by-product of the contest is "market-visibility of newly invented products.

*High-end product catalogs keep filling our mailbox.* Their marketer-managers are ever alert to find products that meet their customer-niche. Here are a few phone numbers, websites and addresses that might provide "pull" for your patented product. Wouldn't it be rewarding to deal with market channels who "know they need" your product?

Here are some more Catalog-Distributers to try:

[www.frontgate.com](http://www.frontgate.com), Product Specialists 1800 537 8484 John O'Steen & Paul Tarvin  
2800 Henkle Drive, Lebanon, OH 45036-8894

Herrington - catalog for enthusiasts / golf, cars, cameras, travel & music 603 425 6620

Topix [www.topixgallery.com](http://www.topixgallery.com) catalog for Art Technology and Innovation 1 800 478 4703

An inventor/producer probably needs to talk to Daniel Mendelson about new products.

The Sharper Image Catalog for Gadget-lovers with New Devices Richard Thalheimer

Includes website auctions [www.sharperimage.com](http://www.sharperimage.com)

Start inquiry on e-mail to [Richard@sharperimage.com](mailto:Richard@sharperimage.com).

*Your editor would like to know about anyone who already has been successful in using this marketing channel.*

## **Future SPEAKER-PROGRAMS**

Volunteer organizations, like this one, usually try to find a mix of topics.

Some subjects are already known by the membership to be of general interest. This includes particularly rich experiences from other INCA members such as from Frampton Ellis, Chuck Popenoe, Terry Levinson, Maurice Daniel and Bill Kuntz)

Some of our subjects will be recognized as important by a portion of the membership. Others of us may not recognize the importance until after they have been exposed to the special knowledge and/or techniques.

[ ] For instance, we need to determine the repeat frequency of Dennis Vandusen's workshop that links idea-presenters

to business-oriented responses.

We are now in a position to recommend a repeat frequency and additional content for USPTO-partnership “Saturday Seminars” at the Patent Academy.

Our program events are attempting to orient Inventors within INCA to the vital steps between a good idea and market-place success.

Our program focus can offer  depth,  breadth or  a balance of breadth and depth.

A portion of program content can emphasize  quality and robustness of good ideas,  conversion of “ideas” into intellectual property  marketing disciplines for responsible cash flow and profit.

Of course our program management might accept the notion that  “each of our inventions are already sufficient, and  each member’s primary need is limited to “recognition by a market”.

**Here are some possible program themes that might be useful in making any of our invention management more robust. They can be scheduled, based on your feedback to raybik@aol.com or (703) 971 9216:**

1. What problems of product economics do INCA inventors know they will be facing?

1a Estimating the net income from customer acceptance at each level of pricing.

1b Estimating and confirming unit cost over a range of production quantities.

1c Designing prototypes to minimize investment costs.

1c1 Designing test and pre-production items to be compatible with production item.

1d Designing production items to meet customer taste and meet design-to-cost objective.

2. What value analysis and manufacturing engineering are in place to meet target cost ?

2a How many parts are in the device?

2a1 How many contribute directly to its purpose?

2b Which specialty vendors have offered alternative, lower cost means to make parts?

2c In what ways are parts designed to prevent errors in assembly?

2d In what ways are assemblies and finished products assembled without human intervention?

3. What cost accounting is integral with development, marketing and distribution decisions?

3a How does the inventor retain a record of personal time spent, costs incurred, promises made, assets acquired and talent borrowed?

3b Who else is contributing to the success of this product? What is their “deal”?

3c What overhead costs will be expected for each anticipated level of production or licensing?

3d What assumptions about expenses and income have been set up in a record of accounts?

What organization challenges can be expected between a prototype vs a marketable product line?

Marketing resources to initiate and carry out events, communications, trips, interview content, confidentiality agreements, quantity/price options and advertisement within achievable terms.

Financial resources to make a business base organization, pay for materials, pay for transportation, hire professional talent, establish line of credit and establish credit rating.

Distribution resources to bring product to the customer

What new skills in use of creative tools are felt to be wanted among INCA inventors?

Value Analysis

Brainstorm

Synectics

[ ] Paper & Pencil Idea Growth

[ ] TRIZ

“ **A concept is expressed and refined with concept explanation and value additions.  
Commercialization and directive-focus follow.  
Protection strategies for intellectual property considered  
Business formation (with a balance of talent) is discussed  
Marketing with definition and segmentation outlined  
Financing converts aforementioned considerations into economic terms and marshals:  
Deal Structure evaluation  
Likely Investor demands  
Program requirements and recommended posture.**

A growing, evolving concept is summarized. Moderator / Mentor(s) suggest direction & offer advice. Audience reaction is noted. “Beta test” records reactions. Division of the audience into groups of fewer than 30 offers a close relationship to presenters, moderators, mentors and recorders.

General Eisenhower set a standard for creative approaches as he demanded that “completed staff work” include multiple options for executive decision, wherein the options were expected to include unconventional and creatively resourceful approaches that would result in a “win-win” condition for cooperating parties. While he was President, “winning” meant sound economics that were visible and Nationally viable.

## INVENTOR TECHNOLOGY:

### **-about broad, independent claims:**

Convention in writing and in examining claims is to expect the first claim to be the most broad.

It will have the fewest number of elements.

It will use the most-broad terms for each element.

It will be considered an independent claim because it does not depend on a prior claim.

Clarity in claim-writing will express a claim title prior to use of the usual word “comprising”.

Then the component major parts or means are listed (and numbered). The claim is made complete with a “wherein” expressions that link each of the listed components to the other components or means with terms such as “connects to” or “communicates with”.

Many writers want to be sure that a reader of their claim will understand “what the aforementioned components and means do” or what functions are to be achieved from the apparatus’ and/or method’s structural description.

A “whereby” expression may be added to the end of a claim. It may include functional language as a means of enhancing communication, but the whereby expression cannot add structural property to a claim. It merely recites an objective.

### **About more-specific dependent claims:**

One claim-writing strategy would write as broad as possible initial, independent claim, and let a series of claims, each dependent on the first one, further define specifics relating to a component or means of the first claim. Examiners may call these specifics a limitation, and explain that the independent claim, when read against an earlier patent (prior art)

A dependent second claim might be:

2. a

described claim's disclosure. which is the components of a claim immediately after the introduction that concludes cite limiting aspects of each element that further describe the unique character of each element.

*[If the examiner finds prior art that seems to anticipate all elements of a most-broad claim, further definition is simple by combining supportive claims into the language of the most-broad one.]*

-about narrow, dependent claims:

Supporting broader claims with multiple narrower claims strengthens specificity of the invention.

-about multiple sketches, with defined parts:

-about background

-about best embodiment

Should the examiner cite prior art that seems to covers the most broad claim, a substitute claim (with its own new number) can be expressed from combined elements within the dependent claims or from within drawings, specifications and cited references.

*Reality in writing and examining claims is that almost anything can be awarded a patent as its definition is narrowed in depth to include greater and greater depth of unique features--- The importance of this condition is that an extremely narrow patent may offer very little property value. Of course, if that narrow product is an item with a new, broad, "faddish" market appeal, even a narrow patent may limit some threat of competition within a narrow market.*

A format for claims will include a name for the claim, a list of elements such as items, methods, or steps, and how these elements cooperatively interact with one another to provide a working whole.

Conclusion: Claims for a breakthrough technology or a new use for a known product can be very broad, with few dependent claims. Licensees may be the ones who add their proprietary style to their products through multiple dependent claims.

Conversely, a claim set for mature technology tends to be narrow, with many dependent claims.

[A viable broad claim is usually much more valuable than a lot of narrow ones.]

Words of Claims: The writer gets to select the words within his claim, but

A same word must mean the same thing where ever it is found in the application or in communication with the examiner.

In a second and subsequent use of a word, it may be described as "the" or "said" word.

There are more examples in Pressman's "write it yourself". However, skill comes in the doing. However, an initial set of claims is vital to be assured that drawings and specifications are sufficient for anyone to do a viable set of claims.