


Introduction to Intellectual Property and Patent Law



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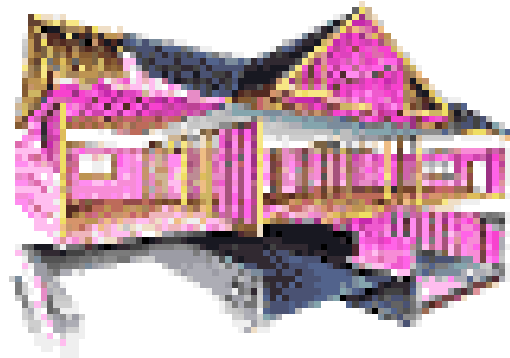
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Patents

- Protect virtually any useful innovation.
- Grant the right to exclude others from making, using or selling the patented invention.



Types of Patents:

- *Utility*
- *Design*
- *Plant*
- *Provisional*
- *International (PCT)*



US 6,854,867 B2

United States Patent
Más Quiles et al.

(30) Patent No.: **US 6,854,867 B2**
(45) Date of Patent: **Feb. 15, 2005**

(54) CHANDELER

(70) Inventors: **Enfilio Más Quiles**, Lázpans Gerdos, Inc., 525 Andafacia Ave., Puerto Nuevo, San Juan, PR (US) 00920; **Francisco Gerdos**, Lázpans Gerdos, Inc., 525 Andafacia Ave., Puerto Nuevo, San Juan, PR (US) 00920

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 135 days.

(21) Appl. No.: **10/318,976**

(22) Filed: **Dec. 12, 2002**

(65) Prior Publication Data

US 2004/014777 A1 Jan. 17, 2004

(51) Int. Cl.⁷ **F21S 8/06**

(52) U.S. Cl. **362/405; 362/147; 362/225; 362/221; 362/249; 362/370; 362/391; 362/457; 362/806; 439/679**

(50) Field of Search **362/405, 147, 362/225, 221, 220, 249, 370, 391, 431, 457, 806, 436/313, 210, 675, 322**

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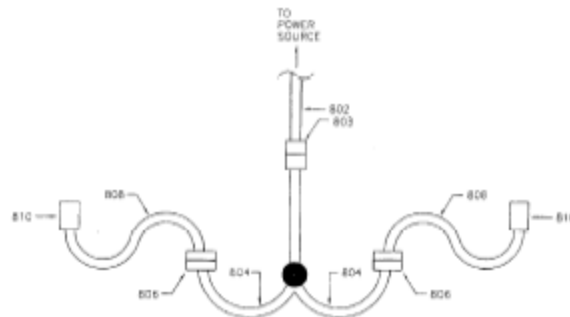
Primary Examiner—**Stephen Heiser**

Assistant Examiner—**Marion Payne**
(74) Attorney, Agent, or Firm—**Patent Law Offices of Heath W. Hogstad**

(57) ABSTRACT

A chandelier includes a central support member that extends from a ceiling support to a distributor plate. A number of removable arms connected to the distributor plate. An electrical connection is made from the central support to the arms at the distributor plate. The electrical connection is completed and broken as the arms are connected and removed from the distributor plate.

18 Claims, 18 Drawing Sheets



(12) United States Patent
Diaz

(10) Patent No.: **US 6,308,644 B1**
(45) Date of Patent: ***Oct. 30, 2001**

(54) FAIL-SAFE ACCESS CONTROL CHAMBER SECURITY SYSTEM

(76) Inventor: **William Diaz, P.O. Box 1149, Trujillo Alto, PR (US) 00977**

(* Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **09/441,917**

(22) Filed: **Nov. 17, 1999**

Related U.S. Application Data

(63) Continuation of application No. 08/987,187, filed on Dec. 8, 1997, now abandoned, which is a continuation-in-part of application No. 08/718,023, filed on Sep. 23, 1996, now Pat. No. 5,694,867, which is a continuation of application No. 08/255,488, filed on Jun. 8, 1994, now abandoned.

(51) Int. Cl.⁷ **E05G 5/02**

(52) U.S. Cl. **109/6; 49/68; 109/7; 109/68**

(58) Field of Search **109/2-8, 12, 9, 109/11, 13-18, 67, 68; 49/25, 68, 263, 268, 269, 31**

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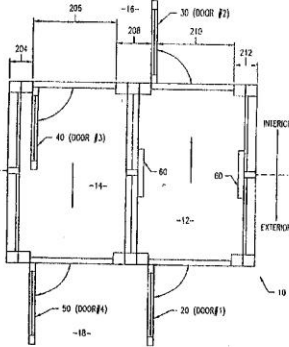
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Primary Examiner—Lloyd A. Gall
(74) *Attorney, Agent, or Firm*—Nils H. Ljungman & Associates

(57) ABSTRACT

An access control vestibule having first and second locking single doors, an access control chamber formed between the two doors, magnetic locks for each of the doors, a metal detector located between the doors to detect for a weapon, the doors are manually operable and swing towards the outside of the chamber, the frame of the vestibule is rectangular and formed of a metal material, the door frames being formed of a metal material, transparent ballistic resistant panels are mounted in the side walls of the chamber and the door frames, ultrasonic sensors are positioned above the first and second halves of the chamber to detect for the presence of more than one person within the chamber or for the presence of an object such as a weapon on the floor of the chamber, an ultrasonic sensor located above the metal detector, a touch-sensitive pad located on the inside of the exit door of the chamber, a control device to prevent both doors from being opened at the same time and to prevent the second or exit door from being unlocked when the metal detector detects a metal object or the sensors detect the presence of more than one person or an object on the floor.

14 Claims, 35 Drawing Sheets





New U.S.P.T.O. Classifications

- 705/4 Insurance
- 705/28 Inventory Management
- 705/30 Accounting
- 705/38 Credit (Risk) Processing or Loan Processing
- 705/42 Remote Banking (e.g. Home Banking)



US005797127A

United States Patent [19]

[11] Patent Number: 5,797,127

Walker et al.

[45] Date of Patent: Aug. 18, 1998

[54] METHOD, APPARATUS, AND PROGRAM FOR PRICING, SELLING, AND EXERCISING OPTIONS TO PURCHASE AIRLINE TICKETS

[75] Inventors: Jay S. Walker, Ridgefield; T. Scott Case, Darien; James A. Jorasch, Stamford; Thomas M. Sparico, Riverside, all of Conn.

[73] Assignee: Walker Asset Management Limited Partnership, Stamford, Conn.

[21] Appl. No.: 775,591

[22] Filed: Dec. 31, 1996

[51] Int. Cl.⁵ G06F 17/60

[52] U.S. Cl. 705/5; 705/37

[58] Field of Search 705/5, 37

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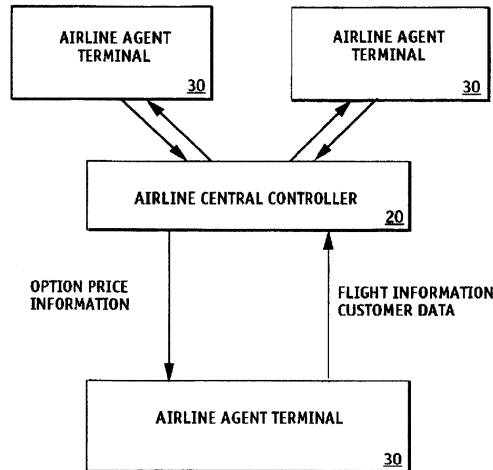
Primary Examiner—Edward R. Cosimano
Assistant Examiner—Barton L. Bainbridge

Attorney, Agent, or Firm—Fitzpatrick, Cella, Harper & Scinto; Jeffrey L. Brandt

ABSTRACT

[57] An apparatus, method, and program for determining a price of an option to purchase an airline ticket, and for facilitating the sale and exercise of those options. By purchasing an option, a customer can lock in a specified airfare without tying up his money and without risking the loss of the ticket price if his travel plans change. Pricing of the options may be based on departure location criteria, destination location criteria, and travel criteria.

28 Claims, 6 Drawing Sheets





US00D445987S

(12) **United States Design Patent** (10) Patent No.: **US D445,987 S**
Martinez (45) Date of Patent: **** Jul. 31, 2001**

(54) **ROSARY PENDANT**

(76) Inventor: **Manuel Jose Martinez**, Carr. 978, KM. 0.7, Barrio Cijapacallos, Ceiba, PR (US) 00735

(**) Term: **14 Years**

(21) Appl. No.: **29/134,033**

(22) Filed: **Dec. 12, 2000**

(51) LOC (7) Cl. **11-06**

(52) U.S. Cl. **D99/26**

(58) Field of Search **D99/26, 27; 63/1.1, 63/2, 18, 19, 20, 1.11, 23, 12, 13, 21, 26, 27, 28, 38; 428/3; 434/246; 235/143, 140**

(56) **References Cited**

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Primary Examiner—*Paula A. Mortimer*
(74) Attorney, Agent, or Firm—*Ruben Alcoba*

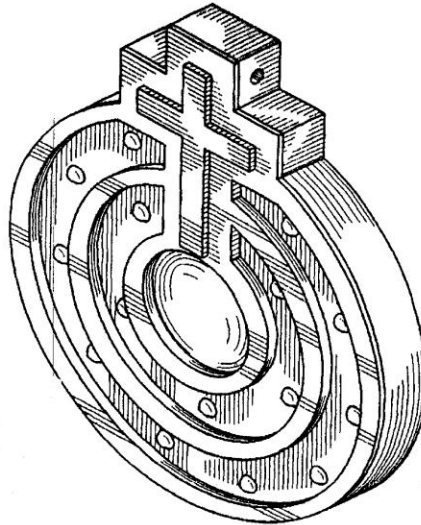
(57) **CLAIM**

I claim the ornamental design for a rosary pendant, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a rosary pendant showing our new design;
FIG. 2 is a rear perspective view thereof;
FIG. 3 is a front elevation view thereof;
FIG. 4 is a rear elevation view thereof;
FIG. 5 is a left side elevation view thereof;
FIG. 6 is a right side elevation view thereof;
FIG. 7 is a top plan view thereof; and,
FIG. 8 is a bottom plan view thereof.

1 Claim, 8 Drawing Sheets





USPP14000P2

United States Plant Patent
Strope

(10) Patent No.: **US PP14,000 P2**
(45) Date of Patent: **Jul. 22, 2003**

(54) **NEW GUINEA IMPATIENS PLANT NAMED**
'BAKCELSUNA'

(75) Inventor: **Kerry Strope, Pismo Beach, CA (US)**

(73) Assignee: **Ball FloraPlant, a division of Ball**
Horticultural Co., West Chicago, IL
(US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **10/114,880**

(22) Filed: **Apr. 1, 2002**

(51) Int. Cl.⁷ **A01H 5/00**

(52) U.S. Cl. **PL218**

(58) Field of Search **PL318**

Primary Examiner—Bruce R. Campell

Assistant Examiner—Ametie Parr

Attorney, Agent, or Firm—C. A. Whealy

(57) **ABSTRACT**

A new and distinct cultivar of New Guinea Impatiens plant named 'Bakcelesuna', characterized by its upright, rounded and uniform plant habit; red-colored flowers that are positioned above and beyond the leaves; and dark green-colored leaves.

1 Drawing Sheet

1

BOTANICAL CLASSIFICATION/CULTIVAR DENOMINATION

Impatiens hawkeri cultivar Bakcelesuna.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct cultivar of New Guinea Impatiens plant, botanically known as *Impatiens hawkeri*, and hereinafter referred to by the name 'Bakcelesuna'.

The new Impatiens is a product of a planned breeding program conducted by the Inventor in Arroyo Grande, Calif. The objective of the breeding program is to develop New Guinea Impatiens cultivars that have a freely branching growth habit and large flowers with attractive flower colors.

The new Impatiens originated from a cross-pollination made by the Inventor in 1998 of a proprietary selection of *Impatiens hawkeri* identified as code number 2079B, not patented, as the female, or seed parent, with the *Impatiens hawkeri* cultivar Grenada, disclosed in U.S. Plant Pat. No. 9,343, as the male, or pollen parent. The cultivar Bakcelesuna was discovered and selected by the Inventor as a flowering plant within the progeny of the stated cross-pollination in a controlled environment in Arroyo Grande, Calif.

Asexual reproduction of the new cultivar by terminal cuttings taken in Arroyo Grande, Calif. since August, 1998, has shown that the unique features of this new Impatiens are stable and reproduced true to type in successive generations.

SUMMARY OF THE INVENTION

The following traits have been repeatedly observed and are determined to be the unique characteristics of 'Bakcelesuna'. These characteristics in combination distinguish 'Bakcelesuna' as a new and distinct Impatiens cultivar:

1. Upright, rounded and uniform plant habit.
2. Red-colored flowers that are positioned above and beyond the leaves.
3. Dark green-colored leaves.

Plants of the new Impatiens differ primarily from plants of the female and male parents in flower color.

Plants of the new Impatiens can be compared to plants of the cultivar BFP-796, disclosed in U.S. Plant Pat. No.

2

11,486. In side-by-side comparisons conducted in West Chicago, Ill., plants of the new Impatiens differed from plants of the cultivar BFP-796 in the following characteristics:

1. Plants of the new Impatiens were more compact than plants of the cultivar BFP-796.

2. Plants of the new Impatiens had shorter lateral branches and shorter internodes than plants of the cultivar BFP-796.

3. Plants of the new Impatiens had slightly larger flowers than plants of the cultivar BFP-796.

BRIEF DESCRIPTION OF THE PHOTOGRAPH

The accompanying colored photograph illustrates the overall appearance of the new cultivar, showing the colors as true as it is reasonably possible to obtain in colored reproductions of this type. Colors in the photograph differ from the color values cited in the detailed botanical description which accurately describe the colors of the new Impatiens. The photograph comprises a side perspective view of multiple flowering plants of 'Bakcelesuna' grown in a container.

DETAILED BOTANICAL DESCRIPTION

The cultivar Bakcelesuna has not been observed under all possible environmental conditions. The phenotype may vary somewhat with variations in environment such as temperature and light intensity without, however, any variance in genotype.

The aforementioned photograph and following observations and measurements describe plants grown in West Chicago, Ill., under commercial practice in a polycarbonate-covered greenhouse with day temperatures ranging from 20 to 24° C., night temperatures ranging from 16 to 20° C., and light levels ranging from 4,000 to 6,000 footcandles. Rooted young plants were planted in containers and had been growing for about eight weeks when the photographs and the description were taken.

In the following description, color references are made to The Royal Horticultural Society Colour Chart, 1995 Edition, except where general terms of ordinary dictionary significance are used.

U.S. Patent

Jul. 22, 2003

US PP14,000 P2





35 U.S. Code:

- *Section 101: Useful*
- *Section 102: Novel*
- *Section 103: Non-Obvious*



Novelty / One-Year Grace Period

- *Patent must be filed within one year of non-confidential or public disclosure*
- *A non-confidential or public disclosure includes:*
 - *Public use*
 - *On-sale*
 - *Publication*



Non-Obviousness

- *A patent will not be granted if the claimed invention would have been obvious to one of ordinary skill in the art*
- *Determination relies solely upon patents, publications and other “prior art” existing at the time the invention was made*

OddzOn Products v. Just Toys

- OddzOn Products' Patented Design (U.S. Patent D. 346,001), also known as the Vortex™ Ball:

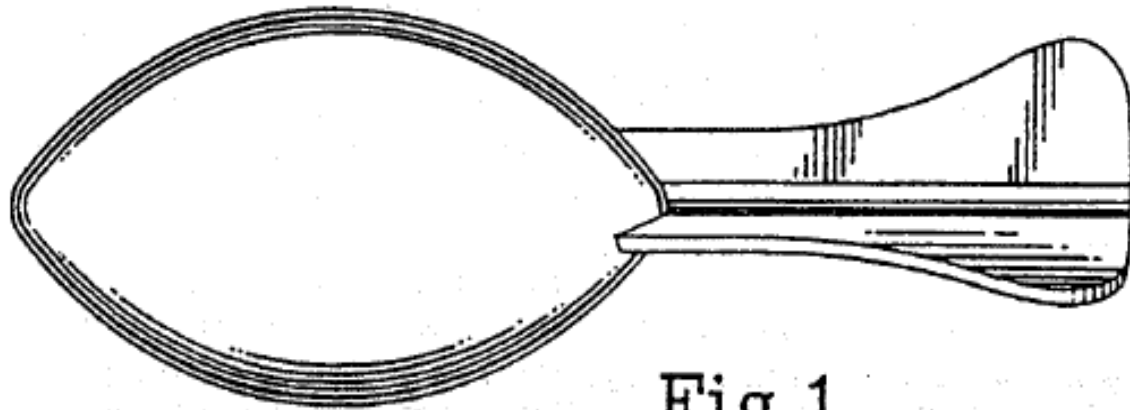


Fig. 1

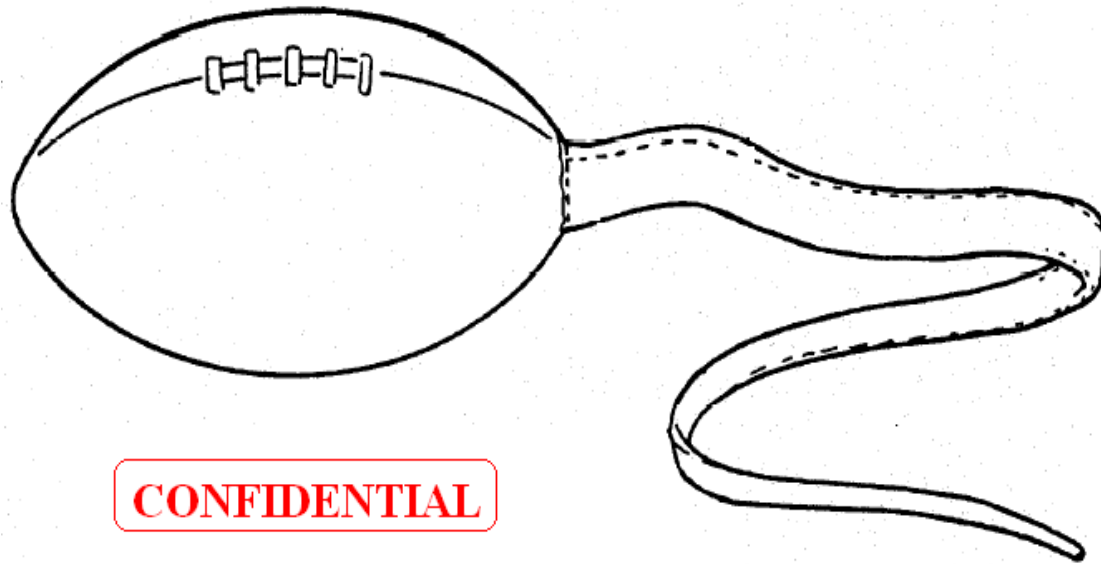
OddzOn Products v. Just Toys

- Just Toys' Ultra-Pass™ Ball:



OddzOn Products v. Just Toys

- Confidential Disclosure to OddzOn Products:





OddzOn Products v. Just Toys

- Just Toys Challenged Validity of Patent
- Patent Law Establishes Two-Step Process:
 - Determine the “Prior Art” Relevant to the Invention
 - Determine Whether the Invention Is Obvious to One of Ordinary Skill in View of the “Prior Art”
- Issue Was Whether Confidential Disclosure Was Part of the “Prior Art”



OddzOn Products v. Just Toys

- 35 U.S.C. § 102 Defines “Prior Art” to Include:
 - Patents
 - Publications by Another
 - Publications or Public Use by Inventor Made More than One Year before Applying for Patent
 - **Subject Matter Invented by Another**
- Federal Circuit Held:
 - Confidential Disclosure Is Prior Art



OddzOn Products v. Just Toys

- Concern for Joint Research; Example 1:
 - Prof. Rodriguez at UPR collaborates with Prof. Smith at Georgia Tech (“GT”) to Design Improved Computer Chip Socket that Reduces Electronic Noise
 - UPR and GT Enter Confidentiality Agreement
 - Computer Chip Socket Has 2 Parts:
 - Mechanical Attachment to Computer Board
 - Electrical Connection to Circuit on Computer Board
 - Prof. Rodriguez Designs the Mechanical Attachment and Prof. Smith Designs the Electrical Connection
 - Professors Exchange and Combine Designs; the Combination Is Successful at Reducing Noise
 - UPR and GT File for Patent
 - What Is Prior Art?



OddzOn Products v. Just Toys

- Concern for Joint Research; Example 1 (cont.):
 - Prior Art Includes Disclosure Made by Prof. Rodriguez to Prof. Smith and Vice Versa
 - For Joint Patent, Prior Art Would Include:
 - Prof. Rodriguez' Design for the Mechanical Attachment
 - Prof. Smith's Design for the Electrical Connection
 - Thus Prior Art Would Include Invention



OddzOn Products v. Just Toys

- Concern for Joint Research; Example 2:
 - Prof. Rodriguez at UPR collaborates with Prof. Smith at Georgia Tech (“GT”)
 - UPR and GT Enter Confidentiality Agreement
 - Prof. Smith Discloses Confidential, Unpublished Data Collected from 1,000 Patients Having Suffered Heart Attack
 - Prof. Rodriguez Uses Data to Develop Predictive Test for Heart Attack
 - UPR Files for Patent on Predictive Test
 - Would Prior Art Include Data? (Yes)



CREATE ACT OF 2004 (Pub. L. 108-453)

Subject matter developed by another person shall not be considered prior art provided:

- (A) the claimed invention was made by or on behalf of parties to a joint research agreement that was in effect on or before the date the claimed invention was made;
- (B) the claimed invention was made as a result of activities undertaken within the scope of the joint research agreement; and
- (C) the application for patent for the claimed invention discloses or is amended to disclose the names of the parties to the joint research agreement.



CREATE ACT OF 2004 (Pub. L. 108-453)

A joint research agreement is:

a written contract, grant, or cooperative agreement entered into by two or more persons or entities for the performance of experimental, developmental, or research work in the field of the claimed invention.



CREATE ACT OF 2004 (Pub. L. 108-453)

- Compliance with CREATE ACT:
 - Written Agreement Prior to Initiation of Research
 - Must Require Confidentiality
 - Broadly Specify Field of Research
- Subsequent Disclosures Are Not Prior Art under the Patent Laws

