iJOBS: Patent Law

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Agenda

1. Common issues which arise during client counseling
2. How technologies are evaluated by the USPTO
3. Case Study: “Resealable Moisture Tight Container Assembly for Strips and the Like Having a Lip Snap Seal”
Common Issues Which Arise During Client Counseling
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> Identifying legal issues
  - Inventorship / Assignment of Rights
  - Patentability
  - Freedom to Operate
  - Competitive landscape
Common Issues Which Arise During Client Counseling

- Identifying legal issues
  - Inventorship / Assignment of Rights
    - Who contributed to the invention (determined by the claim set)
    - Who owns the rights to the patent/patent application?
  - Patentability
    - Subject matter eligibility
    - Inherency
    - Prior art
Common Issues Which Arise During Client Counseling

> Identifying legal issues (continued)

- Freedom to Operate
  - Blocking patents
  - Exclusive suppliers
- Competitive landscape
  - Identifying key competitors
  - Identifying client’s edge
  - Planning for client’s future direction(s)
Common Issues Which Arise During Client Counseling

*Identifying next steps / action items*

- Developing a plan with the client
- Establishing a timeline
- Frequent and informative communication
How Are Technologies Evaluated By The USPTO?
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> What is included in a patent application?
  > Written description of the invention, claims

> What does it mean to have an issued patent?
  > Exclusionary rights
  > Patents are presumed valid
  > Licensing / ownership

> How long does a patent last?
  > Patent term
  > Life cycle of patent portfolios
Case Study: US 7,537,137
“Resealable Moisture Tight Container Assembly For Strips And the Like Having A Lip Snap Seal”
THE END