ASAP

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CHIEF INTELLECTUAL PROPERTY COUNSEL
September 13, 2007

SIXTY YEARS
OF DISCOVERY
1947-2007

BROOKHAVEN
NATIONAL LABORATORY

Office of
Science
U.S. DEPARTMENT OF ENERGY
Outline

*Or What this means to you?*

- Brief overview of types of IP
- Know your role/ responsibilities/ rights regarding:
  - Inventions
  - Publications
  - Software
- Office Intellectual Property organization
- Brookhaven data
- Patent Agents
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TYPES OF INTELLECTUAL PROPERTY

Trademarks
Copyrights
Trade secrets
Patents

Commercial products are more valuable if they are protected by Copyrights, Trademarks, Trade secrets or Patents
Trademarks are generally distinctive symbols, pictures, or words that sellers affix to distinguish and identify the origin of their products.
Word Mark       IPOD NANO
Serial Number    78778627
Goods and Services
- Portable and handheld digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, and audio files; computer software for use in organizing, transmitting, manipulating, and reviewing text, data, and audio files on portable and handheld digital electronic devices.
- Owner        Apple Computer, Inc.
COPYRIGHTS

- Protects an original work of authorship
  - Literary, dramatic, musical, and artistic works such as poetry, novels, movies, songs, computer software, and architecture

- Do not protect
  - Facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed
Registration Number: PA-1-287-831
Title: Don't phunk with my heart.
Note: Performed by The Blackeyed Peas.
In: Monkey business. mA&M Records B0004341-02, c2005.

Title on © Application: I wonder if I take you home = Ae naujawan sab kuchh yahan = Yeh mera dil yaar ka diwana.
Author on © Application: music & words: Priese Prince Lamont Board (p.k.a. Printz Board), William Adams (p.k.a. Will.I.am), Stacy Ferguson (p.k.a. Fergie)
Trade secrets
WHY PATENT?

U.S. Constitution Article 1, Section 8, Clause 8 states:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries
Patents provide exclusive rights to prevent others from making, using, importing, selling and offering for sale the invention for up to 20 years.
(45) Date of Patent: * Apr. 24, 2007

Andre et al.

(54) MEDIA DEVICE

(75) Inventors: Barley K. Andre, Menlo Park, CA (US); Daniel J. Coster, San Francisco, CA (US); Daniele De Iuliis, San Francisco, CA (US); Richard P. Howarth, San Francisco, CA (US); Jonathan P. Ive, San Francisco, CA (US); Steve Jobs, Palo Alto, CA (US); Duncan Robert Kerr, San Francisco, CA (US); Shin Nishibori, San Francisco, CA (US); Matthew Dean Rohrbach, San Francisco, CA (US); Douglas B. Sarson, Menlo Park, CA (US); Calvin Q. Seid, Palo Alto, CA (US); Christopher J. Stringer, Portola Valley, CA (US); Eugene Anthony Whang, San Francisco, CA (US); Elco Zorkendorfer, San Francisco, CA (US)

(73) Assignee: Apple Computer, Inc., Cupertino, CA (US)

(*) Notice: This patent is subject to a terminal disclaimer.

(**) Term: 14 Years

(21) Appl. No.: 29/237,235
(22) Filed: Aug. 24, 2005
(51) LOC (8) CL. 14-03
(52) U.S. Cl. D14/406

See application file for complete search history.

(56) References Cited
U.S. PATENT DOCUMENTS
D254,960 S 6/1982 McGowyn

4,076,435 A 12/1990 Shafiei et al.
5,661,632 A 8/1997 Register

(Continued)

OTHER PUBLICATIONS

(Continued)

Primary Examiner—Prabha Shethumukh
(74) Attorney, Agent, or Firm—Beyer Weaver & Thomas, LLP

CLAIM

We claim the ornamental design for a media device, substantially as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a media device in accordance with the present design.
FIG. 2 is a front view for the media device.
FIG. 3 is a rear view for the media device.
FIG. 4 is a top view for the media device.
FIG. 5 is a bottom view for the media device.
FIG. 6 is a right side view for the media device; and,
FIG. 7 is a left side view for the media device.
The surfaces of the media device as shown in FIGS. 1–7 are illustrated at least partially with color designations. The front surface is black including the circular feature (e.g., input device) and excluding the rectangular feature (e.g., display) shown with shading. The back surface is metallic steel, silver, nicked or chrome. The side surfaces are divided between black and metallic steel, silver, nickled or chrome. The broken lines are for illustrative purpose only and form no part of the claimed design.

1 Claim, 3 Drawing Sheets
Criteria for Obtaining a U.S. Patent

- **Useful**
  - Low standard

- **New**
  - Also known as “novelty”
    - Publications, disclosures, public uses, on sale, etc.

- **Not obvious**
  - Not an obvious combination of known products or methods
    - Standard of “one of ordinary skill in the art”
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Roles/Responsibilities/Rights

- Who is your employer?
- What is your employment agreement state?
  - Inventions, Publications, Software
- What is your University Policy?
- What happens when I change employers?
- What are the benefits for having a good idea?
EMPLOYEE INTELLECTUAL PROPERTY AGREEMENT

☐ I will promptly disclose, report and communicate …..full information concerning every invention or discovery arising from or related to work

☐ If and when I conceive or first reduce to practice any discoveries or inventions in the course of my employment by BSA, DOE shall, subject to BSA’s right to elect to take title thereto, have the sole power to determine whether or not BSA shall require me to participate in the filing of a patent application
I further agree that, ….. BSA, as my employer is the owner of the copyright in such materials.

agree not to mark, register, establish or assert any claim to statutory copyright in any data or computer software
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BROOKHAVEN FAST FACTS

# of PATENTS 200+
# of COPYRIGHTS 10
# of LICENSES 455
Yearly Royalties 6 Million +
National Lab IP Comparison W/ DOE Labs FY06

TOP PATENTING U.S. UNIVERSITIES CY2005
1. U. California 390
2. MIT 136
3. CalTech 101
4. Stanford 90
4. U. Texas 90
5. U. Wisconsin 77
6. Johns Hopkins 71
7. U. Michigan 71
8. U. Florida 64
9. Columbia 57
10. Georgia Tech 43
National Laboratory Total Licensing Income
FY06

Total Licensing Income

- AL: $6,653,048.00
- ANL: $1,179,036.92
- BNL: $6,122,066.00
- INL: $904,524.00
- LBNL: $2,859,000.00
- LLNL: $6,100,000.00
- LANL: $1,365,000.00
- NREL: $304,000.00
- ORNL: $2,046,000.00
- PNNL: $4,359,928.50
- SNL: $3,397,059.00

Brookhaven Science Associates
New Products and Companies

First BNL
Copyrighted Educational Materials

New IPO

medical synchrotron for C and proton therapies

manufacturing scale-up of BSA flat panel technology
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WHERE CAN PATENT AGENTS/ATTORNEYS WORK?

- Law Firms
- Companies
- Government
- Patent Office
- Self Employed
- Courts
Contact information:

Lori-Anne Neiger

x3035

bldg. 185

http://www.bnl.gov/techxfer/