

ASAP

LORI-ANNE NEIGER
CHIEF INTELLECTUAL PROPERTY COUNSEL
September 13, 2007



SIXTY YEARS
OF DISCOVERY
1947-2007

BROOKHAVEN
NATIONAL LABORATORY



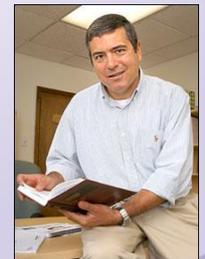
Intro



Dr. Stuart G. McLaughlin
Professor, Ph.D.,
British Columbia, 1968



Brookhaven Science Associates



BROOKHAVEN
NATIONAL LABORATORY

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

Customers

TRADEMARKS

Trademarks are generally distinctive symbols, pictures, or words that **sellers** affix to distinguish and identify the **origin** of their products.



IPOD NANO



An Agency of the United States
Department of Commerce

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.
- Compact disc Claimant: Songs of Universal, Inc., Printz Polar Publishing, Careers-BMG Music, Inc., Zomba Entertainment, Inc., Saregama India, Ltd., Will.I.Am Music, Inc., Cherry River Music Company, El Cubano Music, EMI Blackwood Music, Inc. Created: 2005

- 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



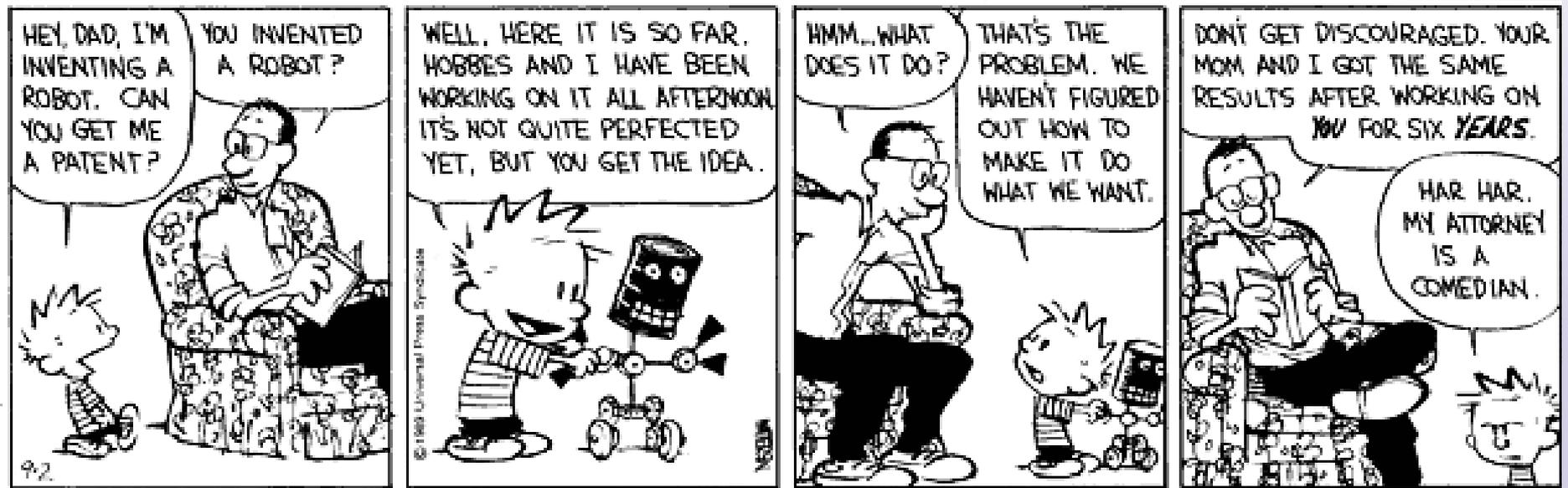
WHY PATENT?

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

Patents provide exclusive rights to prevent others from making, using, importing, selling and offering for sale the **invention** for up to 20 years





(12) **United States Design Patent** (10) **Patent No.: US D541,299 S**
Andre et al. (45) **Date of Patent: ** *Apr. 24, 2007**

(54) **MEDIA DEVICE**

(75) Inventors: **Bartley K. Andre**, Menlo Park, CA (US); **Daniel J. Coster**, San Francisco, CA (US); **Daniele De Iulius**, 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. Satzger**, Menlo Park, CA (US); **Calvin Q. Seid**, Palo Alto, CA (US); **Christopher J. Stringer**, Portola Valley, CA (US); **Eugene Antony Whang**, San Francisco, CA (US); **Rico 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.** **D14/496**

(58) **Field of Classification Search** D14/496,
 D14/401, 435, 474, 483, 217, 137, 138, 160,
 D14/168; 345/156, 169, 173-179, 905; 715/727-729,
 715/864; 455/11.1, 773, 344-347, 93, 95;
 370/342-344; 369/1, 2, 6, 12; 463/43-47;
 273/148 B

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D264,969 S 6/1982 McGourty

4,976,435 A 12/1990 Shaford et al.
 5,192,082 A 3/1993 Inoue et al.
 5,661,632 A 8/1997 Register

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 29/237,096, filed Aug. 24, 2005.
 U.S. Appl. No. 29/237,229, filed Aug. 24, 2005.
 U.S. Appl. No. 29/237,226, filed Aug. 24, 2005.
 U.S. Appl. No. 29/237,231, filed Aug. 24, 2005.

(Continued)

Primary Examiner—Prabhakar Deshmukh
 (74) *Attorney, Agent, or Firm*—Beyer Weaver & Thomas, LLP

(57) **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.

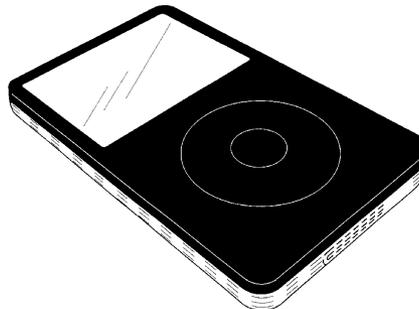
FIG. 5 is a bottom view for the media device.

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, nickel or chrome. The side surfaces are divided between black and metallic steel, silver, nickel 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 communicatefull 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.

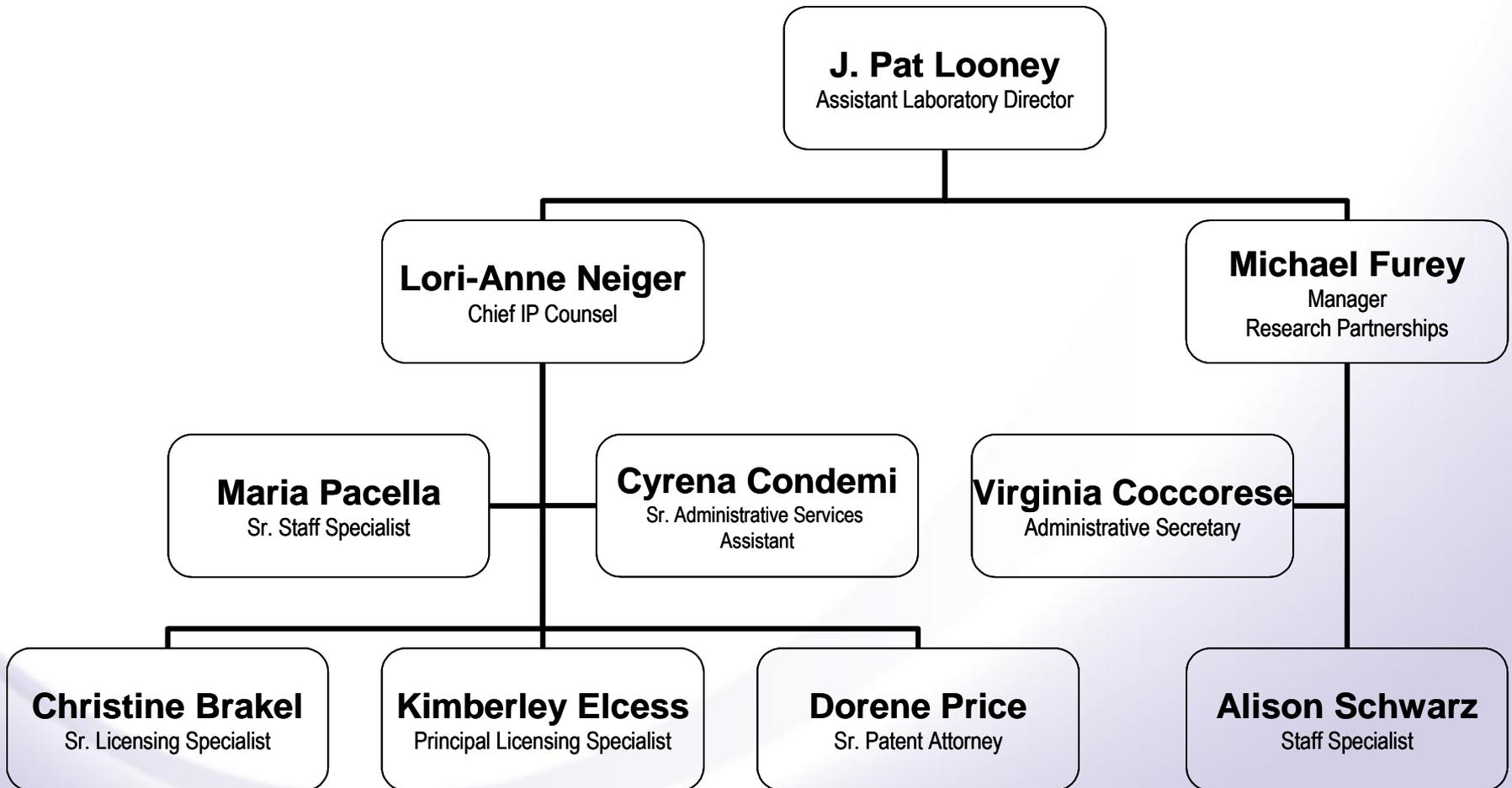
- agree not to mark, register, establish or assert any claim to statutory copyright in any data or computer software

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ORG CHART



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BROOKHAVEN FAST FACTS

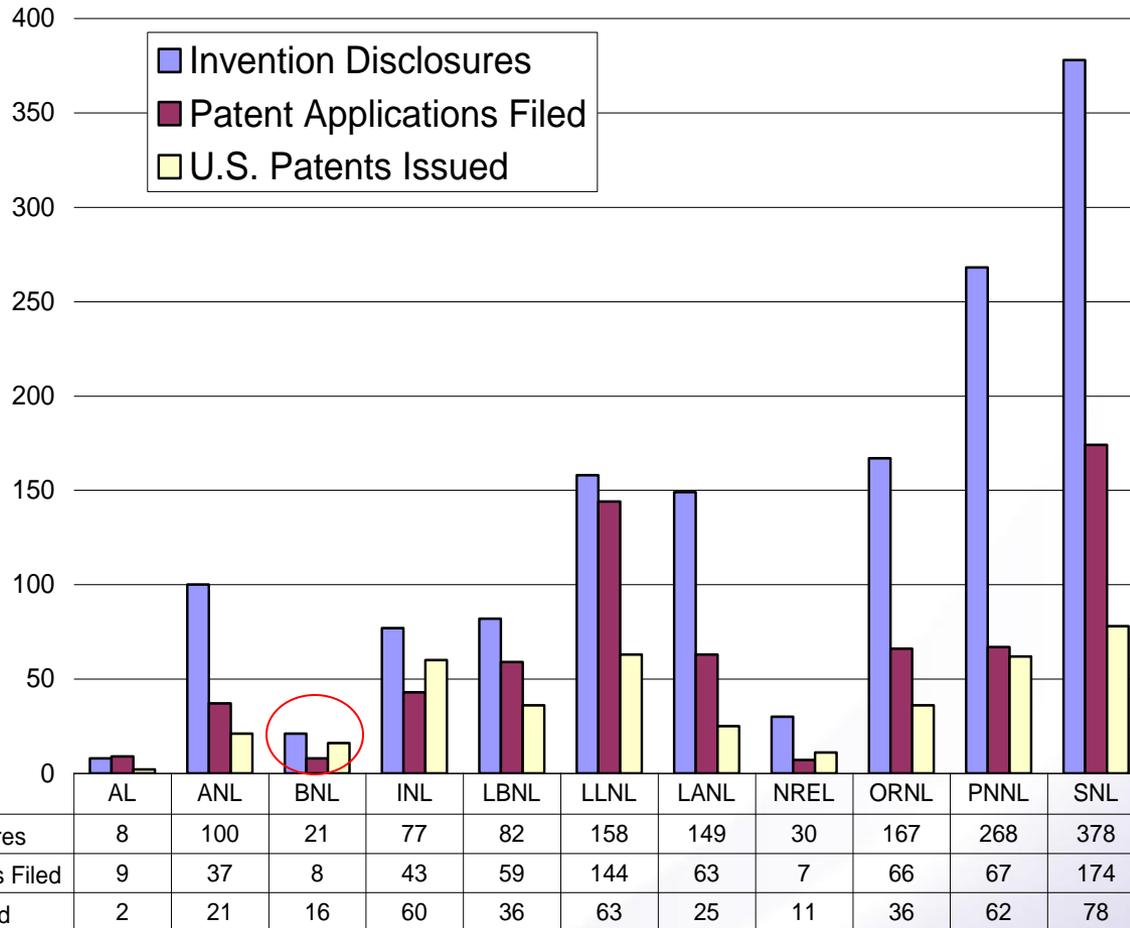
of PATENTS 200+

of COPYRIGHTS 10

of LICENSES 455

Yearly Royalties 6 Million +

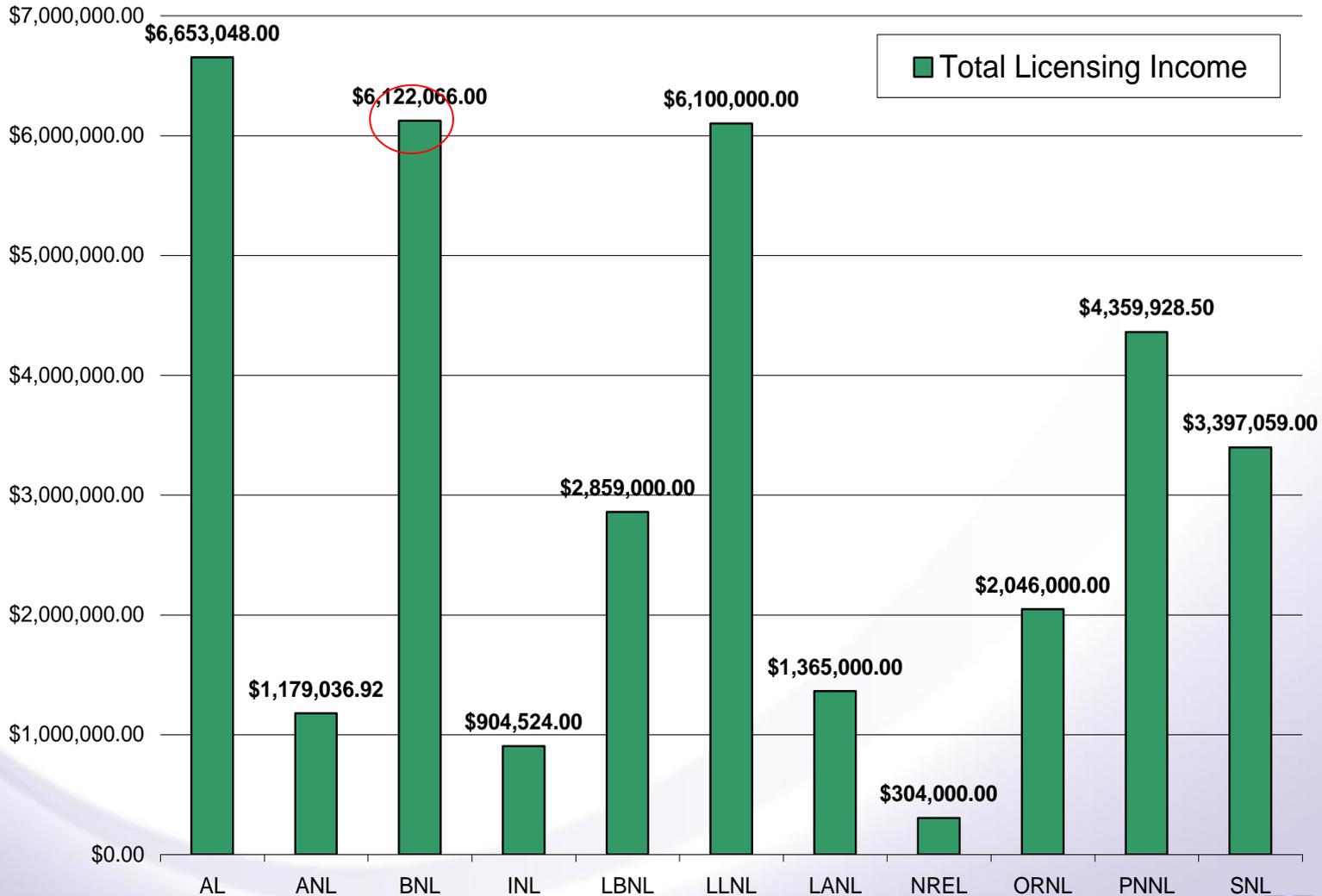
National Lab IP Comparison W/ DOE Labs FY06



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



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

Government



Companies



UNITED STATES
PATENT AND
TRADEMARK OFFICE

An Agency of the United States
Department of Commerce

*Patent
Office*



Self Employed

Courts



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