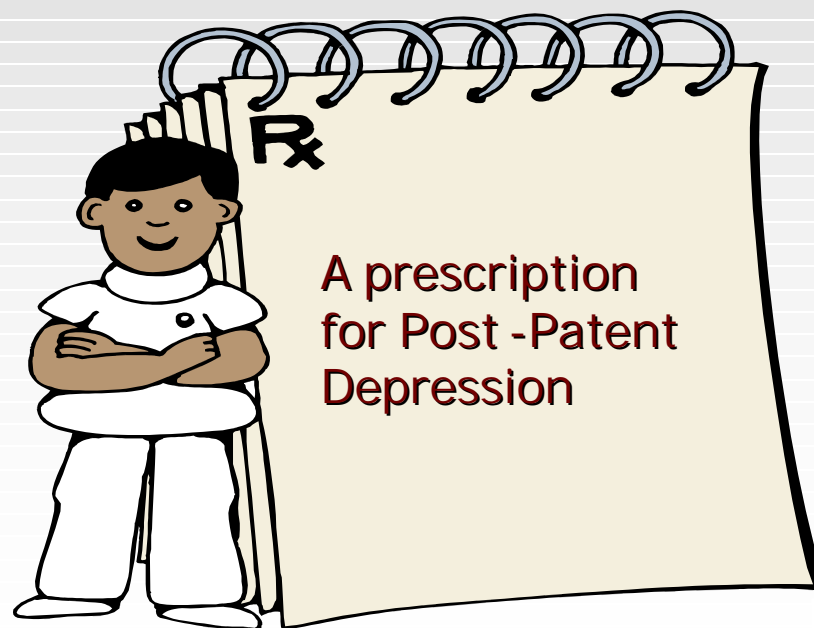


INNOVATION: INVENTION, GENERATION & ENHANCEMENT



RADER,

FISHMAN

& GRAUER

PLLC

RHYMES WITH ORANGE

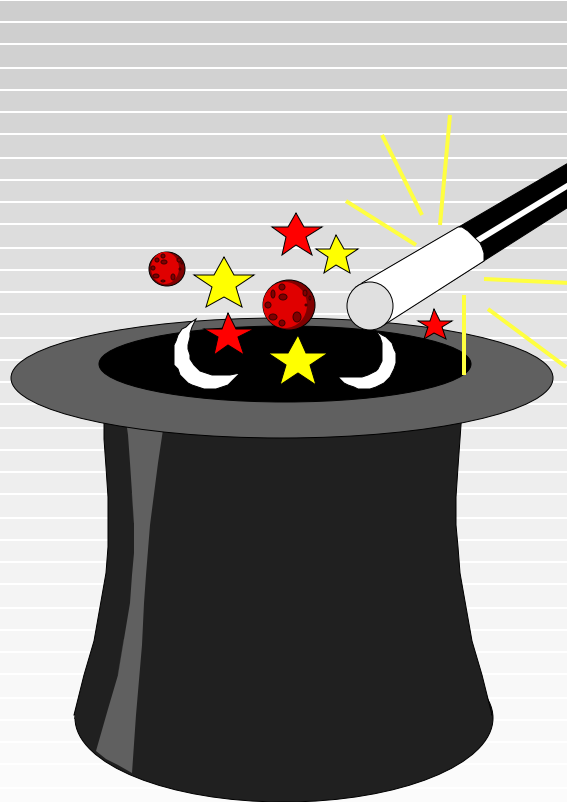
BY HILARY B. PRICE



Goals

- Contrast traditional / non-traditional approaches to IP strategy & process.
- Introduce some non-traditional IP tools.
- Offer suggestions as to when to use the various tools.
- Propose additional ideas for integrating IP with your business and for proactively building your IP portfolio.

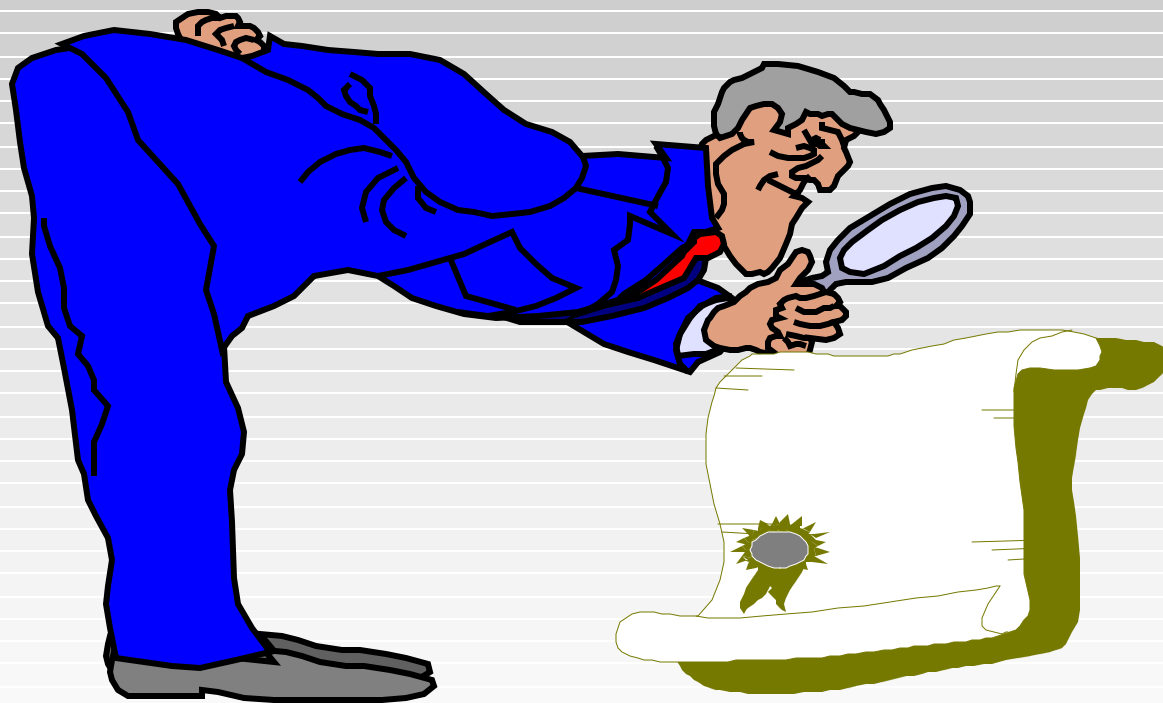
Innovation: Invention, Generation, & Enhancement



ILES' LAW:

“If you explain something
so clearly
that *nobody* can misunderstand it,
somebody will.”

The Problem



A single patent:

- is imperfect.
- has limited scope.
- Raises the bar.

The Problem

Neither your patent application nor your products exist in a vacuum.

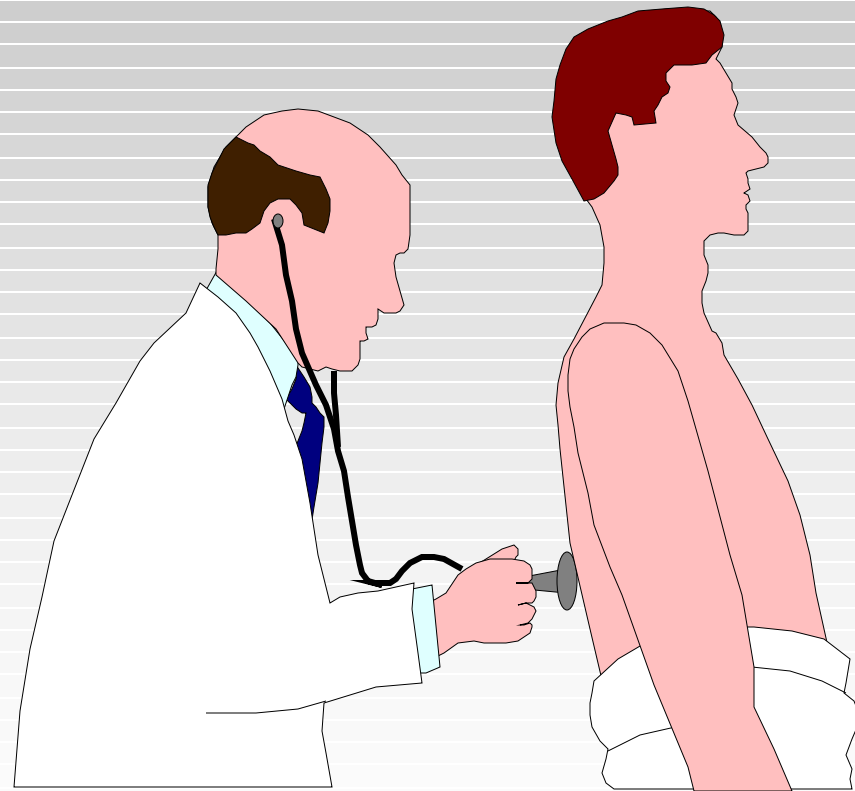
You may not be thinking much today about alternatives, design-arounds and improvements, but your competitors, potential licensees will be.

. . .and so, perhaps, are **PATENT TROLLS.**

Post Patent Depression

Symptoms:

- Insufficient claim scope
- Late recognition of easy design-arounds
- Unable to win friends and influence markets



IP Philosophy through 3 lenses:

- ⊕ IP Strategy
- ⊕ IP Process
- ⊕ The Role of Patent Counsel

IP Process

Traditional

Non-Traditional

Invention Review

Process

Infringement

Clearance Process

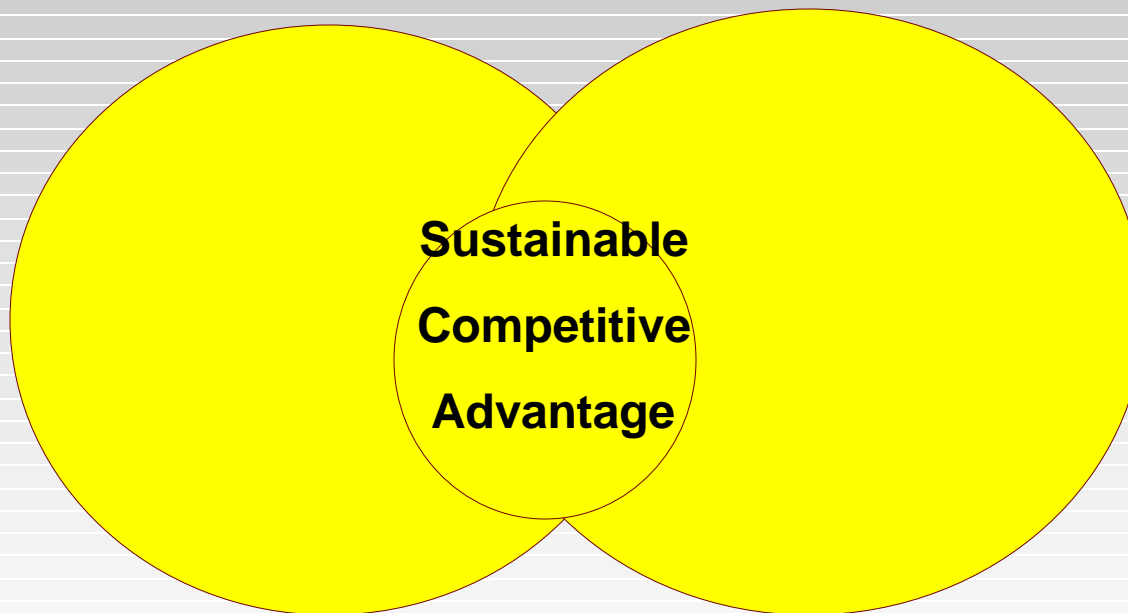
Retrospective Prosecution

IP Value Process:

- Portfolio Creation
- Value Realization
- IP Clearance

Prospective Prosecution

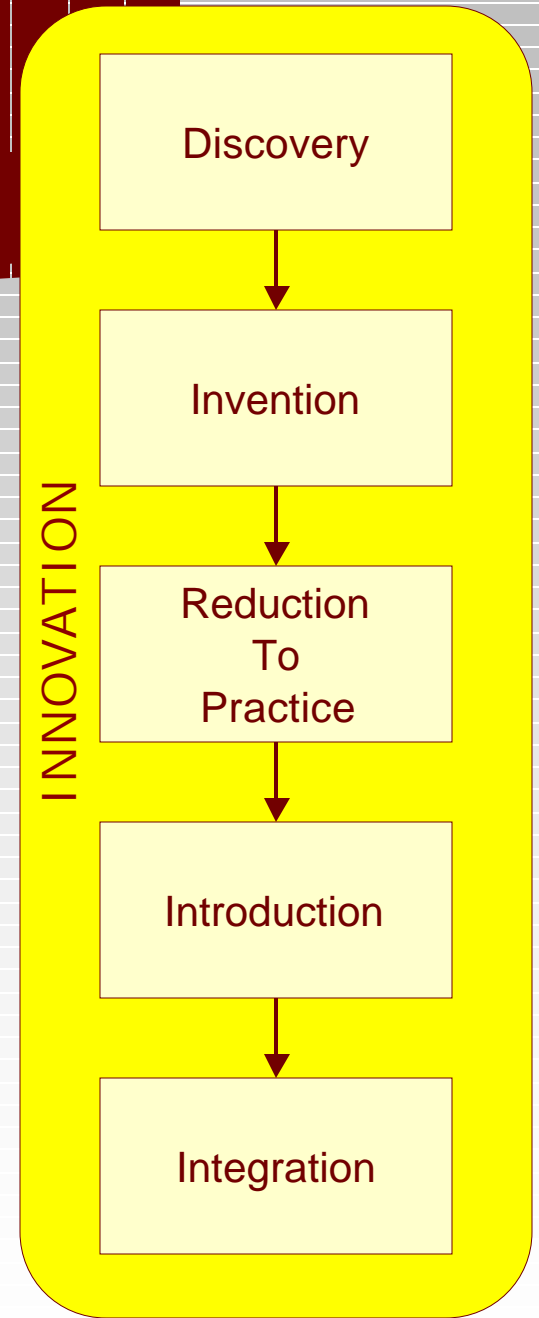
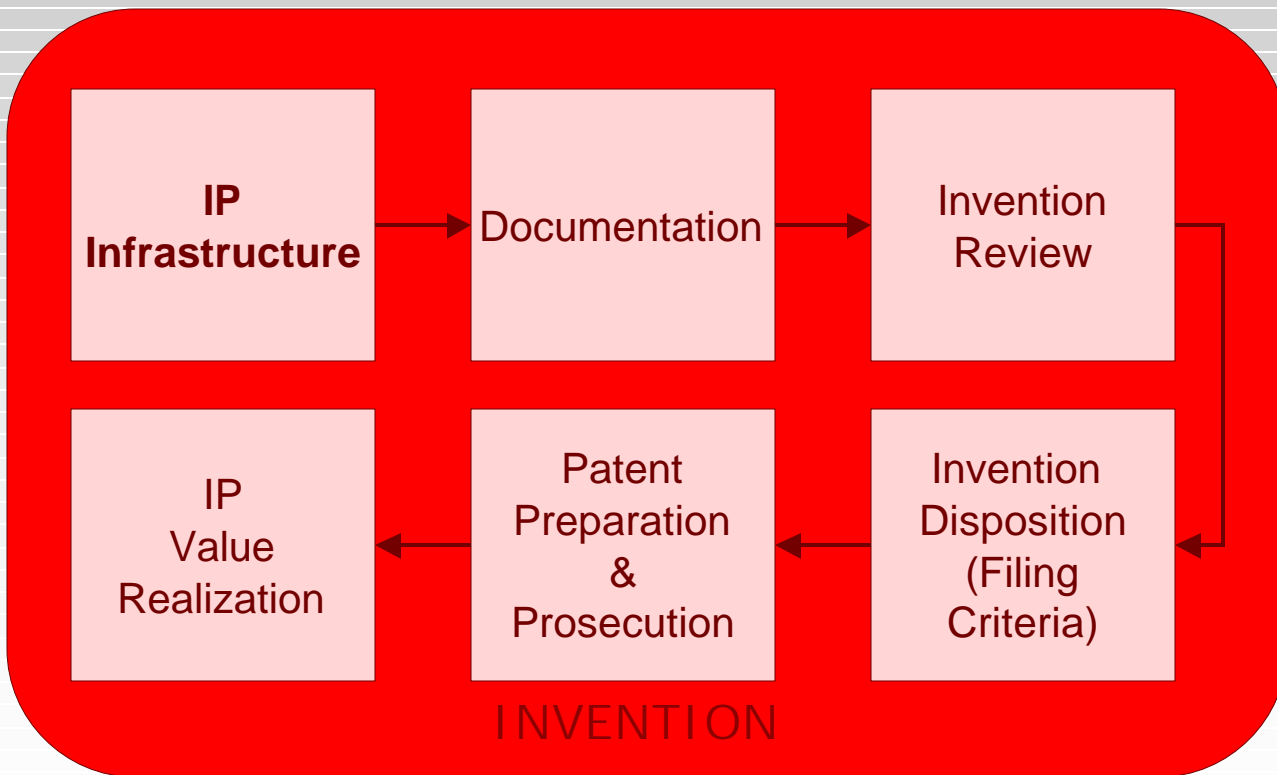
Integrating IP and Innovation

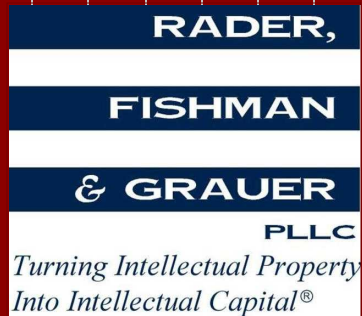


- **Customer Focused**
- **Commercially Viable**
- **New to the market**
- **Competency Fit**

- **Novel & Unobvious**
- **Patentable Subject**
- **Broadly Protectable**

Integrating IP and Innovation

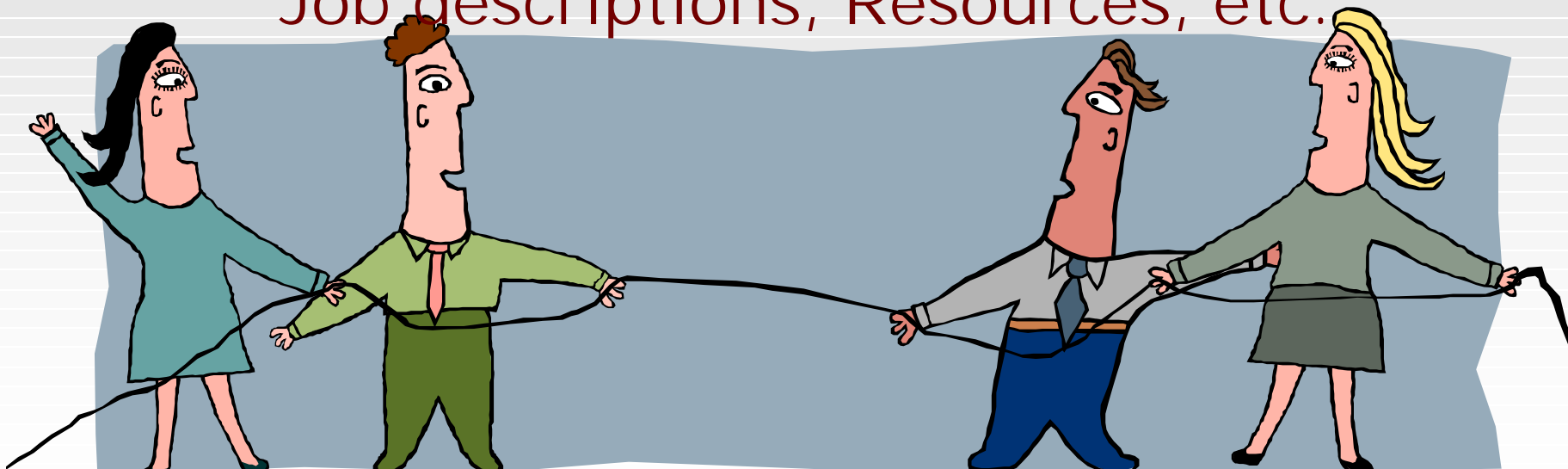




IP Philosophy (Disclaimer)

Systemic Adoption vs. Episodic Application:

Champions, Sponsors, Visionaries, Evangelists,
Enablers, Skeptics, Fundamentalists,
Job descriptions, Resources, etc.



Invention Enhancement Defined:

Techniques for starting with a single invention, idea fragment or crazy idea,

Proactively generating
a menu of IP choices, and

Ultimately creating a robust portfolio.

Invention Enhancement (Non-Traditional)

- ❑ Encourage invention of improvements and design-arounds.
- ❑ Use invention generation and enhancement tools.
- ❑ Involve non-inventors.
- ❑ Involve non-engineers.

Consider:

- | | |
|---------------------------------|-------------------------------|
| ❑ emerging technologies | ❑ the customer's viewpoint |
| ❑ enabling technologies | ❑ a competitor's viewpoint |
| ❑ analogous technologies | ❑ a vendor viewpoint |
| ❑ False paradigms / shifts | ❑ a trade partner's viewpoint |
| ❑ other manufacturing locations | ❑ product convergence trends |

Invention Generation & Enhancement Workshops

- Define the field where strategic opportunity could exist in the future with the right IP.
- Establish criteria tied to the strategic advantage desired in the field for how ideas in the field will be screened.
- Understand the competitive and IP landscape in that field.
- Assemble the right team to explore that field.
- Use the right structured idea generation processes to get the team collaborating and ideating in that field.
- Capture those ideas in a manner that advances rather than interrupts ideation.
- Screen the ideas against the criteria.
- Communicate the results of the screening process to the team to stimulate further ideas.

Invention Generation & Enhancement Workshops

KEYS TO SUCCESS FOR ANY WORKSHOP

- Conduct research in advance
- Have right people in room
 - a facilitator for process
 - a subject matter owner
 - a session secretary
 - diverse participants
- Have plan and tools to drive creativity
- Have resources to follow up
- Capture output in real time
 - Inventions and fragments
 - Business Ideas
 - Knowledge Gaps
 - inventorship
- Follow up with inventors

INVENTOR QUESTIONNAIRE – Exemplary Questions

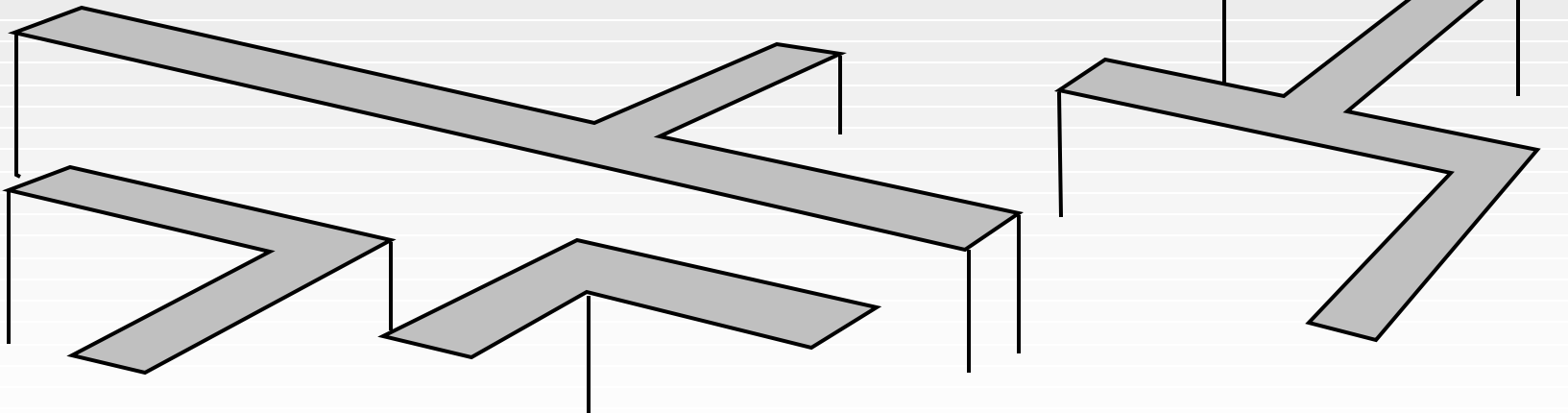
What would
I do
differently . . .

- To slash cost? steps? Process time?
- If cost was less important?
- To improve working life?
- To make it disposable?
- To make it smaller? Lighter? Heavier?
- If a questionable technology was perfected?
- For a different customer? A child?
- For the military? For NASA? Homeland security?
- To improve accessibility for a challenged user?
- To alter minimum scale economies?
- To increase capacity/output/rating?
- To personalize it? make it fun?
- To add functionality? reduce parts?
- To respond to new regulations? Shortages?
- For disposability?
- To use it in Europe? Asia? Underwater? In orbit?

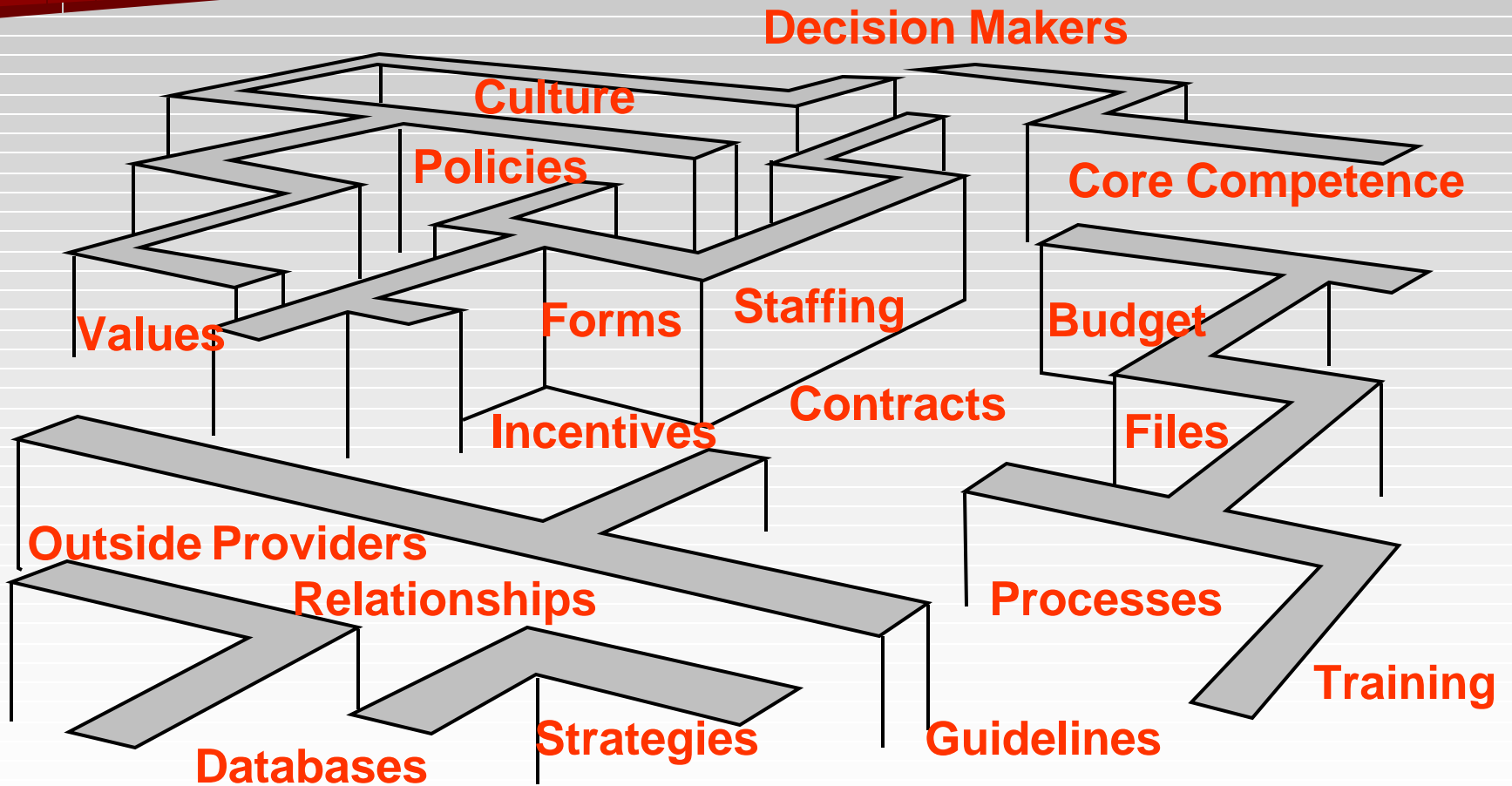
Leverage the Enterprise Infrastructure

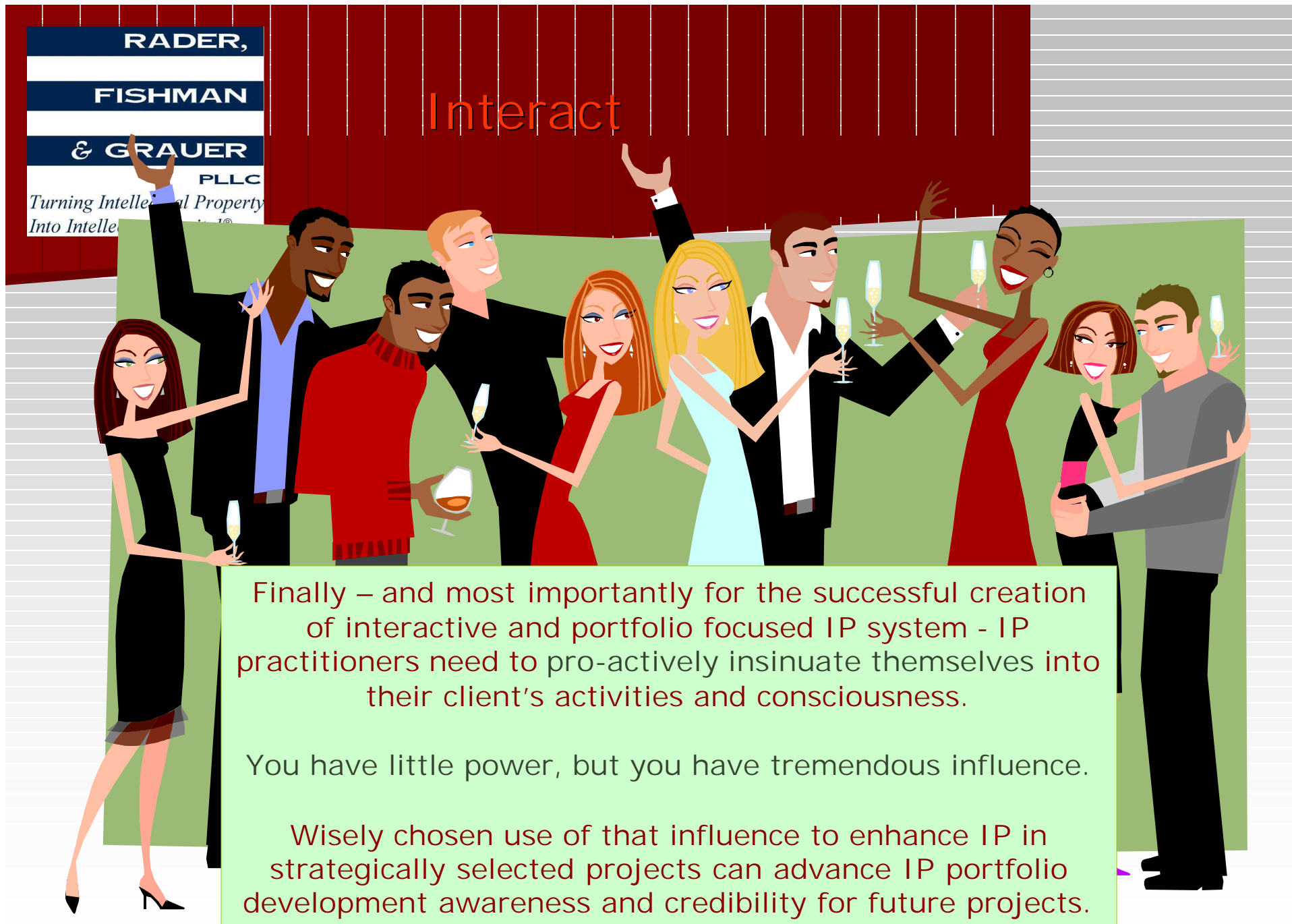
Invention enhancement and generation
is all about getting the right portfolio.

Having the right infrastructure in place to
support IP activities is equally important.



Leverage the Enterprise Infrastructure

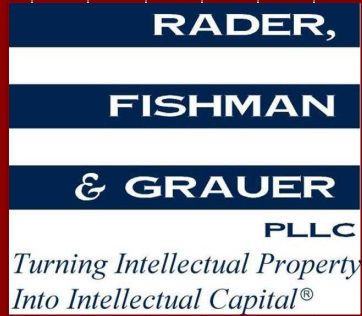




Finally – and most importantly for the successful creation of interactive and portfolio focused IP system - IP practitioners need to pro-actively insinuate themselves into their client’s activities and consciousness.

You have little power, but you have tremendous influence.

Wisely chosen use of that influence to enhance IP in strategically selected projects can advance IP portfolio development awareness and credibility for future projects.



QUESTIONS?



Thomas E. Bejin
248.594.0613



Michael B. Stewart
248.594.0633



Stephen D. Krefman
248.594.0606

Rader, Fishman & Grauer PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, Michigan 48304