

**From Inventors to Musicians,
Intellectual Property Programs for Diverse Audiences**

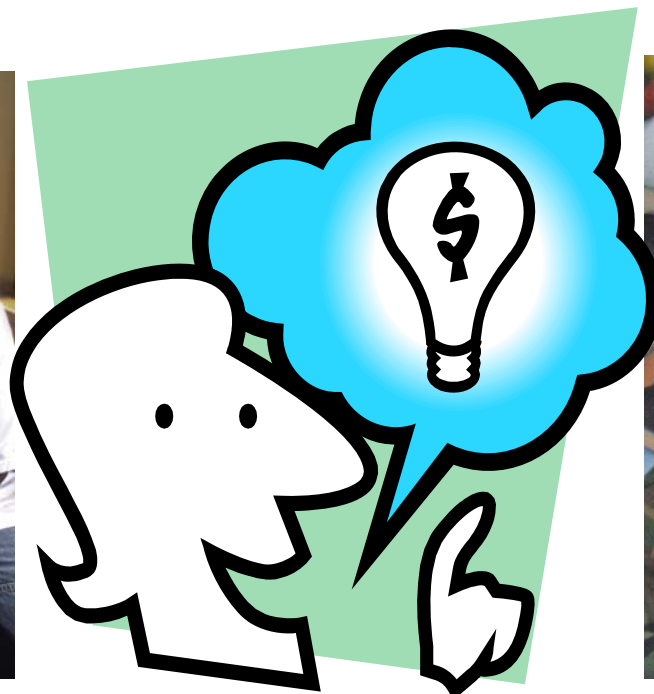
**John Schlipp
Extended Collection Services Librarian, NKU/Steely Library**

In a world of communications overload, people of all ages and backgrounds encounter good and bad information sources. Library programs targeted to inventors, musicians, authors, artists, and business & academic professionals can assist these customers in making wise choices regarding intellectual property resources. This power point presentation covers a wide range of library programs offered for these diverse audiences. It provides an overview of best practices for multiple types of libraries offering successful nationally and regionally recognized programs. The presenter has been trained by the Patent & Trademark Depository Library Program in Washington, D.C. and has worked in a major corporate research library, as well as public and academic library settings. Program highlights include the development and management of one of the nation's largest inventor shows—*InventorFest*, copyright programs for musicians and educators, and inventor programs for kids and teens.

From Inventors to Musicians: Intellectual Property for Diverse Audiences



Source: CityBeat Photo By David Sorcher



Source: Public Library of Cincinnati

John Schlipp
Extended Collection Services Librarian
NKU/Steely Library
Highland Heights, Kentucky

Samuel L. Clemens

- Utilized three types of Intellectual Property:
- Copyright of his many books;
- Trademark of his pseudonym Mark Twain;
- Patent for his self-pasting scrapbook.



**Only one thing is impossible for God:
to find any sense in any copyright law on
the planet. – Mark Twain**

Intellectual Property Headlines

- Return of the peanut butter and jelly sandwich patent? *IP BIZ*, April 5, 2005.
- Piracy on the High C's: Music, Downloading, Sales Displacements, and Social Welfare in a Sample of College Students, *Journal of Law and Economics*, April 2006
- College Students Urged to Stop Illegal Downloads, *CNN*, 02/28/07.
- This trademark Dispute's For You: Bud Vs. Budvar, www.namedevelopment.com, April 20, 2007.
- Reexamination of the Peanut Butter and Jelly Sandwich, *IP Frontline*, March 28, 2007.
- Court Dismisses Copyright Infringement Action against Electronic Music Artist "BT", Stanford Law School: News Center, May 14, 2007.
- Diddy Could Save Sampling: Why hasn't he or any other big-name rapper even tried? *Slate*, November 2, 2007.
- Restaurant Sued For Copyright Infringement By Music Recording Companies For Playing Music Without A Copyright License, www.iptrademarkattorney.com, March 7, 2008.
- Rowling suing fan over new Potter book, www.cnn.com, April 14, 2008.

Diverse Library Audiences



- Inventors & entrepreneurs
- Musicians & authors
- Historians & genealogists
- Students & educators
- Scientists & government workers
- Attorneys & business people
- Varying ages & cultures
- Other libraries or museums

Common IP Shared Needs

- Patent, trademark, copyright searching
- Guidance on making wise information choices related to Intellectual Property
- Avoiding common business scams
- Dispelling bogus myths & misinformation
- Intellectual Property awareness/respect
- Fair Use for students, scholars, media...
- Historical & genealogical patent research

Inventors & Entrepreneurs



- Typically one is not both an inventor & entrepreneur; exceptional when both.
- Inventors tend to only think of patents, while entrepreneurs consider all IPs.
- Other programs cover business resources.
- Both IP and business resources are essential; today we are focusing on IP.
- Promote professional contacts; avoid scams.

Have a great idea for an invention?

- How does one determine if they have a great idea, product, or service?
- From an IP view (not including market viability), one must do a patent search and possibly other IP searches to make certain the idea is new and unique.
- For most ideas, the next step is a patent search.





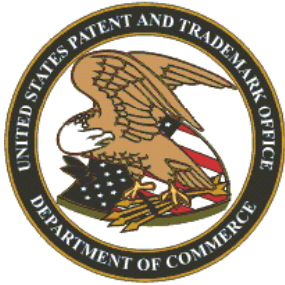
What is a patent?



A patent is a limited time agreement with the government:

You agree to tell the public about your invention so they can benefit from your ideas.

In return, the government gives you the right to exclude anyone else from making or profiting from your invention.



Patents

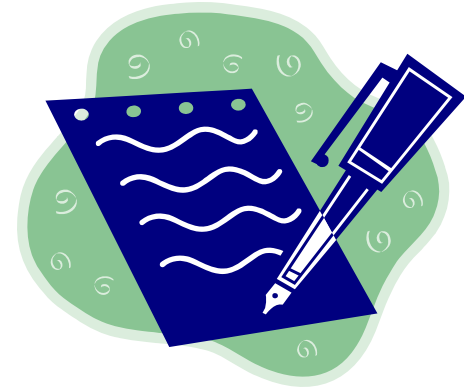
Processes, methods, and inventions that are novel, non-obvious, and useful.



- There are three kinds of Patents;
 - **Utility**-granted for any new and useful processes or product. Most common type.
 - **Plant Patents**-granted for certain types of living plants.
 - **Design Patent**-granted for any new, original or ornamental design of a manufactured item.

Inventors perform a patent search

- To determine whether or not they can get a patent or if their invention has already been patented; and to locate required prior art.
- To improve awareness of product/service field.
- To prepare for the application process.
- To determine if application is feasible.
- To prepare for consulting with attorney/agent.
- To reduce patent attorney/agent fees.
- To produce market, technology, or competitive analysis and determine market viability.



Patent Searching



- USPTO website www.uspto.gov
- PTDLP-Patent & Trademark Depository Library Program network of libraries
- PTDL patent searching classes for patrons
- **PTDLs provide search training & directions**
- *Patent It Yourself* by David Pressman
- Allow plenty of time for searching it yourself
- Hire an IP Agent or Attorney for searching
- Avoid invention promotion firms; scams.

USPTO Website

The screenshot shows a Windows Internet Explorer browser window displaying the USPTO Patent Full-Text and Image Database website. The address bar shows the URL <http://patft.uspto.gov/>. The page title is "USPTO PATENT FULL-TEXT AND IMAGE DATABASE".

The main content area is divided into two columns:

- Issued Patents (PatFT)** (full-text since 1976, full-page images since 1790):
 - Quick Search
 - Advanced Search
 - Patent Number Search
 - View Patent Full-Page Images
 - [How to View Patent Images](#)
 - Status & Event History
 - Database Contents
 - Help Files
- Published Applications (AppFT)** (published since 15 March 2001):
 - Quick Search
 - Advanced Search
 - Publication Number Search
 - View Publication Full-Page Images
 - [How to View Published Application Images](#)
 - Status & Event History
 - Help Files

Below these columns, there are two sections:

- Information Applicable to Both Databases:**
 - [Important Notices and Policies -- Please read!](#)
 - [How to Access and View Full-Page Images](#)
 - [Problems Using the Databases?](#)
 - [Report Errors in Data Content](#)
- Related USPTO Services:**
 - [Tools to Help in Searching by Patent Classification](#)
 - [Patent Application Information Retrieval \(PAIR\)](#)
 - [Patent Assignment Database](#)
 - [Patent Attorney/Agent Roster](#)
 - [Downloadable Published Sequence Listings](#)

At the bottom left, it says "2 Last Modified: 07/24/2008 14:37:41". The Windows taskbar at the bottom shows the Start button, several open applications, and the system tray with the time 4:02 PM.

<http://patft.uspto.gov/>

Trademarks for Business

Trademarks protect *words, names, symbols, sounds, or colors that distinguish goods and services*. Trademarks, unlike patents, *can be renewed forever* as long as they are used in business.



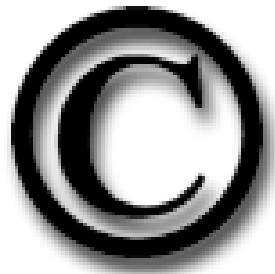
- ® The roar of the MGM lion, the pink of the insulation made by Owens-Corning, and the shape of a Coca-Cola bottle are familiar trademarks.
- ® Protection may be through federal registration ® or state registration or common law ™.

Where to search for Trademark?

- Federal ® and State TM Trademarks
- www.uspto.gov > Fed Trademark Search
- Registration agencies vary by State.
- See State-by-State Directory @ http://martinwallace.net/ptdla/statetm_main.html
- Kentucky <http://sos.ky.gov/>
- PTDL is your best friend for searching tips
- An IP Attorney may be very helpful too.

Copyright for authors & musicians*

- © Protects the tangible recorded expression in writing, song, sound recording, computer programs, architecture, motion picture, etc.
- © Does not protect ideas, concepts, phrases, or slogans.
- © Copyright occurs upon creation and lasts for the life of the author plus 70 years.
- © www.copyright.gov for recent registrations (since 1978).



*Businesses too.

Finding Copyright Registrations

- © Catalog of Copyright Entries 1891-1978 –discontinued in 1982. Available in some depository libraries. LC 3.6/5:
- © Copyright Office in Washington DC. You can visit to search or pay approx. \$80 an hour to have search done. Response time up to 12 weeks.
- © www.copyright.gov/records For anything registered since January 1, 1978 to present.
- © Copyright Clearance Center www.copyright.com
- © Hire a private search company like Thomson Copyright Research Group. Usually \$300 per search.

IV. Other IP Protection



- Trade Secrets
- Non-disclosures
- Inventor/Scientist Notebooks
- Licensing Agreements

Winning Idea to Successful Product

Ronald Hummons designs/markets hip C-town sneakers

- Idea generated while in prison.
- Utilized library's business and IP resources.
- Attended SCORE small business programs at library to develop business plan.
- Dealt with investors, manufacturers, and filed patents & trademarks.
- Teaches entrepreneurship in Cincy Correctional Institution.
- 5-year product sales nearly \$500,000!



Source: CityBeat Photo By David Sorcher



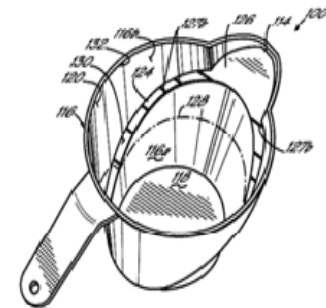
Oxo Good Grips Angled Cup

- Cincinnati daytime engineer/ moonlight independent inventor patents unique angled measuring cup which sold millions worldwide.
- Patented angled measuring cup allows reading capacity levels by looking straight down into the cup. Eliminates extra pouring, lifting and viewing, then pouring again.
- Inventor patented idea, presented prototype to manufacture to licenses and market.
- Library patron and Inventor's Council of Cincinnati member.



(12) United States Patent
Hoeting et al.

(10) Patent No.: US 6,263,732 B1
(45) Date of Patent: Jul. 24, 2001



Have your cake and ice cream it too

- Culinique® *Surprise Inside Food Molds*
- Always intrigued by ice cream cakes; thought of improved patented design for two piece cake mold. Inspired to further support herself and family after an ill-timed death of her husband; new career.
- Found angel investor and manufacturer to produce molds. However, she had to market and sell the product herself.
- Earliest success from home shopping cable channel and later her own direct sale website.
- Introduced full line of kitchenware products to complement original idea.
- Serves on Inventor Council; advises aspiring inventors @ Innovation Enterprises.
- See <http://www.culinique.com/home.html>



Source: <http://web.mit.edu/invent/iow/diaz.html>



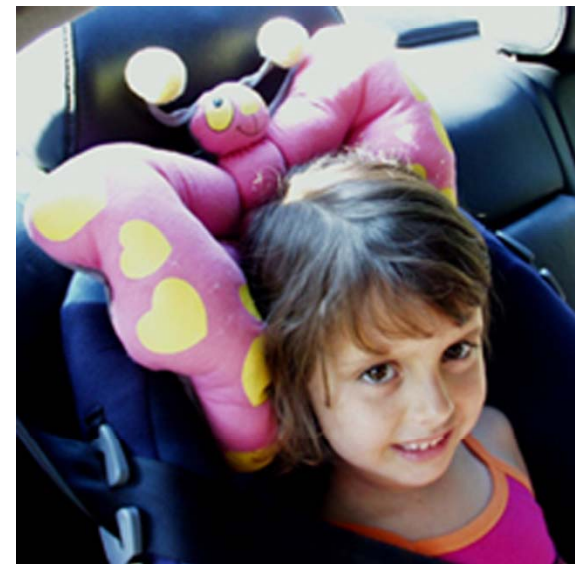
Source: <http://www.enquirer.com/editions/2000/11/19/cake3.jpg>



Diaz calls it a high-class Twinkie

Young inventor idea sells nationally

- Young Natalie Brady of Milford, Ohio invented the Booster Buddy which was sold in Target, KMart, Sears, Toys-R-Us and other children's stores. It is now represented by a special organization known a By Kids For Kids.
- She also created and sold unique jewelry and fashion accessories for girls.
- She recently invented a new product for kids called “My Fear Eliminator,” which helps youngsters to believe that fear is conquered. Endorsed by a child psychologist as a good idea because it helps children believe their fears are solved; it may appear on store shelves soon.



INVENTORFEST 2006



Inventing Is for Everyone!

We built it & they came.



- Regional forum open to anyone interested in invention/inventing process. Most recent was more family-related adding video gaming & energy technology, plus copyright and music programs.
- Rotated between Cincinnati and Dayton, the event attendance has tripled to 750 attendees traveling from as far as Arkansas, Florida, Illinois, Michigan, Pennsylvania, and Tennessee.
- Concept may be applied to other library outreach target groups, e.g., authors, musicians, genealogists, small-business owners, job seekers, grant writers, tax form patrons, pet lovers, home gardeners, health/legal researchers, students, etc.
- Community Partnerships key to success; raised resource awareness and contributed to community's economic development.



Source: Public Library of Cincinnati

Authors & Musicians

- Copyright registration with Library of Congress @ www.copyright.gov
- Performance rights awareness of an artist's works, ASCAP/BMI, etc.
- Copyright permission options, CCC, ASCAP, BMI, Creative Commons, etc.
- Trademarks for band names and business applications.
- Organization directories for support, e.g. *Encyclopedia of Associations*.



Music Programs

- *This Business of Music*, *Moser on Music Copyright*, and other books displayed.
- Advice from music experts.
- Network with other artists.
- © forms Copyright Office.
- Dispelling myths; e.g. sealed letter postmarked and mailed to one's own address.
- Patrons Performed live music at event.



Inventing & Patents for kids



- Students submit an idea one week ahead of library program.
- Presented at library or classroom.
- Patent Librarian and staff locate similar patents; offer *Great Idea* certificate to child at program.
- Historical famous and wacky patents are exhibited.
- Related subject PowerPoint is presented with curriculum content at school age level of audience.
- Science, art, and history classes.

Teen American Inventor

- Take a journey from the glimmer of an idea, to the creation of a product or song, protecting it and then getting it on the market for people to purchase.
- Provide technology examples such as gaming devices and MP3 players to engage the teens.
- Discuss all types of IP protection.
- Refer to library resources to assist with IP and business research.
- Encourage professional attorneys and quality support services, e.g., Inventors Councils, as alternative to questionable common business scams.
- Getting Started as an Entrepreneur – Guide for Students by the Nat'l Collegiate Inventors & Innovators Alliance @ http://www.nciia.org/resource_folder/entreguides/gettingstarted/



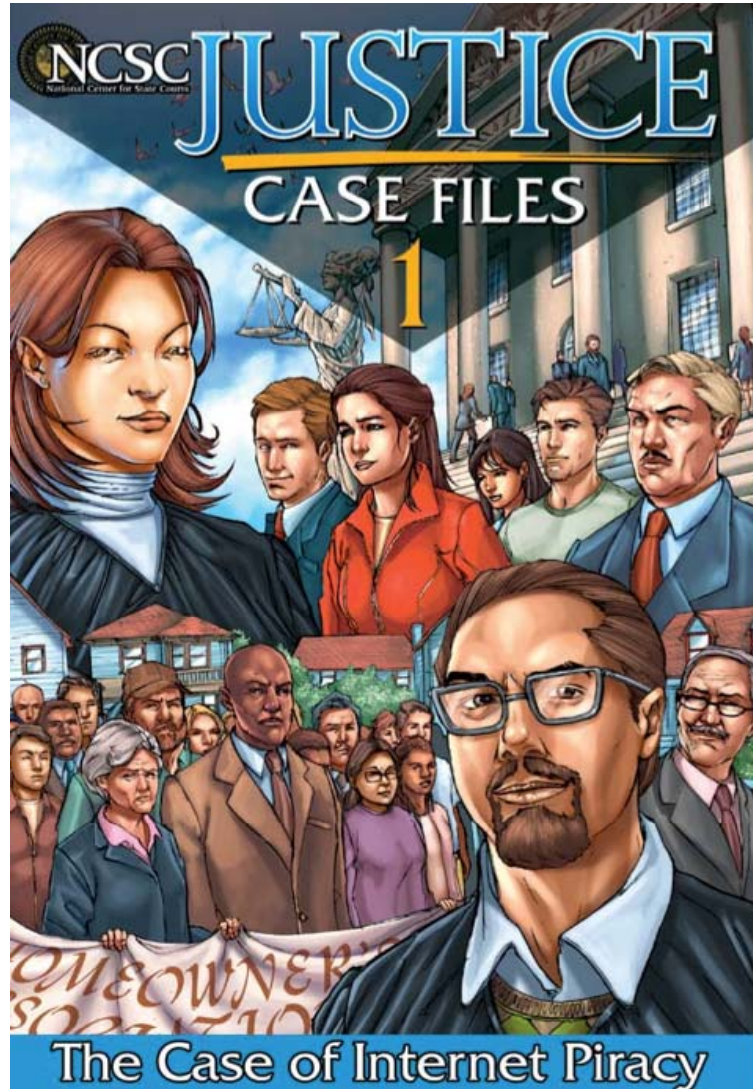
Roles: Madame C.J. Walker, Violet Baudelaire, & Ben Franklin

Students



- Encourage respect for author/creator works.
- Campus music file sharing challenges.
- Research papers for school (creative, original thinking/pedagogy process).
- Fair Use does not mean unlimited use.
- Grad students theses/dissertations;
© permissions and proper attributions.
- Extra-curricular programs & media showings.
- In-class presentations for literature, history, computer-ethics, music, art, science, etc.

NEW Justice Case Files: Case of Internet Piracy



<http://blog.wired.com/underwire/2007/10/new-graphic-nov.html>

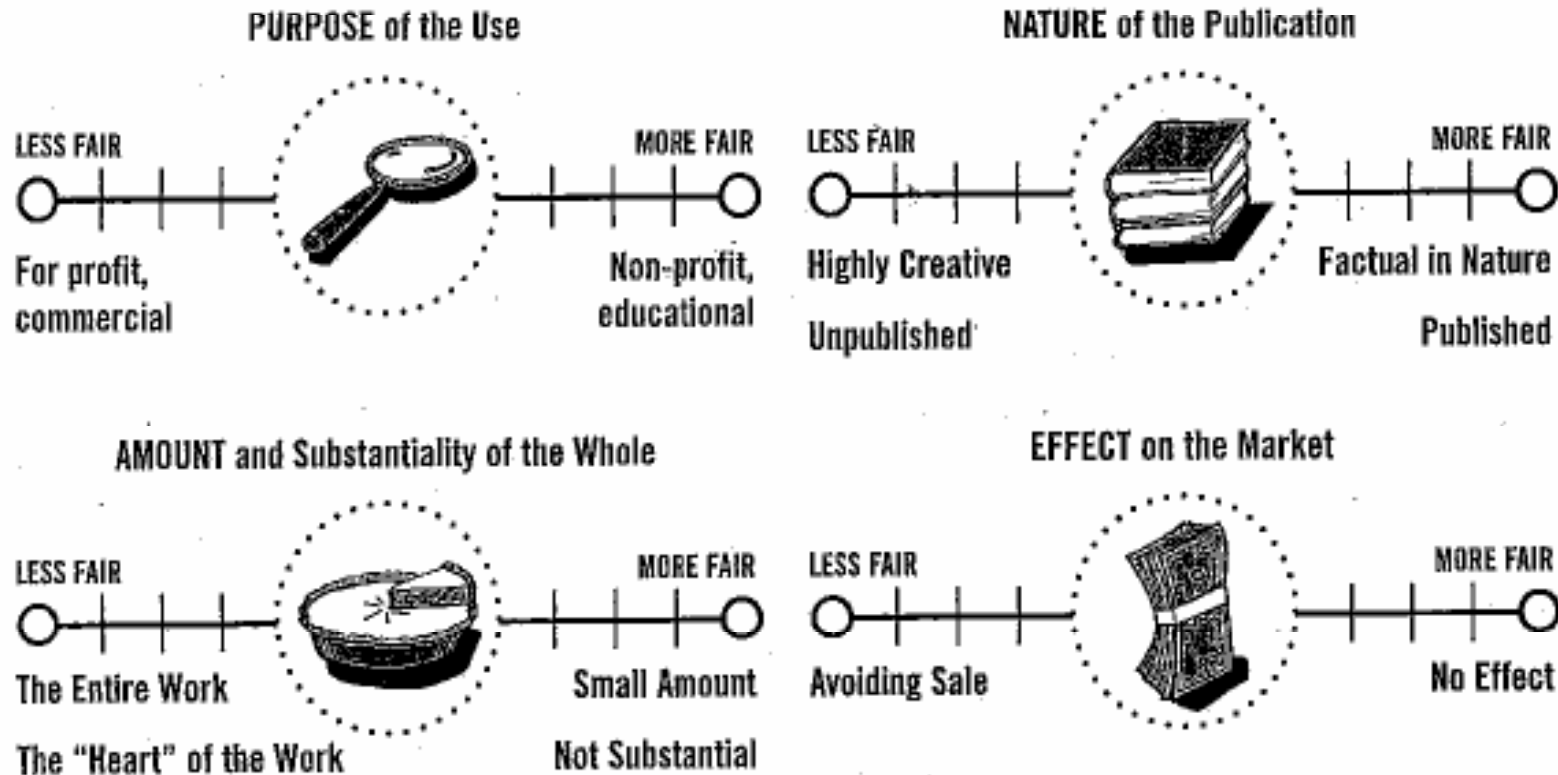
©reative Thinking: IP for Teens and Young Adults

- Cincinnati Bar Foundation \$9,000 grant awarded to NKU/Steely Library to produce awareness video/website to support regional school classes.
- Project will educate middle school, high school, and freshman college students through awareness on the ethics of plagiarism and legality of copyright in both the classroom and the digital world.
- Surveyed Regional Teachers' Needs for this program.
- Organized Outline/Questions tied to National & State Educational Standards.
- NKU Summer Film Class produced films on plagiarism and copyright; scripts were tied to Outline/Questions and Standards.
- Student assignments & class activities are tied to films.
- Student online quizzes available for teachers to use as acknowledgement agreements, and to help us assess the success of our project content.
- Wrap Together: all content on streamlined website to post on community partners' websites, KYVL, CET, public libraries, etc.

Coaching Faculty on IP

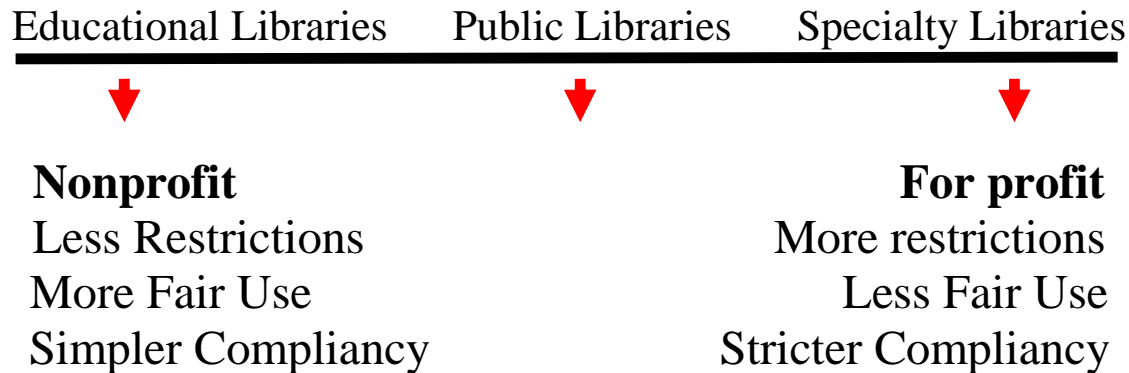
- Confusion creates extremes; from over-cautious to ignorance of Fair Use and copyright basics.
- eReserves require collaborative communication between librarian and instructor. Steely Library faculty workshops and new online tools helped transition to Blackboard for eReserves.
- Teacher class presentations face-to-face vs. online; covers Fair Use and TEACH Act.
- Scholarly research and writing; when to ask and how to ask for permission.
- Kenneth Crews (Director of Copyright Advisory Office @ Columbia University Libraries) points out that *we must understand our rights as copyright owners and as copyright users. With this awareness, we can be familiar with alternatives that the law allows and make choices about copyright that best advance our objectives as teachers, learners, and information professionals.*

What is Fair Use?



Source: Carrie Russell, *Complete Copyright: An Everyday Guide*, ALA, 2004

Library Customer Copyright Continuum



- Continuum between varying types of library's customers and whether or not profit is involved. The closer one's use of another's copyrighted works is to a profit-making venture, the greater the risk of an infringement.
- Specialty libraries must be more cautious.
- Corporate Copyright Awareness has the least Fair Use and most restrictions; use permission is very common.

History & Genealogy

- Over 7 million U.S. patents; first issued 1790.
- Legal document containing personal information; name, address & migration, signature, citizenship, co-inventor, business contact, drawings, etc.
- Regional interest historical databases, e.g. Cincinnati Inventors Database
<http://www.ptdla.org/statepatentdatabases>
- Historical Patent & Trademark Databases
<http://www.ptdla.org/history>
- PTDLs PubWest Database keyword searchable back to 1920!
- Free web database www.uspto.gov

African American Inventor Legacies

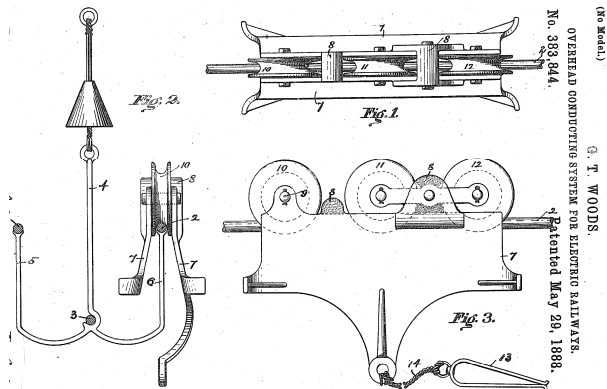
Granville Woods



(No Model.)

G. T. WOODS.

OVERHEAD CONDUCTING SYSTEM FOR ELECTRIC RAILWAYS.
No. 383,844. Patented May 29, 1888.



Fred Jones

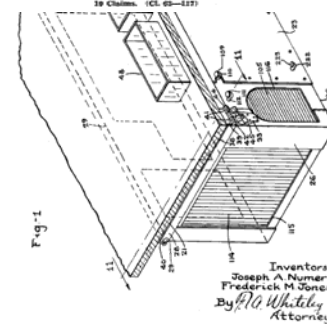


Patented Dec. 1, 1942

2,303,851

UNITED STATES PATENT OFFICE

AIR CONDITIONER FOR VEHICLES
Joseph A. Numero and Frederick M. Jones, Minneapolis, Minn., assignors to E. S. Thomas Control Company, an association composed of Joseph A. Numero and M. Gross.
Application November 16, 1939, Serial No. 284,796
19 Claims. (Cl. 62-117)



Intellectual Property Information Path



- In all library environments, there are special needs for workshops and other educational outreach programs to educate library customers with intellectual property information needs.
- In addition to traditional and web resources, there are library associations, subject related groups, intellectual property professionals, and other libraries organized to help you address your customers' needs.
- Ball State (IN) University's Annual Copyright Conference; a regional program example for library support:
<http://www.bsu.edu/library/conference/copyright/>