



EDISON INVENTORS Association

Volume 18, Number 10

October 2010

October 2010 Regular Membership Meeting

Wednesday, October 20, 2010 @
7 PM - Edison-Ford Estates

Main Program:

“Inventing Basic’s, Directions& Options”

Board of Directors Meeting

Wednesday, October 13, 2010
@ 7 PM

Perkins Restaurant Just S. of Crystal Drive
on Hwy. 41

Members welcome to network.

Edison Quote of the Month:

“My main purpose in life to make enough
money to create ever more inventions...”

[Newsletter Highlights](#)

Invention Contests

Edison Inventors Association PO Box 07398, Ft. Myers, FL 33919

www.edisoninventors.org

Mission Statement

A non profit, educational organization with goals to promote creativity and entrepreneurial success in our schools and community. We are a diversified group of people sharing time, information, experiences and resources to this effect.

Attending a Meeting?

The doors open by 6:15 p.m. The meeting will begin promptly at 7p.m. In respect to our speakers please arrive on time and give them your full attention. There is time before the meeting and at the end of the meeting to network.

The Edison-Ford Winter Estates parking area will only be accessible from the East entrance. The McGregor Blvd gates will be closed for security purposes.

Directions off Hwy 41: At the Edison Ave traffic light, go west onto Cortes Blvd. Go past Euclid Ave. and veer right onto Monte Vista Street. Take Monte Vista to the very end crossing over, Harvard Road. You have arrived!

Directions off McGregor Blvd: Proceed to Larchmont Ave. on the north border of the Edison-Ford Estates property. Turn right on to Larchmont and the next right turn on Harvard Rd. Watch closely for the Estate signs on the right side of this road. Private homes border this drive or, go to www.googlemaps.com and type in, Monte Vista Street, Fort Myers, FL

Liz & I

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TREASURER'S REPORT

As of 9/30/2010
General Account \$ 7,023.68
Bernard A. CousinoMemorial Fund \$ 4,600.93

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Opinions expressed may not represent the views of the
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Publishing Information

All articles and paid ads must be submitted by the third
Wednesday of the month to be included in the
following month's e-letter. All information will be
reviewed prior to publication and may appear as time
and space permit. Reprints must be accompanied by
proper credits to be considered for this e-letter.

Submit articles/ads to:
Edison Inventors Association
C/O Mike Kirby
P.O. Box 07398, Fort Myers, FL 33919

Or e-mail mikekirby07@comcast.net

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NEW

A one line complementary listing is being provided to
all member service providers in good standing, as a
service to our members.

Message from the President:

Greetings Fellow Inventors, I watched, as I'm sure many of you did, the events leading to the rescue of the thirty three Chilean miners. The Center Rock drill bit is the real hero here. It was because of this drilling tool developed by an American company that this amazing rescue was able to take place. American Innovation has made a difference in countless events throughout the world in our nation's 234 year history. How many of you are working on something that may save a life, or change the world, or just make life a little easier? The profit = innovation dynamic was everywhere at that Chilean mine. We invent for profit, if you don't, you will never make it as an inventor. Your invention must make money for you, the inventor, as well as any investor's you, have brought in, or company's you have inked a licensing deal with. Next month, we all go to the polls to vote. I would never tell you how to vote, however as an inventor, and potential small business owner, I just ask you to consider the option of voting for pro business, as well as pro American Innovation candidates. It will just help put money in your pocket, which is why we all invent in the first place. This month we have a very exciting main program scheduled. We will be discussing the basics of inventing as well as the different directions, and options available to you as an inventor. This discussion will be more on the subject of what to do, rather than how to do... Joe Gross
Share your thoughts with the President,
Email: grossrdlab@yahoo.com
Please put EIA in the Subject box.

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Intellectual Property Law Firm

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NEW * COMPLEMENTARY * NEW **INVENTORS SERVICE PROVIDERS LISTINGS**

Disclaimer: The EIA does not endorse or approve any service provider listed in this, or any EIA publication. This List is provided as a service to our members, and as a courtesy for our service providers. All contracts and service agreements are between the members and the service providers exclusively. This list is for information & educational purposes only. The Edison Inventors Association Inc. shall be held harmless shall any dispute arise between a member and a service provider.

In alphabetical order by last name:

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Links to Websites Important to Inventors

www.uspto.gov/ - The United States Patent & Trademark Office

www.uia.org – United Inventors Association – The most respected and best all around site for inventors

www.Inventors.about.com – One of the first sites for inventors

Commercial Invention Sites

www.edisonnation.com – The best product search site, blogs and forums site we know of

www.everydayedisons.com – A television series designed to pick inventions and complete them, they have a newsletter and casting calls

www.inventright.com – Steven Key's site, newsletter

Journals & Magazines

Current Product Searches

Edison Nation Product Searches www.edisonnation.com (NOTE: Unlike other product searches, Edison Nation only pays out your royalties once a year, in December)

As Seen On TV (ASOTV) The infomercial business. Toys, Fitness, Beauty and Health, Weight Loss, Kitchen Gadgets, Household Cleaning Products, Pain Relief, Pet Products, Self Improvement, Sleep Aids (Snoring remedies), Lawn & Garden. **Deadline:** Monday, November 29th, 2010 at 11:59PM *Pacific Time (US & Canada)*

Sassy – Sassy Baby is looking for developmental juvenile products and toys.

Deadline: Monday December 20, 2010

Hollywood –The Hollywood Series: Looking for the next big hit cat invention.

Deadline: Monday November 1, 2010

Nautilus – Nautilus is looking for the next big idea in home fitness.

Deadline: Monday November 22, 2010

Apps for the Army - <http://armylive.dodlive.mil/index.php/2009/09/apps-for-the-army-competition/>

The U.S. Army is reaching out to increase its technology applications-and they need your help. Lt. Gen. Jeffrey Sorenson, Army Chief Information Officer/G-6, recently announced an “Apps for the Army” competition for the .mil community. Sorenson seeks to harness the untapped potential of the .mil community and reduce the time it takes to develop new technology for the Army.

L Prize US Dept of Energy – <http://www.lightingprize.org/>

The L Prize competition will substantially accelerate America's shift from inefficient, dated lighting products to innovative, high-performance products. Just as Thomas Edison transformed illumination over a century ago, the L Prize will drive innovation and market adoption. Sponsored by the U.S. Department of Energy, the L Prize is the first government-sponsored technology competition designed to spur lighting manufacturers to develop high-quality, high-efficiency solid-state lighting products to replace the common light bulb.

Deadline: None – The competition will remain open until a winner is chosen.

Business Resources

Upcoming seminars and workshops in your community www.sbdcseminars.org _

PB&J - Frequently Asked Question about Starting a Business, Nov 17, 11am-1pm

Frequently Asked Question about Starting a Business, Nov 9, 2-5pm

www.inventorsdigest.com– The defacto magazine for inventors today

Television

Shark Tank – Returns Thursday July 15, at 8pm on ABC

Patent Search Websites

www.uspto.gov/

www.freepatentsonline.com/

www.google.com/patents

Other Florida Inventor Groups

Inventor's Society of South Florida, Ft. Lauderdale, FL

<http://www.inventorssociety.net/>

Inventors Council of Central Florida, Orlando, FL

Website coming soon drdavidflinchbaugh@bellsouth.net

Space Coast Inventors Guild, Melbourne, FL Website coming soon angelsnr@cfl.rr.com

Tampa Bay Inventors Council, Largo, FL www.tbic.us

Passion to Profit (P2P) – Oct 23, 9-3 (\$69)

Overview of Doing Business with the Federal Government – Oct 27, 11-1

Doing Business with the Federal Government (Introduction to contracting and FAR (Part 1 & 2) Oct 15 1-3

Doing Business with the Government – Nov 12, 9-11

X-celerating Your Business – Nov 1,8,15,22,29 6-9pm

Extreme Digital Marketing Solutions – Nov 10, 9-12

Business Organization Advantages/Disadvantages Sole Proprietor, Partnership, etc, Nov 22, 2-4:30pm

FGCU Regional Economic Indicators www.floridaedo.com/pdf_folder/Regional_EIR_Current.pdf

Online Trade Shows - Contributed By Mike Kirby

Houston Inventors Association

United Inventors Association

Market Launchers

Inventors' Network of the Capital Area <http://www.inventors.org/productscoouts.html>

Trade Show – Pitch Your Product, Palm Beach Convention Center Oct 23, 2010

<http://www.helpyourstartup.com/events.html>

Do you have an idea, but do not know how to get it from paper to finished product? Come pitch your idea at our Elevator Pitch Event **FOR FREE** on Saturday Oct. 23, 2010 at the Palm Beach Convention Center. Attend one or more of our elevator pitch sessions. You will have the opportunity to pitch your idea to other like-minded inventors, potential investors from the South Florida area and service providers. After each Elevator Pitch session, there will be a one-hour networking session where you will have time to network with each other and our sponsors. You never know who might want to invest in your project! We will be giving a \$100 prize to the best Elevator Pitch at each session. For more info, please see our Events page, or to pre-register for the one or all of the sessions, please contact us. Hurry! Space is limited!

Pitch Your Product Online

The current way to pitch your product online is to use a “sell sheet”, to get the attention of companies looking for new products. A sell sheet is simply a one page information sheet that explains your product, points out the benefits, and shows a picture of your product (preferably in use). The next step is to get this sell sheet to companies that are interested in obtaining new products. Lately it's much easier to find companies looking for new products and the contact person in the new products division. The old way was to go to the company web site, look for a new products link or a telephone number. An internet search using a few key words should turn up multiple hits. For example, I searched for, “Invention Trade Shows”, and found the following site, <http://www.inventors.org/tradeshow/>. While at the site I skipped around and found a page for companies looking for new products, <http://www.inventors.org/productscoouts.html>, walla, a gold mine! This site lists the companies looking for new products and provides an email address (usually with a name) to initiate a contact. Now take that sell sheet you created earlier and send your sell sheet to them. Don't waste their time, give them your sell sheet on your first email and make a good first impression!



PROTECTING COMPUTER SOFTWARE

Welcome to another edition of *Protecting Your Creativity* by The Livingston Firm. Each edition of *Protecting Your Creativity* will discuss various aspects of intellectual property law and related business matters. This edition discusses the three options available for protecting software as intellectual property and other associated intellectual property, such as trademarks.

Software may be protected as a literary work under copyright law, as an invention under patent law, and/or as a trade secret. Although copyright protection is available for all computer software, patent protection and trade secret protection may or may not be available depending on certain factors.

COPYRIGHTS

The most common and basic method of protecting computer software is by copyright. Under U.S. copyright law, software is considered to be a literary work and is given the same protections as other literary works. The owner of a copyright has the exclusive right to make and distribute copies, and to create derivative works of the copyrighted software. Derivatives may include updates, new versions and/or translations of the computer software. Copyright law may be used to prevent the exact copying of computer software, as well as to prevent others from creating and selling works that are "substantially similar" to the copyrighted work.

Although software is legally considered copyrighted as soon as it is completed, the software should still be officially registered as a copyright with the United States Copyright Office. Registration establishes a public record of the copyright claim and is a prerequisite to filing a copyright infringement suit.

A copyright registration also provides considerable legal advantages in the event of an infringement suit. First, a registration is prima facie evidence as to the ownership of the copyrighted work. Second, owners of registered works can recover statutory damages for infringements which occur after the registration of the work as opposed to recovering actual damages which are often difficult to prove. Statutory damages are damages which the court can award without regard to the amount of actual damages that the copyright holder has suffered. Finally, in addition to an award of statutory damages an owner of registered work may also obtain attorney's fees if they are successful in enforcing the copyright registration through litigation.

PATENTS

While copyrights are the first line of defense in protecting computer software, copyright law only protects the expression of an idea in a tangible, fixed form, which in the case of software is the written code. On the other hand, a patent protects the underlying method employed by the software. Moreover, a copyright only protects against someone copying the software, whereas a patent protects not only against someone copying the software but also against someone who independently creates the same software. A patent gives the software owner the right to preclude anyone from creating, using, selling, offering to sell or importing devices or processes which fall within the terms of the patent, or perform equivalent functions. Therefore, software patents provide much greater protection for software than do copyrights.

Of course, a patent can only be issued when an invention is new, useful, and nonobvious. To determine this, it is necessary to have a patent search performed and an opinion as to the patentability of the software issued by a patent attorney. A patent search will uncover similar prior art such as issued patents and published patent applications which are then compared to the subject software to determine the patentability of that software.

TRADE SECRETS

Computer software may also be protected as a trade secret. Unlike copyright and patent protection, which is created by Federal statutory law, trade secret protection arises under statutory and contract law. Trade secret law protects any secret process, technique or information which gives the owner a competitive advantage. It is not necessary that the elements of the process or technique be original, unique, or secret, so long as the combination is secret.

To protect the software as a trade secret the software owner must take reasonable steps to maintain its secrecy. This may be achieved by limiting access to the software and the source code of the software to those who need access to perform their job duties. Further, those persons should be required sign confidentiality agreements wherein they agree they will not disclose the trade secret to anyone and that they will take steps to maintain secrecy of the trade secret. The same conditions should also apply to customers to whom the owner might license or sell the software.

While a patented process cannot be a trade secret because patents are published and available to the public, a copyrighted work may be a trade secret if proper procedures are followed. Therefore, if patent protection is not available, then it is important to follow the correct procedures when registering computer software with the United States Copyright Office so that trade secret protection will not be lost.

TRADEMARKS

Finally, in addition to protecting computer software as discussed above, the name given to the software should also be protected under trademark law to prevent others from using a confusingly similar name.

CONCLUSION

The protection of computer software requires careful review and consideration by a patent attorney as adequate protection often involves copyright, patent, trade secret and trademark law. Therefore, it is important that software companies and developers seek the advice and counsel of a patent attorney as early as possible in the development process so their software may be properly protected against competitors and to ensure they do not lose any of the protections available to them.

The Livingston Firm specializes in all areas of intellectual property law including patents, trademarks, copyrights, trade secrets, franchising, litigation and business law. As the largest full-service intellectual property law firm in Southwest Florida with over forty years of combined experience, The Livingston Firm can be there to assist you from beginning to end with protecting your ideas and inventions and getting those ideas and inventions to market.

Thank you for taking the time to read this edition of Protecting Your Creativity. If you are in need of our services then please contact us to schedule an appointment.

Edward M. Livingston, Esq., U.S. Registered Patent Attorney, Board Certified in Intellectual Property Law
Erica L. Loeffler, Esq.
Bryan L. Loeffler, Esq., U.S. Registered Patent Attorney

The information contained in this newsletter is intended to convey general information. It should not be construed as legal advice or opinion. It is not an offer to represent you, nor is it intended to create an attorney-client relationship.

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