



EDISON INVENTORS Association

Volume 18, Number 7

July 2010

July 2010 Regular Membership Meeting

(Wednesday, July 21, 2010 @
7 PM) Edison-Ford Estates

Main Program:

Behind the scenes Tour of Edison's
Botanical Laboratory,
Invention Brainstorming

Board of Directors Meeting

(Wednesday, July 14, 2010
@ 7 PM)

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

Members welcome to network.

Edison Quote of the Month:

"Be courageous. I have seen many
depressions in business, always America
has emerged from these stronger & more
prosperous, be brave as your fathers before
you. Have faith! Go forward! "

[Newsletter Highlights](#)

[Terms & Conditions](#)

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

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TREASURER'S REPORT

As of 6-30-10
General Account \$7,330.38
Bernard A. Cousino Memorial 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

Do you provide a service to inventors? Advertise in the
EIA E-Newsletter and help the association provide
more opportunities to inventors.

2010 Advertising Rates
Business one month 6 mo 1 yr
Card \$15 \$60 \$90
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Full page \$80 \$420 \$720

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 hope you all enjoyed last month's meeting about
writing Business & Financial plans for your product.
This is very important because planning on how you are
going to actually make money with your invention, is
the main reason for pursuing your idea in the first place.
We have been very busy this month, working on new
educational programs, and also securing additional
financial help for inventors. I announced last month that
The Livingston Firm has awarded an annual, full Utility
Patent Grant to the EIA, for us to help our members. I
have also just secured two deeply discounted Utility
Patents, provided to the EIA by Patent Attorney James
Cardle. These Utility Patents are priced at \$3800 each,
complete, including patent drawings, and all filing fees.
These Patents usually cost between \$5 - \$10 thousand
dollars. All of these programs for Patents are available
to any EIA member in good standing. Awards will be
given based on merit, & chance of commercial success
of your invention. The Sotenberg Grant of \$ 2 thousand
dollars is still available to first time Patentee's.

Application forms for all these programs are available
at the General meetings. The EIA is also applying for
several other Financial Grants, to provide programs,
and funding for our members who need money to
develop their invention. These programs will be for
design, engineering and prototype help.

We also announced last month, that EIA annual
membership fees are being increased. The new Fees are
as follows:

\$ 60 for Individuals, \$75 for Families, and \$125 for
Business Members. This will take effect in August, and
all new members will now renew on their join date.
Existing members will still renew in March. We are
looking for a new webmaster. Jim Carr has done an
outstanding job, and I can't thank him enough for all he
has done for the EIA. If you are interested in helping to
grow your EIA please contact me. Many long term
members are noticing a new energy, and excitement at
the EIA. I feel very honored and proud to be your
President, and want each and every member to know
that, I am working diligently to increase the value of
your membership. Whether it is educational, financial
or by just providing the forum you need to brainstorm,
and network, The Edison Inventors Association is here
to help you become successful! Joe Gross

Share your thoughts with the President,
Email: grossrdlab@yahoo.com
Please put EIA in the Subject box

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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.

<i>In alphabetical order by last name:</i>				
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Links to Websites Important to Inventors

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

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

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

Current Product Searches

Edison Nation Product Searches www.edisonnation.com

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, September 6th, 2010 at 11:59PM *Pacific Time (US & Canada)*

Microban is looking for novel home products designed to stay cleaner for longer.

Deadline: Monday, August 16th, 2010 at 11:59PM *Pacific Time (US & Canada)*

Inventors Digest 2010 Collegiate Alt-Energy Challenge - *Inventors Digest* has partnered with the National Collegiate Inventors & Innovators Alliance (NCIIA) to seek U.S. college students' ideas for the most innovative low-cost, alternative energy-related technology, product, solution or service.

Deadline: Saturday, July 31st, 2010 at 11:59PM *Pacific Time (US & Canada)*

Open Search for any new product innovation - Edison Nation is now hosting an "open" search exclusive to our Edison Insiders. **Deadline:** Monday, August 30th, 2010 at 11:59PM *Pacific Time (US & Canada)*

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.

Television

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

The Big Idea with Donny Deutsch – Weeknights at 10pm on CNBC

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

Business Resources

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

Doing Business with the Federal Government – July 9, July 23, July 30

How to Reduce Business Cost: "Ways to Save" – July 13

Small Business Resource Network – July 15

Business Accounting and Tax Planning – July 20

So You Want to Open a Franchise? – July 23

PB&J Brown Bag Lunch – Google – July 28

SWFL Small Business Workshop – July 31

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

Terms & Conditions (by Mike Kirby)

I recently filled out an entire product search submission for products with memory foam sponsored by Edison Nation. Right up my alley with my Quiet Mask! Before clicking the submit button I took the time to read the 17 page Terms & Conditions. To my utter surprise I saw a clause in the agreement that said I would only be paid once a year! I emailed Edison Nation to actually confirm this. And, again to my surprise, they said they only pay once a year. Don't know about you, but my cash flow does not occur once a year in December! Needless to say I didn't click the submit button. Buyer beware, our own Edison Nation is as greedy as the invention submission companies.



The U.S. Supreme Court Rules on Business Method Patents

By: The Livingston Firm

The U.S. Supreme Court has finally released its long awaited decision in *Bilski v Kappos*, a decision that could have invalidated many software and business method patents. Although the Supreme Court upheld a lower court's decision that the business method covered by the Bilski patent application was not patentable, the Supreme Court did not go so far as to rule that all business methods are unpatentable.

Section 101 of the Patent Act (Title 35 United States Code) specifies four categories of inventions or discoveries that are eligible for patent protection: processes, machines, manufacture, and composition of matter. Section 101(b) further defines processes as including a "method." Thus, in reviewing *Bilski*, the Supreme Court had to consider what type of business methods qualify as patentable processes.

The Bilski patent application, which was filed in 1997, covered a business method for hedging risk in the field of commodities trading and more specifically a method that manages how weather impacts energy prices. Upon examination before the U.S. Patent and Trademark Office ("USPTO"), the assigned Patent Examiner rejected the application alleging that the claims, which reduced the method to a mathematical formula, covered an abstract idea and as such was not eligible for patent protection under Section §101 of the Patent Act. The Patent Examiner's rejection was then upheld by the Board of Patent Appeals and Interferences.

That decision was appealed to the Federal Circuit Court of Appeals resulting in a decision that set forth the “machine or transformation test” as the exclusive test for determining if a business method claim is patentable subject matter. Under this test, a business method claim is patentable subject matter if it is (1) tied to a particular machine or apparatus, or (2) transforms a particular article into a different state or thing. Thus, the Circuit Court again rejected Bilski’s patent application for covering an abstract idea and also rejected it under the new “machine or transformation test.”

Bilski successfully petitioned the Supreme Court to hear the case. Bilski argued that there should be no rigid test, such as the “machine or transformation test,” for determining the patentability of business methods. In its decision, the Supreme Court affirmed the Federal Circuit’s holding that Bilski’s method simply explained the basic concept of hedging reduced to a mathematical formula and thus, was an unpatentable abstract idea. Because the Supreme Court has held in prior decisions that abstract ideas are not patentable, it rejected Bilski’s method on those grounds.

In doing so, the Supreme Court confirmed that abstract ideas, laws of nature, and physical phenomena are not patentable. However, the Supreme Court declined to conclude that software or business methods are inherently unpatentable abstract ideas or that abstract medical diagnostics involve only unpatentable physical phenomena or laws of nature.

Further, the Supreme Court also ruled that the Federal Circuit’s “machine or transformation test” is not the exclusive test to be applied in determining what is patentable subject matter, and that it is merely a useful clue or investigative tool. The Court stated that it did not need to define further what would constitute a patentable method, and encouraged the Federal Circuit to develop other limiting criteria to the extent needed to restrict business method patents consistently with the purposes and text of the Patent Act. As a result, the Supreme Court’s decision should provide a more favorable examination of business methods within the USPTO and signal a return to the days prior to the implementation of the Federal Circuit’s overly rigid machine-or-transformation test.

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. 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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It is because of them, we are free...