



OUR UPCOMING MEETING IS:

March 13, 7pm-9pm
(2nd Thursday of Each Month)
See www.sdinventors.org
for exact meeting location.

Food and Refreshments.
\$5 Suggested Donation at the Door, Thank You!

"I'm excited for your success."
==Dr. Ed Balian, President, SDIF

Highlights at this Meeting Include:

SDIF 2008 Member Survey Results, Part 2:
Who Are We? Where Do We Want to Go?
A detailed review of your answers to our recent online
survey and what it means to the future of SDIF.
Dr. Ed Balian

Invention Presentation:
The Krawler (Robot!!)
By Janice Cornforth

"What I Need NOW!" Session
Tell us what you're looking for and we will match you up
with the suppliers you need.
Announcements
Adjournment



Web Site :

www.sdinventors.org

Useful Links

www.EdwardBalian.com

www.a-squaredtec.com

http://www.legalmarketing.org/images/article_files/Patrick%20Henry.pdf

<http://www.mindsetresearch.com/resources.html>

<http://www.venturechoice.com/glossary>

www.google.com/patents

www.uspto.gov

www.uiausa.org

www.chernowconsulting.com

SDIF MONTHLY NEWSLETTER COLUMNS:

If you would like to contribute a column for any upcoming SDIF Newsletter(s), please email Ed at esbalian@gmail.com

INVENTOR'S LEGAL MENTOR:

PROVISIONAL APPLICATIONS by George Levy

This is the third column of a series discussing patent law from the point of view of the individual inventor. My intention is that by the 12th month this series of newsletters will provide you with a valuable guide. This month I will explain the advantages and pitfalls of filing a provisional patent.

Filing a provisional application offers inventors a low cost option of securing a filing date for protecting their invention should someone else with the same idea file a patent. Provisional are cheaper. At the present time, the USPTO filing fee is only \$105. They do not need a signed declaration or oath; they do not require an information disclosure statement (IDS) which is a list of the relevant prior art known to the inventor. And since the writing of the provisional is simpler, the fees to the patent practitioner are also lower. In addition as soon as the provisional is filed, the inventor can label his invention with "patent pending" as a warning to would be infringers.

Provisional applications however are NOT patents. They are NOT examined by the USPTO. They are simply put in storage for one year at the end of which they are discarded. To be of real utility and provide the benefit of their early filing date, they must be followed within a year of filing by a non-provisional application that refers to the provisional. The life of the non-provisional will then extend 20 years from its own filing. Thus, filing a provisional followed by a non-provisional can extend patent protection to nearly 21 years. Another benefit from filing a provisional first is that any amendment to the invention can be rolled into the non-provisional when it is filed at a later date. These amendments, of course will not benefit from the protection of the early filing date. More than one provisional can be rolled into a non-provisional provided that they are all filed within a year.

A provisional application is only useful if or when someone else files the same invention after the provisional filing date. It becomes then a documented proof that the inventor was the first to file. It is therefore critical to remember that a poorly written provisional is an absolute waste of time and money. On the other hand, a well written provisional can easily be refiled as a non-provisional with hardly any modification. Thus money spent on a well written provisional can be recouped when the non-provisional is filed. Be careful of patent practitioners who file your patent at a greatly reduced price. They will just take a copy of your submission to them and send it to the patent office without any change to it. Yes, the provisional is cheaper, because the patent practitioner does not need to spend as much time and because the USPTO fee is lower. This does not mean that not much time is

required to do a proper job. There is a big difference. The specification and drawings need to be complete, broad in terms of what is described and specific to make sure the application is meeting all patentability requirements. Filing at least one claim is recommended to clearly define the invention. Cutting corners on the provisional makes it useless.

Provisional are great for small independent inventor with limited means and incompletely defined ideas, who need patent protection while they test the profitability of their invention during the initial manufacturing and marketing phase. However, provisionals add at most one year to the prosecution of the patent. Given that the USPTO currently has a huge backlog (about 5 years for software inventions,) filing a provisional also postpones the time when the patent is awarded and royalties can be collected. In addition, provisional are not convincing to investors who may need to know for sure whether the patent will be awarded. Filing a provisional followed by a non-provisional reduces the upfront cost but is more expensive in the long run. If the inventor has a clear and well defined idea of his invention, and he is convinced of the marketability of his idea then he may decide to apply directly for a non-provisional patent.

Next month we'll discuss another topic. Stay tuned.

George Levy, Patent Agent.

If you have any question you can contact me at (858)258-2226 or email me at glevy@patentsandventures.com. You can find a lot of useful information at my web site: www.patentsandventures.com.

MEETING TIMES and PARKING

SDIF monthly meetings will be now starting at 7:00PM, *SHARP.*

Over the last three months, we have been losing, on average, not just 5 or 10 minutes, *but 1/3 of an hour* before we officially begin our meetings—then we run late, over-staying our time in the conference room. The check-in takes up time, too, of course---we could use some additional volunteer help there too, by the way (just email Carol Dodson doalotcom@hotmail.com or me esbalian@gmail.com). I know traffic can be nasty, but we must vacate our room by 9PM. We just need all the meeting time together we can get.

As you enter the meeting room in the future, PLEASE take front seats first. This will allow late guests to seat themselves in the rear rows of the room without disturbing the on-going meeting.

Also, please remember to park on the NORTH side of the building—thanks!

NEW WEBSITE

Go Scott!!!! Our new website looks fantastic—with a new chat room design as well. Visit: www.sdinventors.org

GUEST SPEAKERS

We are always looking for great Guest Speakers. Please suggest future speakers (with their contact information) to me via email. The recent survey tells us that SDIF members are most interested in topics of Manufacturing,

Marketing, Market Research, Legal, and Business Plan topics, but other areas will be considered as well.

CALL FOR VOLUNTEERS, SPEAKERS, PRESENTERS, SUGGESTIONS, COMMENTS

Do you want to present your invention to the SDIF and get valuable feedback?

Do you have a suggestion (and email address) for a guest speaker?

Do you have a suggestion for SDIF meetings or activities?

Please email me anytime from the website: www.EdwardBalian.com or at esbalian@gmail.com

INVENTION PRESENTATIONS at SDIF Monthly Meeting

We are *ALWAYS LOOKING* for quality Invention Presentations from our membership. I'm always being asked about how to go about it, so the following FAQ's have been assembled for your convenience. (These FAQ's will also soon be posted permanently on our website.)

FAQs for SDIF Invention Presentations:

CAN ANYONE PRESENT THEIR INVENTION TO THE SDIF?

Yes, EVERYONE IS ENCOURAGED TO PRESENT, but please follow our very simple rules below. Please note that we have over 250 members with up to 60 or so in attendance at any one meeting. In fairness to all and to best utilize our short time together at monthly meetings, we have assembled the below guidelines. Thanks for your cooperation.

BUT, I'M KIND OF QUIET AND SHY. I'M A LITTLE AFRAID TO GET UP IN FRONT OF THE SDIF.

We understand this emotion. There is no better way to work through your ideas and future product development than to present it in our relaxed atmosphere and hear constructive feedback from fellow inventors and suppliers. Sooner or later, as an inventor, you will need to present your invention to someone—*there is no better place to start than at SDIF.*

WHAT IF MY INVENTION IDEA GETS STOLEN AFTER I PRESENT IT?

If you have no form of legal protection (e.g., patent/copyright/trademark) *or are in any way uncomfortable* with your intellectual property rights in presenting to SDIF, you should hold off until you feel more comfortable with your situation and submit a proposal at a later date.

OK—I WANT TO PRESENT MY INVENTION AT AN SDIF MEETING—NOW WHAT?

First, submit an informal "Invention Presentation Proposal" via email to the SDIF President. YOU CAN BE AT ANY STAGE OF DEVELOPMENT with your invention.

In this email, please include: your basic idea/invention, your stage of development, a description of media (e.g., PowerPoint, etc.) to be used (if any, but it is not required!), and a brief statement of your current supplier needs on the project.

WHAT HAPPENS NEXT, AFTER I SUBMIT MY PRESENTATION PROPOSAL BY EMAIL?

You will usually hear back quickly. In most cases, your presentation will be slated for a meeting one to three months in advance. It's OK if your invention or idea naturally evolves between now and your presentation date.

HOW MUCH TIME DO I GET TO PRESENT MY INVENTION?

Due to the large membership of SDIF and a full array of meeting activities each month, invention presentations are limited to approximately 20 minutes with 10-20 minutes of additional time allotted for SDIF group feedback.

The concise 20 minute time frame to present is a great exercise in itself—you need to have an "Elevator Speech" and this is a great way to develop and practice it! Following your presentation, the feedback and q/a session has shown to be extremely valuable to everyone who has ever presented to SDIF.

Your invention presentation will really help move you forward—I guarantee it! There will be **LIMITED TIME SLOTS** in the months ahead, so please submit your Invention Presentation Proposal ASAP to esbalian@gmail.com

See you at the meeting!
Bring a friend!
= =Dr. Ed Balian
President, SDIF
www.EdwardBalian.com