

Day One Problems

Patent Fundamentals Bootcamp 2020:
*An Introduction to Patent Drafting,
Prosecution, and Litigation*

San Francisco

July 15, 2020

Patent Fundamentals Bootcamp 2020:
***An Introduction to Patent Drafting,
Prosecution, and Litigation***

The homework for this program is read-only. Nothing needs to be completed or turned in at registration. The purpose of this homework is to give you an introduction to the case file that will be discussed in depth on the afternoon of Day One and the balance of the program.

Acme Seating, Inc.
53 San Carlos Street
San Jose, CA 95192

March 4, 2015

ATTORNEY-CLIENT PRIVILEGED

BY ELECTRONIC MAIL

**Patent Attorney
c/o PLI
685 Market Street
San Francisco, CA 94105**

Re: New Invention Disclosure-Portable Chair

Dear Attorney:

Enclosed please find a new invention disclosure that we ask that you prepare a U.S. utility application on behalf of Acme Seating, Inc. In accordance with our Patent Prosecution Guidelines, please provide us with an expected date for a draft of the application, as well as an estimate of the fees to be incurred (excluding filing costs and drawings). Also, please contact the inventor(s) listed on the disclosure directly with any questions concerning the inventions.

You may also contact me with any questions.

Very truly yours,

/s/

In-house Patent Counsel

IPC: mm

Enclosure

For Internal Use Only	
DISCLOSURE NO.	DATE

INVENTION DISCLOSURE FORM

Inventors must fill in all items 1 to 12. (PLEASE PRINT OR TYPE)
Items 2 to 4 may require extra sheets. Be sure they are signed.

1. Name of the invention. (limit to ten words).

PORTABLE, STABLE CHAIR

2. What are the problems solved by this invention?

SEE ATTACHED "ANSWER TO NO. 2"

3. Give a complete description of the invention, including its operation, purpose and environment. (Use separate sheets).

SEE ATTACHED FIGURES AND "ANSWER TO NO. 3"

4. What improvement over known technology is accomplished by this invention?

1. 3 CHAIR LEGS (2 IN THE PAST)
2. MORE STABLE BECAUSE 3 CHAIR LEGS PARALLEL TO ONE ANOTHER
3. MORE STABLE BECAUSE 3 CHAIR LEGS PERPENDICULAR TO SEAT

SOME ADDITIONAL BENEFITS

1. MADE OF WOOD
2. LENGTH OF LEGS ARE AVERAGE DISTANCE FROM KNEE TO FOOT
3. CHAIR CAN ALSO HAVE FOUR LEGS
4. CHAIR CAN ALSO HAVE A CHAIR BACK
5. THE CHAIR BACK IS ABOUT THE SIZE OF THE AVERAGE SIZE OF A HUMAN BACK

5. List the closest known technology (e.g. publication, patent, or commercial product) providing the same or similar results:

SEE ATTACHED "ANSWER TO NO. 5"

-ONE PHOTO SHOWS A CHAIR HAS ONLY ONE LEG, SO LESS STABLE

-SECOND PHOTO SHOWS A CHAIR WITH LEGS CROSSED, SO LESS STABLE

6. What new elements (e.g. components, process steps) or combination of known elements or software algorithm produced the improvement?

SEE 1-3 FOR ITEM #4 ABOVE

7. What are the potential applications for use of this invention?

PORTABLE CHAIR TO BE USED FOR SITTING

8. What was the conception date?

(Attach pertinent log sheets, drawings, etc., to support dates. Always attach the earliest drawing and the earliest written description.)

January 1, 2015

9. To whom did you first disclose this invention? Name: _____ Date: _____

CO-WORKER AND CO-INVENTOR JANE B. DOE ON JANUARY 5, 2015

10. When was the device first built and tested? _____ Date? _____

State the present location of the device.

February 22, 2015

LOCATION IS IN MY OFFICE IN NEW YORK

**DETERMINATION OF LEGAL INVENTORSHIP FOR PATENT APPLICATION
MUST BE MADE BY THE COMMITTEE AND OUTSIDE INTELLECTUAL
PROPERTY COUNSEL.**

Inventor's signature (IMPORTANT – YOU MUST USE YOUR FULL NAME) - NO INITIALS –

11. Inventor's Name: JOHN QUINN PUBLIC

Signature: _____/s/_____

Date: 2/28/15

Home City/State: NEW YORK, NEW YORK

Citizenship: USA

12. Inventor's Name: JANE BARBARA DOE

Signature: _____/s/_____

Date: 2/28/15

Home City/State: NEW YORK, NEW YORK

Citizenship: USA

ANSWER TO NO. 2

2. What are the problems solved by this invention?

A person walking around their environment and from place to place can become tired and want to rest. One way to rest is to lie on the ground. However, in many areas the ground is dirty and people usually want to rest without becoming dirty. In some areas, rocks, logs and stumps are abundant and people have found that placing their buttock on these rocks, logs and stumps allows them to rest without lying on the ground and becoming dirty. People using this resting technique often say that they "sit" on the rocks, logs or stumps, or are "sitting," and the position when their buttock is on the rock, log or stump is known as a sitting position. In some areas there are very few rocks, logs and stumps and so humans find it difficult to sit. This can be a particular problem in areas with homes, where the rocks, logs and stumps are used to construct the home, and are no longer available for sitting.

Even in areas where rocks, logs and stumps are plentiful, they may not be concentrated in the locations where people want to sit, such as when they gather together as a group around a fire and tell stories.

What is needed is an apparatus that people can use for sitting in all areas, such as areas with few rocks, logs and stumps. What is also needed is an apparatus that is portable so people can easily carry or move the apparatus from place to place, allowing them to sit with others in groups.

ANSWER TO NO. 3

3. Give a complete description of the invention, including it's operation, purpose and environment. (Use separate sheets).

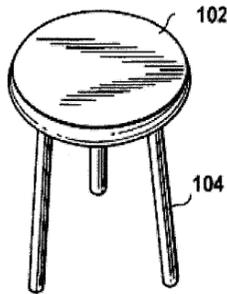


FIG. 1

100

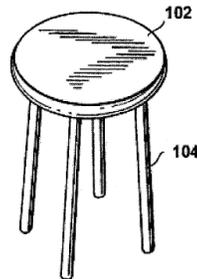


FIG. 2

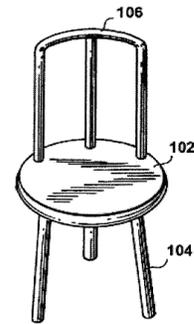


FIG. 3

Referring first to FIG. 1, one embodiment of apparatus 100 of the invention includes a planar surface or "seat: 102. Planar surface or seat 102 is preferably formed of wood, and in some embodiments planar surface or seat 102 is round, rectangular or square.

Elongate members or "legs" 104 of apparatus 100 have two ends, with one end connected to planar surface 102. In the embodiment that is illustrated in FIG. 1, apparatus 100 has three elongate members 104. In the embodiment that is illustrated in FIG. 2, apparatus 100 has four elongate members 104.

Although not illustrated in the figures, in one embodiment, elongate members 104 are first formed as separate pieces and then they are joined to planar surface 102. In another embodiment, elongate members 104 and planar surface 102 are all formed together. In one embodiment, when elongate members 104 and planar surface 102 are formed as separate pieces and then joined, the connection between elongate members 104 and planar surface 102 is generally rigid and semi-permanent, such as with glue. In another embodiment, elongate members 104 are generally rigid and easily connected and removed from planar surface 102, such as by threading.

The physical relationship between elongate members 104 and planar surface 102 is such that elongate members 104 are generally parallel to each other and also perpendicular to planar surface 102. This configuration is illustrated in FIGs. 1 and 2. It is possible that elongate members 104 are not generally parallel to each other. However, when elongate members are strongly divergent (i.e., form a wide angle) the configuration has less strength and may result in breakage of elongate members 104.

As is illustrated in FIGs. 1 and, apparatus 100 includes at least three elongate members. When fewer than three elongate members were tried, it was found stable and resting was therefore difficult. With three elongate members, as illustrated in FIGs., apparatus 100 is very stable and it has been found that as long as the length of the elongate members is generally the same, slight differences in length do not matter. With four elongate members, as is illustrated in FIG. 2, apparatus 100 is even more stable, although it has been found that a substantially uniform length of elongate members 104 is important. Therefore, there are relative advantages and disadvantages for each of the three "leg" and four "leg" embodiments is illustrated in FIGs. 1 and 2 respectively.

Referring now to FIG. 3, another embodiment of apparatus 100 includes a support member 106. In this embodiment, support member 106 is connected to the side of planar surface 102 that is opposite the side of planar surface 102 where elongate members 104 are connected. It has been found that by configuring support member 106 so that it extends in a generally opposite direction from the elongate members, a person can place or lean their back against the support member while resting. This has been shown to significantly enhance the resting and sitting experience. For this reason, support member 106 is also termed a "back".

For ease of description herein, the embodiment with only legs (FIGs. 1 and 2) is called a stool, and the embodiment with legs and a back (FIG. 3) is called a chair.

In normal sitting use, apparatus 100 is oriented as illustrated in FIGs. 1 and 2, with the elongate members below planar surface 102. In this configuration, the ends of elongate members 104 that are furthest from planar surface 102 contact the ground. This elevates planar surface 102 above the ground, and also positions planar surface 102 in a generally horizontal or parallel orientation to the ground.

In order for apparatus 100 to be most effective when used for sitting, there are certain preferred sizes or dimensions for planar surface 102 and elongate members 104. In one embodiment, the area of planar surface or seat 102 is generally about the same area as the area of an adult buttock. In one embodiment, the length of elongate members 104 is generally about the same distance from the knee to the ankle of the leg of an adult. This is one of the reasons for using the term "leg" to apply to elongate members 104. Of course, if apparatus 100 is constructed for use by children, the length of leg 104 may be somewhat shorter. The same considerations apply for the area of planar surface 102.

ANSWER TO NO. 5

5. List the closest known technology (e.g. publication, patent, or commercial product) providing the same or similar results:



DAY 1- CLAIM DRAFTING PROBLEM

You have met with the inventors on the Portable, Stable Chair invention. The inventors have not added any more information to the information provided to you in the Invention Disclosure dated February 28, 2015.

Now, you must write two sets of claims as follows:

SET 1: A broad independent claim on the new chair apparatus. Focus on novelty of the chair over the prior art, including the location of the legs with respect to one another and the chair seat.

SET 2: 6 dependent claims focusing on some of the additional benefits set forth in reply to Question #4 of the Invention Disclosure..

A copy of the Invention Disclosure is attached.

DAY 1 – CLAIM DRAFTING PROBLEM (CS invention)

You have met the inventors on the Tagging Digital Media invention. The inventors have not added any more information to the information provided to you in the Invention Disclosure.

Now, you must write claims as follows:

- 1: An independent method claim and 3-5 dependent claims covering possible novel features.
- 2: A computer program product claim of similar scope to the independent claim of 1.

A copy of the Invention Disclosure is attached.

INVENTION DISCLOSURE FORM

**Inventors must fill in all items 1 to 12. (PLEASE PRINT OR TYPE)
Items 2 to 4 may require extra sheets. Be sure they are signed.**

1. Name of the invention. (limit to 10 words).

TAGGING DIGITAL MEDIA

2. What are the problems solved by this invention?

SEE ATTACHED "ANSWER TO NO. 2"

3. Give a complete description of the invention, including its operation, purpose, and environment.

(Use separate sheets).

SEE ATTACHED FIGURES AND "ANSWER TO NO. 3"

4. What improvement over known technology is accomplished by this invention?

ENABLES GREATER ORGANIZATION OF DIGITAL MEDIA AND ABILITY TO
AUTOMATICALLY GENERATE NOTIFICATIONS TO PEOPLE OR ENTITIES
INTERESTED IN THE DIGITAL MEDIA, E.G., BY EMAIL.

USER OF A SOCIAL NETWORK WHO UPLOADS DIGITAL MEDIA BECOMES OWNER AND
CAN IDENTIFY AND TAG OTHER USERS WITHIN THE DIGITAL MEDIA.

DIGITAL MEDIA MAY INCLUDE DIGITAL IMAGES, DIGITAL VIDEO, DIGITAL AUDIO,
DIGITAL TEXT.

5. List the closest known technology (e.g., publication, patent, or commercial product) providing the
same or similar results:

ONLY KNOWN ART IS CAPTIONING OF PHOTOS AND ADDING TO OTHER USERS'
PROFILES.

6. What new elements (e.g., components, process steps) or combination of known elements or software algorithm produced the improvement?

SEE 1-3 FOR ITEM #4 ABOVE

7. What are the potential applications for use of this invention?

SOCIAL NETWORK DIGITAL MEDIA, OTHER SHARED NETWORK DIGITAL MEDIA

8. What was the conception date?

(Attach pertinent log sheets, drawings, etc., to support dates. Always attach the earliest drawing and the earliest written description.)

JULY 6, 2015

9. To whom did you first disclose this invention? Name: Date:

CO-WORKER AND CO-INVENTOR JANE B. DOE ON JULY 8, 2015

10. When was the device first built and tested? Date?

State the present location of the device.

JULY 28, 2015

LOCATION IS IN MY COMPUTER LAB IN SUNNYVALE.

DETERMINATION OF LEGAL INVENTORSHIP FOR PATENT APPLICATION MUST BE MADE BY THE COMMITTEE AND OUTSIDE INTELLECTUAL PROPERTY COUNSEL.

Inventor's signature (IMPORTANT – YOU MUST USE YOUR FULL NAME) - NO INITIALS –)

11. Inventor's Name: JOHN SMITH

Signature: _____/s/_____

Date: 8/5/2015

Home City/State: NEW YORK, NEW YORK

Citizenship: USA

ANSWER TO NO. 2

2. What are the problems solved by this invention?

Various web sites have developed systems for organizing photos into albums available for viewing by other network users. Some social networking web sites offer mechanisms that may allow the user to select particular photos or albums for immediate viewing. Typically, however, these photos are disparate and disorganized. In other words, the user must spend time visually searching through albums, photo by photo, for individuals or objects that are not presented in a coherent or consolidated manner. Often, many of the photos do not depict persons or objects of interest to the user. Just as often, the user remains unaware of the existence of some photos that were overlooked. What is needed is a method to organize digital media and automatically generate notifications to person or entities interested in the digital media.

ANSWER TO NO. 3

3. Give a complete description of the invention, including its operation, purpose, and environment. (Use separate sheets).

FIG. 1 illustrates an exemplary environment for tagging digital media, such as in a social network environment 100. One or more users 101 ("101" referring to 101a, 101b, etc.), at user devices 110, are coupled to a social network provider 130 via a communications network 120. In various embodiments, user devices 110 include a computer terminal, a personal digital assistant (PDA), a wireless telephone, a digital camera, and/or the like. In various embodiments, the communications network 120 includes a local area network (LAN), a wide area network (WAN), a wireless network, an intranet, an internet, and/or the like. In one embodiment, users 101 comprise various types of users, including a user who is a digital media owner 101a (e.g., a user 101 who uploads digital media) and a user who is tagged a user 101b (e.g., a user 101 associated with a region in the digital media). In various embodiments, digital media includes digital images, digital video, digital audio, digital audiovisual media, digital text, digital books, online game icons, online game avatars, and/or the like. For the purposes of illustration, digital images are discussed herein. However, one skilled in the art would understand that the discussion applies equally to a wide variety of digital media. The use of digital images is not intended to be limiting.

The social network provider is an entity or person that provides social networking services, communication services, dating services, company intranets, online games, and so forth. For example, the social network provider 130 may host a web site that allows one or more users 101, e.g., the media owner 101a and/or the tagged user 101b, at one or more user devices 110, to communicate with one another via the web site. The social network environment 100 offers users 101, e.g., the media owner 101a, an opportunity to connect or reconnect with the one or more other users 101, e.g., the tagged user 101b and/or other users 101 that attended, for example, the same university as the media owner 101a. In some embodiments, a social network environment 100 includes a segmented community. A segmented community according to one embodiment is a separate, exclusive or semiexclusive social network environment 100, or social network environment 100 wherein each user 101 who is an authenticated segmented community member may access and interact with other members of their respective segmented community.

The social networking environment 100 further includes a media engine 135. The media engine 135 is configured to provide the user 101 media services for manipulating digital media (e.g., digital images) within the social network environment 100. Examples of digital image manipulation include creating albums within the user's 101 web page, uploading digital images to the user's 101 albums, associating captions with the digital images, tagging the digital images with information about regions within the digital images, stacking digital images, deleting digital images, deleting albums, and the like.

The media engine 135 includes an optional album component, a digital media component 320, a digital image edit component, and a tag component 340. Although the media engine 135 is described as being comprised of various components (e.g., the album component, the digital media component 320, the digital image edit component, and the tag component 340), fewer or more components may comprise the media engine 135 and still fall within the scope of various embodiments.

The digital media component 320 is configured to upload digital media (e.g., one or more digital images 362) to an album. In various embodiments, the digital images 362 may be uploaded from a local disk on the user device 110, a personal digital assistant, a cell phone, a camera, a remote user device 110, and the like. Optionally, the digital media component 320 resizes the digital image 362 while uploading the digital image 362. The digital images 362 may be uploaded to a storage device associated with the social network environment 100 (e.g., a storage device on the user device 110, the social network provider 130, and/or the like). According to some embodiments, the digital images 362 are stored outside of the social network environment 100 and provided to the digital media component 320 for local access via the social network provider 130. Alternatively, the digital images 362 are located remotely and accessed by the social network provider 130. The digital media component 320 is further configured to delete digital images 362 from the album.

The tag component 340 is configured to select a region in the image and associate text with the region. The tag component 340 includes a region selection component 410.

FIG. 5 is an exemplary screen shot of a tag web page 500 illustrating various functions of the components of the exemplary tag component 340. The region selection component 410 is configured to receive input from a user 101 (e.g., the media owner 101a, the tagged user 101b, etc.) and/or a non-member, (e.g., a tagged non-user). The region selection component 410 is further configured to select a region (e.g., a selected region 520) within a digital image 362 according to the input. In some embodiments, the user 101 moves a cursor 530 on the user device 110 to a point in the digital image 362 using a mouse, trackball, track pad, or the like. The user 101 clicks on the point and the region selection component 410 places a border 525 around the selected region 520. In various embodiments, the shape of the selected region 520 may be a rectangle, circle, ellipse, or polygon. The size of the selected region 520 may be fixed, may be determined by the user 101, or may be automatically determined. In various embodiments, the point the media owner 101a clicks on may be in the center, a corner, or some other location of the selected region 520.

FIG. 8 is a flow diagram of an exemplary process 800 for tagging digital media, (e.g., the digital images) such as in a social network (e.g., the social network environment 100). At step 810, an item of digital media (e.g., a digital image 362) in the social network environment 100 is selected for tagging. In various embodiments, the digital image 362 is selected by a member of the social network environment 100, e.g., a user 101, the media owner 101a, the tagged user 101b, and the like, via a user device 110. In some embodiments, the digital image 362 is selected by a non-member of the social network environment 100. The social network provider 130 may receive the selection from the user 101 via the communications network 120.

At step 820 a region (e.g., the selected region 520) in the digital image 362 is selected for association with a tag. In some embodiments, the user 101 selects the selected region 520 using a mouse, trackball, touch pad, or the like to move a cursor (e.g., the cursor 530) to a point within the image 362, and clicking on the point. Optionally, the user 101 clicks on a point with the cursor 530 and drags the cursor 530 to another point (e.g., click and drag) to define the selected region 520. In some embodiments, the region selection component 410 displays a border (e.g., the border 525) to indicate the selected region 520. At step 830 contact information (e.g., an email address) is associated with the selected region 520 using a tag. Contact information may also include a name of a person or entity, or information for a third person

or entity. A tag in the form of text may be associated with the selected region 520. In various embodiments, the text may include a hyperlink, an email address and/or user address of a friend in the social network environment 100, an email address and/or user address of a user 101 of the social network environment 100, and email address of a non-member of the social network environment 100, a phone number, an instant text message address, a pager number, a text message number, a mailing address, and/or the like. The tag may be input by the user 101. In some embodiments, the tag is suggested by an auto list component of the tag component 340. Optionally, the social network provider 130 selects the tag.

At step 840 a notification of the tag is sent. In one embodiment, the notification of the tag is sent to the email address associated with the selected region 520, for example, using an email component. In further embodiments, the notification of the tag is sent to a third person or entity. In some embodiments, the notification includes a link enabling the tagged user 101b, or a tagged non-user, to view the tagged digital image 362. Optionally, the notification sent at step 840 includes an invitation to become a member of the social network environment 100 and/or advertising.

See DRAWINGS.

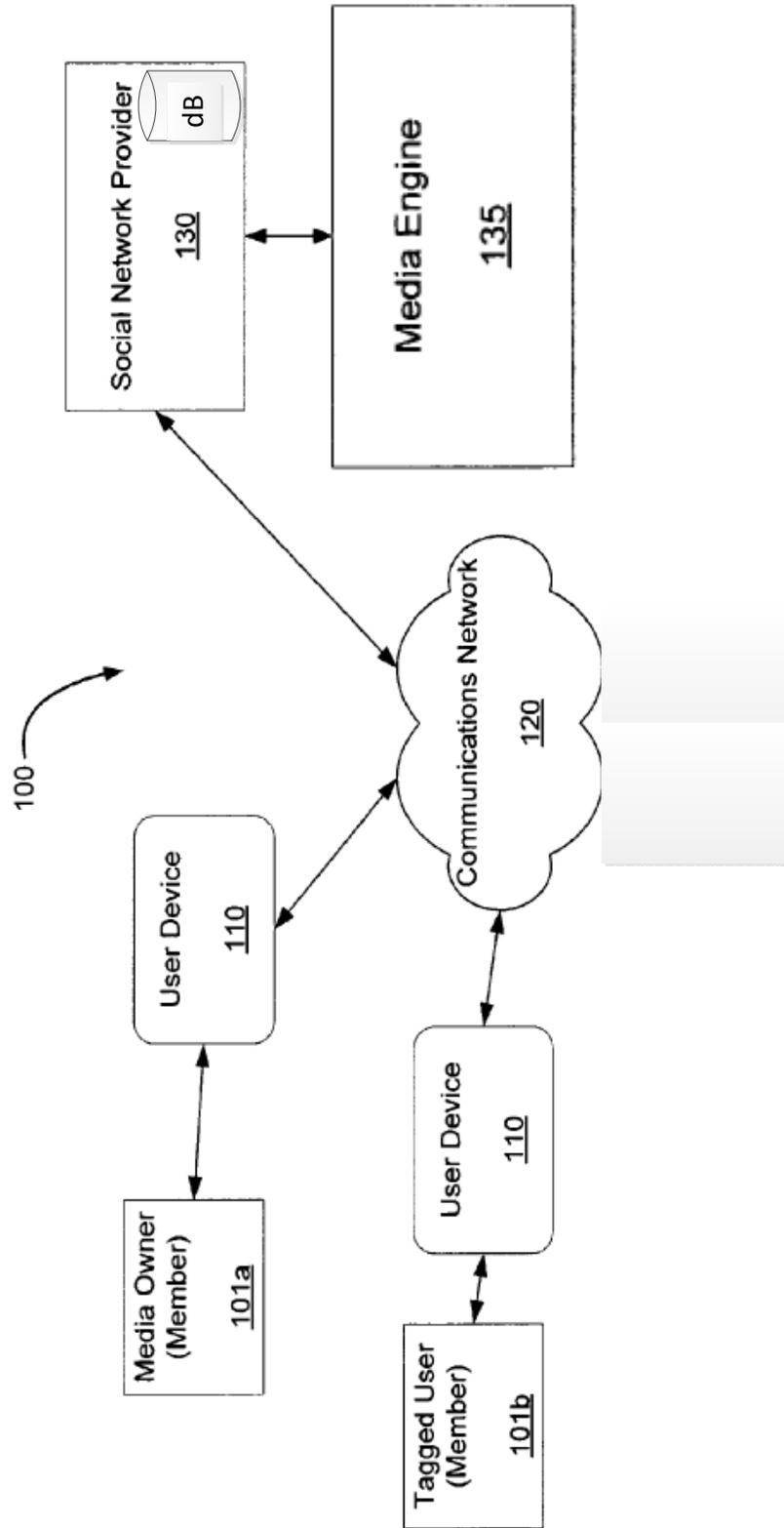


FIG. 1A

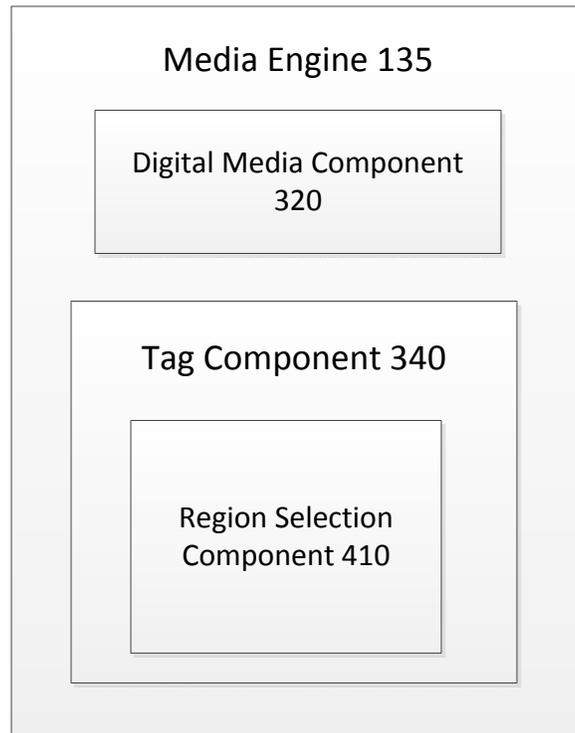


FIG. 1B

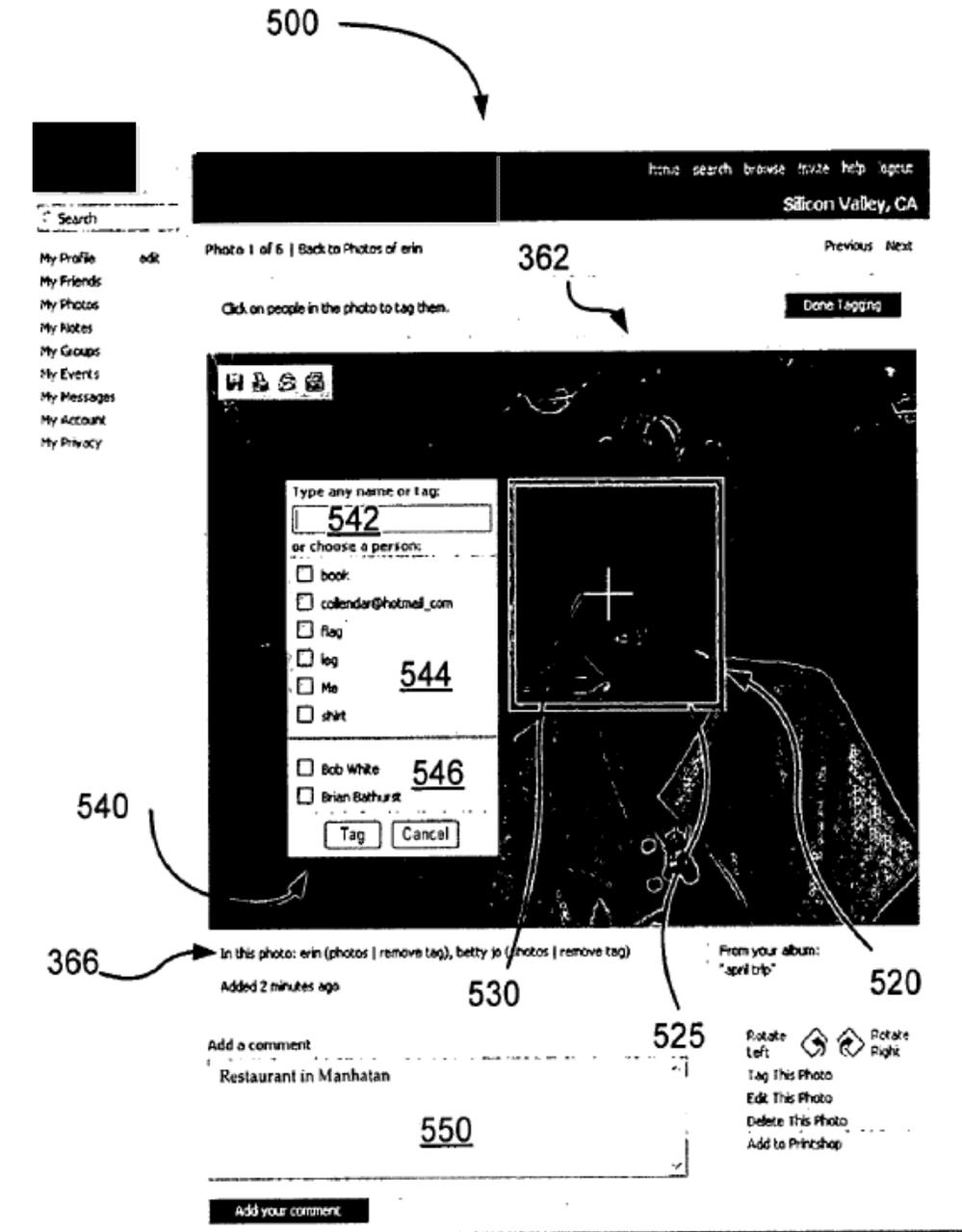


FIG. 5

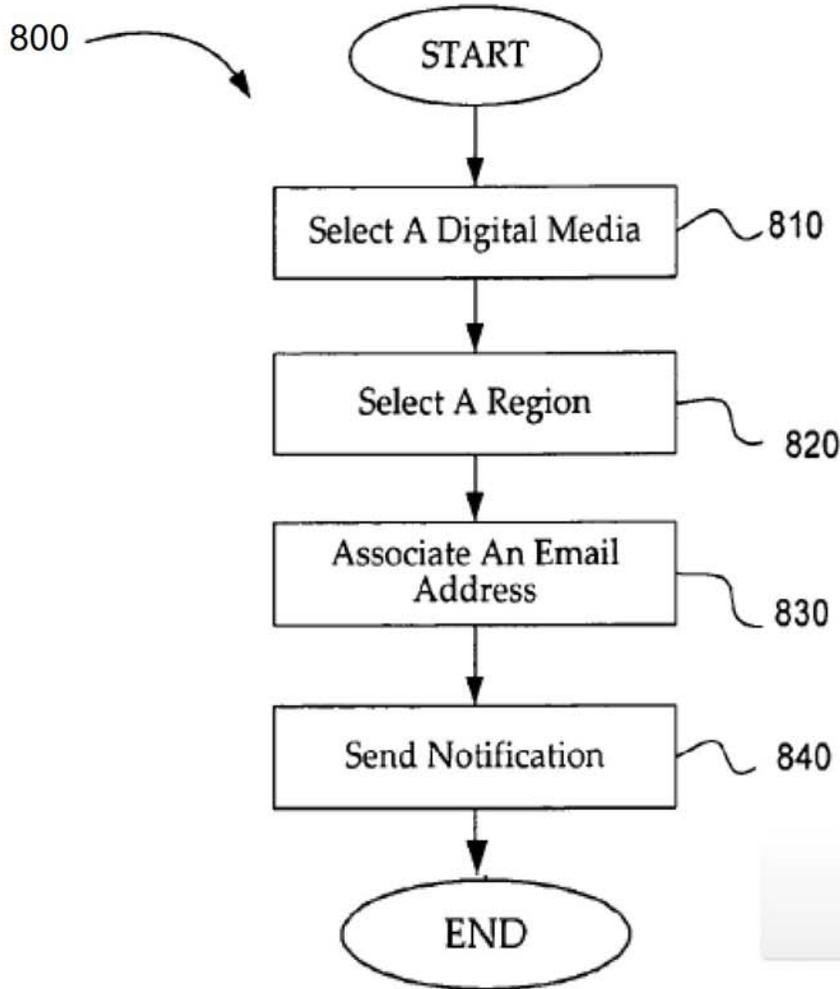


FIG. 8