

Contents at a Glance

<i>Introduction</i>	1
<i>Part I: Corraling Your IP Assets: Intellectual Property Basics</i>	7
Chapter 1: Marshalling Your IP Tools	9
Chapter 2: Fencing In the Herd	19
Chapter 3: Calling in the Cavalry and Picking Up the Tab.....	29
Chapter 4: Trade Secrets: Often-Overlooked IP Tools	41
<i>Part II: Going for the Gold: Patenting Your Product</i>	49
Chapter 5: Understanding Patents and How They Work.....	51
Chapter 6: Testing the Patent Water Before You Dive in	63
Chapter 7: Hoping It Ain't There: The Patent Search.....	75
Chapter 8: Preparing Your Patent Application	89
Chapter 9: Filing Your Patent Application.....	109
Chapter 10: Wrestling with the Patent Examiner.....	123
Chapter 11: Reeling In the Prize: Getting Your Patent Issued	151
<i>Part III: Asserting Your Copyrights</i>	167
Chapter 12: If It's Got Style, You've Got Copyrights.....	169
Chapter 13: Untangling Ownership Issues.....	187
Chapter 14: Giving Your Copyright Fangs	197
<i>Part IV: Protecting Your Commerical Identity</i>	217
Chapter 15: Flashing Your Badge.....	219
Chapter 16: Coining the Next Household Name.....	233
Chapter 17: Searching for Name Availability	245
Chapter 18: Establishing and Registering Your Commercial Identifier	259
<i>Part V: Making Your IP Rights Work for You</i>	283
Chapter 19: All Abroad: Protecting Your IP Rights in Other Countries	285
Chapter 20: Making 'Em Pay: Licensing Your IP Rights	303
Chapter 21: Catching Them Rustlers (Infringers).....	317

<i>Part VI: The Part of Tens</i>	327
Chapter 22: Ten Most Common IP Misconceptions	329
Chapter 23: Ten Patent Application Pitfalls	333
Chapter 24: Ten Practical Copyright FAQs.....	337
Chapter 25: The Ten Worst Naming Blunders	341
<i>Appendix: How to Use the CD-ROM</i>	345
<i>Index</i>	351

Table of Contents

<i>Introduction</i>	1
About This Book	1
Conventions Used in This Book	2
Foolish Assumptions	3
How This Book Is Organized	3
Icons Used in This Book	5
<i>Part I: Corraling Your IP Assets: Intellectual Property Basics</i>	7
Chapter 1: Marshalling Your IP Tools	9
Defining Intellectual Property	9
Exploring the Patent Process	11
Copyrighting Your Creations	13
Proclaiming Your Identity: Trademarks and Other Commercial Handles	14
Keeping It Under Your War Bonnet: Trade Secrets	16
Let's Make a Deal: Looking at Contractual IP Rights	16
Putting Your IP to Work at Home and Abroad	17
Chapter 2: Fencing In the Herd	19
Questioning Your Motives	19
Implementing an IP Program	21
Chapter 3: Calling in the Cavalry and Picking Up the Tab	29
Getting the Help You Need	29
Finding and Retaining an IP Professional	34
Staying within Your Meager Means	35
Working with Foreign IP Professionals	39
Coordinating with Other Professionals	40
Chapter 4: Trade Secrets: Often-Overlooked IP Tools	41
Taking a Gander at Your Operation	41
Patenting or Secreting?	44
Safeguarding Your Trade Secrets	46

Part II: Going for the Gold: Patenting Your Product..... 49

Chapter 5: Understanding Patents and How They Work.	51
Defining the Nature of the Beast.....	51
Dissecting the Beast: Three Patent Types.....	53
Checking Out the Mechanics: Specifications and Claims.....	55
Playing by the Rules: The Three-Part Patentability Test	58
Chapter 6: Testing the Patent Water Before You Dive In	63
Assessing What You Have	63
Making Sure that 10-Gallon Hat Is Right for You	67
Starting Things Off on the Right Foot	72
Chapter 7: Hoping It Ain't There: The Patent Search	75
The Preliminary Online Search: What Did We Do without the Internet?	76
Upping the Ante: The Professional Anticipation Search	77
Conducting Your Own "Professional" Anticipation Search	79
Looking at Other Patent Searches	87
Chapter 8: Preparing Your Patent Application	89
Understanding the Patent Application	89
Choosing Between Formal and Provisional Applications	90
Deconstructing the Patent Application	92
Disclosing Your Invention in the Specification.....	94
Arguing Your Case for Patentability	95
Staking Your Claims	96
Chapter 9: Filing Your Patent Application	109
Packaging the Application.....	109
Sending Your Application to the USPTO	112
Meeting Your Filing Deadlines	113
Keeping Your Application under Wraps.....	113
Asking for Special Status: Speeding Up Your Application.....	116
Preparing and Filing Patent Applications.....	118
Wise Things to Do While You Wait	120
Entering a Continuation Application.....	120
Chapter 10: Wrestling with the Patent Examiner	123
Touring the USPTO.....	124
Clearing Initial Administrative Hurdles	126
Splitting Up Is Hard to Do: Restricting the Application.....	128
Getting In on the Office Action.....	130
Reacting to a Final Rejection.....	145
Getting Flagged for Interference.....	147
Requesting a SIR	149

Chapter 11: Reeling In the Prize: Getting Your Patent Issued	151
Getting the Green Light.....	152
Put Down the Champagne: Taking Corrective Action	153
Dealing with Defective Patents	154
Submitting to Reexamination.....	160
Changing the Names of the Inventors or Assignees.....	164
Remembering to Pay Maintenance Fees.....	165
Marking Your Widgets with the Patent Number.....	165
<i>Part III: Asserting Your Copyrights</i>	167
Chapter 12: If It's Got Style, You've Got Copyrights	169
Getting to Know the Copyright	169
Defining an Original Work of Authorship	170
Determining What Is Copyrighted and What Isn't.....	173
The Scope of Copyright Protection.....	175
So What Does a Copyright Do for Me?.....	179
Chapter 13: Untangling Ownership Issues	187
Making Sure You Own the Copyright.....	187
Changing the Owner: Transferring Interest in a Copyright.....	192
Investigating the Status of a Copyright.....	194
Chapter 14: Giving Your Copyright Fangs.....	197
Making It Official: Registration.....	197
Finding and Filling Out Forms.....	201
Depositing Copies of the Work	207
Marking Your Copyrighted Work	212
Getting Help from Uncle Sam	213
Recording Copyright Documents	214
<i>Part IV: Protecting Your Commerical Identity</i>	217
Chapter 15: Flashing Your Badge	219
A Commercial Identifier Inventory.....	219
Putting Commercial Identifiers to Work.....	224
Testing the Legal Strength of Commercial Identifiers	228
Chapter 16: Coining the Next Household Name	233
Marketing Power: Components of Good Commercial Identifiers.....	234
Trying the Tricks of the Trade.....	237
Avoiding the Seven Deadly Sins.....	241

Chapter 17: Searching for Name Availability	245
Practicing Prudence	245
Defining the Scope of Your Search	247
Carrying Out Your Search	250
Analyzing the Results	254
Chapter 18: Establishing and Registering Your Commercial Identifier	259
Gaining Exclusive Rights to a Commercial Identifier	260
Registering Your Commercial Identifier	260
Preparing Your In-Use or ITU Application	264
Pushing Your Application Through the USPTO	272
Losing Your Commercial Identifier	281
Part V: Making Your IP Rights Work for You	283
Chapter 19: All Abroad: Protecting Your IP Rights in Other Countries	285
Pros and Cons of International Patents	285
Basic Rules of Filing for Foreign Patents	288
Where Should You File?	289
What's a Utility Model?	298
Filing for Design Protection Abroad	299
Protecting Your Plant Overseas	300
Protecting Your Mark Abroad	300
Chapter 20: Making 'Em Pay: Licensing Your IP Rights	303
Types of Licenses	303
Inspecting Basic Elements of a License	306
Assigning Rather than Licensing	310
Getting Down to the Government Stuff	310
Adopting a Licensing Strategy	312
Making Beautiful Music Business	313
Chapter 21: Catching Them Rustlers (Infringers)	317
Determining Infringement	317
Stopping Infringement Cold	321
Part VI: The Part of Tens	327
Chapter 22: Ten Most Common IP Misconceptions	329
Chapter 23: Ten Patent Application Pitfalls	333

Chapter 24: Ten Practical Copyright FAQs.....337

Chapter 25: The Ten Worst Naming Blunders.....341

Appendix: How to Use the CD-ROM..... 345

 System Requirements 345

 Using the CD 345

 What You'll Find on the CD 346

 Troubleshooting 348

 Wiley Publishing, Inc. End-User License Agreement..... 348

Index..... 351

