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JANUARY 2024 Volume 40 Issue 01

# Inventors

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# Contents

January 2024 Volume 40 Issue 1



14

## Feature

- 28 Power Surge**  
Women's Entrepreneur Groups  
Reflect a Dynamic Trend

## Inventor Spotlight

- 22 Captioning Gets Personal**  
AR Glasses Deliver Live Conversations
- 24 Scared Into Action**  
Mother's Tool Aids in CPR Process

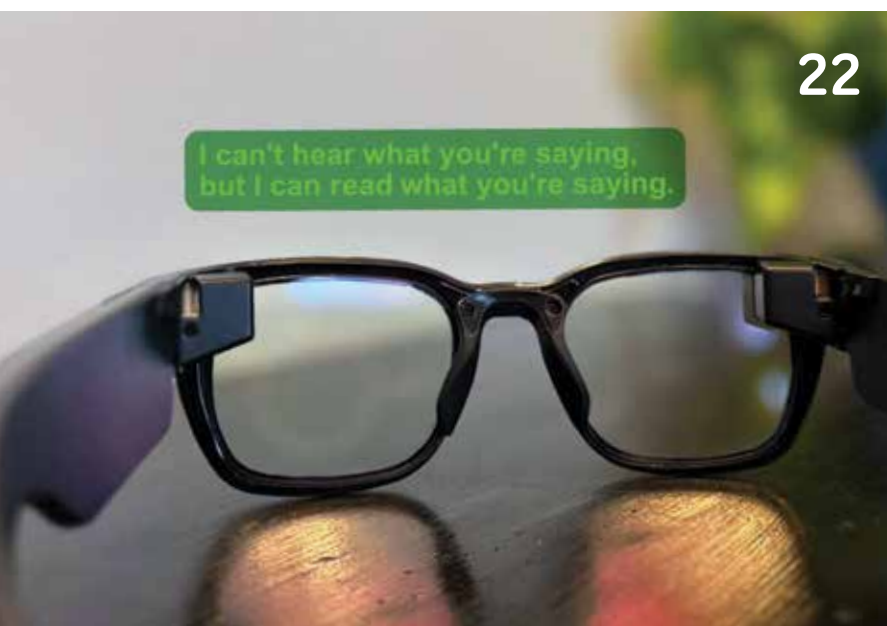
## Departments

- 6 Your USPTO**  
Saluting Selfless Service
- 10 Editor's Note**  
Starting Our 40th Year
- 11 Everybody's Talking**  
Taylor Swift IP Class
- 12 Bright Ideas**  
Innovation That Shines
- 14 Time Tested**  
They Hit the Mothercode
- 16 Lander Zone**  
Another Use for the Patent Search
- 18 Social Hour**  
30 Ideas in Reel Time
- 34 Guest Insight**  
Wanted: 100 Million Inventors
- 36 Think Marketing**  
Don't Drink the Fool-Aid
- 38 Meant to Invent**  
Courting That Spark
- 40 Prototyping**  
Starting Green
- 42 IP Market**  
An Interesting See-Saw
- 44 Eye on Washington**  
Good Signs for 2024
- 46 Inventiveness**  
Focus on the Fun and Fascinating



ON THE COVER  
Photo by  
Sara Coffin Photo

24



22







# Give no quarter to Patent Pirates.

Or they'll take every  
last penny.

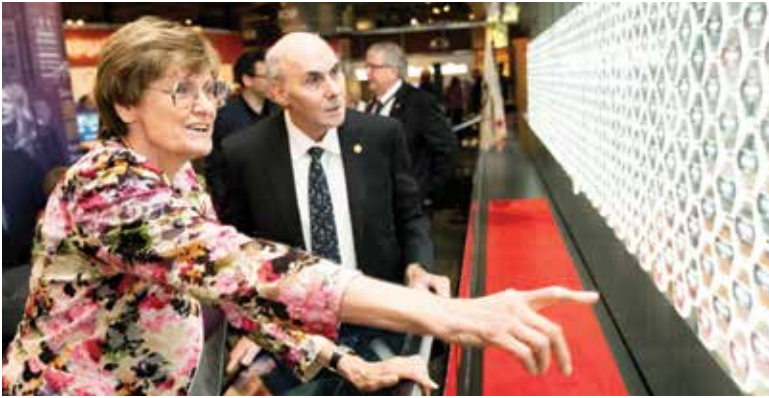
Our ideas and innovations are precious. Yet Big Tech and other large corporations keep infringing on our patents, acting as Patent Pirates. As inventors, we need to protect each other. It's why we support the STRONGER Patents Act. Tell Congress and lawmakers to protect American inventors.



[SaveTheInventor.com](http://SaveTheInventor.com)

# A Salute to Selfless Service

*Following a 2023 National Inventors Hall of Fame class highlighted by historic, life-saving collaborations, latest inductees will be announced soon*



Drs. Katalin Karikó and Drew Weissman examine their names on Gallery of Icons in the NIHF Museum.

If the 2023 class of 16 inductees to the National Inventors Hall of Fame (NIHF) is any indication, there is much to anticipate when the Class of 2024 is announced in mid-January.

The '23 inductees—honored at a black-tie gala at The Anthem in Washington, D.C., on October 26—included four Nobel Prize winners and a National Medal of Technology and Innovation winner, the latter the nation's highest award for technological achievement. But Dr. Rory Cooper, the NMTI honoree, said in his NIHF acceptance speech that all Hall members are interwoven by an uncommonly noble common thread.

“What I find unique about all the members of the Hall of Fame is that they are dedicated to serving others,” he said.

## Massive genetics breakthrough

Also unique is that with few exceptions, their accomplishments are part of a team effort. This is particularly true for the four Nobel Prize winners.

Jennifer Doudna and Emmanuelle Charpentier won the 2020 Nobel Prize in Chemistry for CRISPR-Cas9 gene editing. A French professor and researcher in microbiology, genetics, and biochemistry, Charpentier told the NIHF that “If you want to answer a global question, you may need to associate yourself with someone who has a complementary expertise.

“Doing science is also a human story—and collaborations, it's also about, you know, the different spirit, together.”

When Doudna, a U.S. biochemist, met Charpentier and began working with her laboratory, a protein named CRISPR-Cas9 became their focus. It can prompt targeted changes in DNA sequences in any cell.

“We realized fairly quickly that we were onto something that had much bigger potential than what we had thought we were initially investigating,” Doudna said. “And that was an extraordinary moment.”

How extraordinary? CRISPR (Clustered Regularly Interspaced Short Palindromic Repeats, a pattern in the DNA of bacteria) is possibly the biggest breakthrough in genetic science this century, because it allows scientists to make precise changes to the genetic code of living organisms.

Charpentier used an example from another scientific discipline—computers—in her explanation: “It works a little bit as if the DNA was a text, and if CRISPR was a software.”

Said Doudna: “The potential for the technology to have real implications in people's lives is extraordinary. I'm getting chills even now, thinking about it.”

## Making world history

Physician/scientists Katalin Karikó and Drew Weissman were working at the University of Pennsylvania in 1998 when they met. Dr. Weissman said it happened at a Xerox machine—fitting, given that they teamed for a duplicate mission to help save millions of lives.

Both shared an interest in a single-stranded molecule called mRNA (messenger ribonucleic acid), which had been identified in 1961 as a biological substance intended to prevent disease.

Their achievement is the modified RNA the two teamed to produce. An expert on immunology, Weissman was interested in the possibility of generating immunity without introducing a pathogen into the body. Dr. Karikó educated him about RNA, which he saw as essential to this kind of vaccine.



Their continuing advances became part of world history, when, on January 10, 2020, the sequence of the coronavirus that was causing infection in China was released. “We started making RNA that night,” Dr. Weissman told the NIH.

Dr. Karikó recalled that the vaccine was developed and already tested. “It was just the public didn’t know about that.”

“Moderna had RNA in humans in a Phase 1 trial in 66 days,” Dr. Weissman said. “That speed was made possible by mRNA.”

With the mRNA vaccine, he said, “you’re not giving the inactivated virus or the live virus. You’re giving the cell the instructions to make the protein that’s foreign to the body.”

When the body sees that protein on an immune cell that makes antibodies that bind it and neutralize it, that stops the infection. Their modification resulted in their being awarded the 2023 Nobel Prize in Medicine.

Dr. Weissman said he has been told that the vaccine probably saved 20 million lives. “That was my life goal, to be able to help a few people,” he said.

Dr. Karikó is proud of their accomplishment but said hospital workers “were the real heroes who risked their lives every day.”

## Tragedy inspired lasting change

Dr. Cooper is another legendary Pennsylvania success story.

After losing the use of his legs in a vehicle accident at age 20, the Army veteran and accomplished wheelchair athlete went on to lead the Rehabilitation Research and Development’s Human Engineering Research Laboratory (HERL) at the University of Pittsburgh, where he oversees and conducts research to support the needs of disabled veterans and others with mobility impairments. HERL holds 25 patents, and its inventions are used by more than a quarter-million people every day.

Continuing the emphasis on collaborative innovation, Dr. Cooper told the NIH he has been fortunate to be surrounded by great colleagues and students who change people’s lives. “In the bottom line, that’s what we’re trying to do.”

The NIH Class of 2024 will be inducted in May. The NIH works in partnership with the USPTO.

For more information, visit [invent.org](https://www.invent.org).

## NEWS FLASH

**WORKSHARING WITH MEXICO:** The Mexican Institute of Industrial Property (IMPI) published guidelines for the implementation of a new worksharing initiative with the USPTO: the Accelerated Patent Grant (APG).

This gives eligible patent applicants the option of using an expedited process for obtaining a patent grant in Mexico based on a U.S. patent grant. An eligible patent applicant who has been granted a U.S. patent may request that the IMPI grant a patent on a corresponding Mexican patent application at any time during its processing, following the publication of the application in the Mexican Industrial Property Gazette.

USPTO Director Kathi Vidal and IMPI Director General Dr. José Sánchez Pérez signed a joint statement on the APG in August.

## EXPEDITING SEMICONDUCTOR TECH:

To encourage research, development, and innovation in semiconductor manufacturing, the USPTO has begun a Semiconductor Technology Pilot Program developed to support the CHIPS for America program.

The pilot program is designed to accelerate improvements in the semiconductor industry by expediting examination of patent applications for certain semiconductor manufacturing innovations. Qualifying nonprovisional utility patent applications, directed to certain processes and apparatuses for manufacturing semiconductor devices, will be advanced out of turn for examination (accorded special status) until a first action. Applicants are not required to satisfy the current requirements of the accelerated examination program or the prioritized examination program to qualify.

The USPTO began accepting petitions to participate in the Semiconductor Technology Pilot Program on December 1. The pilot program will be available until December 2 of this year, or until the USPTO accepts 1,000 grantable petitions (whichever is reached first).

Visit [uspto.gov/semiconductortech](https://www.uspto.gov/semiconductortech) to learn more about the Semiconductor Technology Pilot Program.



## WHAT’S NEXT

**PATENT EXAMINER OPPORTUNITY:** If you are interested in a career as a USPTO patent examiner, bring your questions about the agency, the role, and the hiring process to a virtual office hour on January 10 from noon to 1 p.m. ET.

Another virtual opportunity, a “fireside chat,” is available on January 16, also from noon to 1 p.m. The informal sessions will be with current USPTO patent examiners and team members.

You do not need to register for either event. For more information, contact [recruitment@uspto.gov](mailto:recruitment@uspto.gov).

Visit [uspto.gov/events](https://www.uspto.gov/events) for many other opportunities to attend free virtual events and/or training.

## New Offices for Atlanta, New Hampshire

*USPTO plans to open a new regional office and community outreach office*

The USPTO will open a new regional office in the Atlanta, Georgia, metropolitan area serving innovators in the Southeast region, and a new community outreach office in Strafford County, New Hampshire, serving innovators in the New England region.

The Atlanta office is expected to be fully opened and operational by December 2025, the New Hampshire outreach office soon thereafter.

The creation of the new offices is part of the Unleashing American Innovators Act of 2022 (UAIA), signed into law in December 2022. Selection of the new regional office was based upon criteria in the UAIA that states the decision be based on several characteristics, including:

- The number of patent-intensive industries near the site.
- How many research-intensive institutions, including higher education institutions, are located near the site.

- The state and local government legal frameworks that support intellectual property-intensive industries located near the site.
- The proximity of the office to individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that are underrepresented in patent filings.

The decision on the location for the Northern New England community outreach office was based on the following criteria:

- Located in an area with at least one public and one private institution of higher education.
- In a jurisdiction with 15 or fewer registered patent attorneys.
- In a jurisdiction where women, minorities, and veteran-owned businesses comprise less than 45% of total business ownership.

The USPTO received more than 200 comments from the general public, USPTO employees, city and state officials, and the business community regarding possible new sites.



### REGIONAL HOMES

#### Texas Regional Office: Lone Star Destination

Frederick S. Wendelken's Nov. 22, 1898, patent for a "Type-writing machine" is among the invention displays adorning the walls of the USPTO's Texas Regional Office in Dallas.

Located in the Terminal Annex Federal Building downtown, the Texas Regional Office serves Texas, Alabama,

Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee. It opened on Nov. 9, 2015—the same year "The Lone Star State" was made the official state nickname for Texas.

In January, the Texas Regional Office will host the virtual Trademark Boot Camp. Module 1 of the series begins

January 9 from 2 to 3:30 p.m. ET, with subsequent modules following each Tuesday at the same time.

Hope Shimabuku, the office's regional director, brings to the USPTO nearly two decades of experience as an engineer and intellectual property attorney.



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# We Have Liftoff—Twice!

*Launch of trademark search system and full implementation of Patent Center enhance ease of use for USPTO stakeholders*

**Y**ou spoke. We listened. And now, USPTO stakeholders can benefit from improved processes for trademark searches and for filing a patent application.

After eight months of input from stakeholders, the USPTO trademark search system launched on November 30. The new system provides a more stable search environment with a simplified search interface that also supports complex searching for advanced users.

The cloud-based system allows you to search for existing trademarks in the United States. You can use it to find out if your desired trademark is available, or if there are any similar trademarks that might cause confusion or conflict with your own.

At [tmsearch.uspto.gov/search](https://tmsearch.uspto.gov/search), simply enter the name of a possible trademark, product, or owner, and learn the status of your entry: registered, pending, cancelled, or abandoned. An Expert mode at the top of the page provides additional drop-down options, class filtering, and combining search lines.

The trademark search system is updated regularly and covers all active and inactive trademarks, as well as pending applications.

In addition to the enhanced search capabilities, the new system:

- Features a help section with guidance on using the system.
- Provides a list of improvements made to the system.
- Offers the opportunity to share your input via a feedback button.

On November 15, two weeks before the trademark search system launched, the USPTO's Patent Center—which began operations in 2017—fully replaced the decades-old EFS-Web and Private Patent Application Information Retrieval (PAIR). The Patent Center provides a one-stop shop for filing and managing applications, offering a next-generation user interface with better overall system performance and security.



The transformation from the legacy systems to Patent Center ([patentcenter.uspto.gov](https://patentcenter.uspto.gov)) has involved multiple training events over the past few years. In total, more than 30,000 customers have been trained. Additionally, the USPTO worked directly with more than 25 stakeholder groups in recent months to answer questions and receive feedback about the new system.

You can now:

- Use USPTO.gov accounts and sponsorships that you've already created for EFS-Web and Private PAIR.
- Upload your patent application specification, claims, abstract, and drawings in a single DOCX document.
- Upload multiple documents at once using the drag-and-drop interface.
- Download multiple documents at one time in a single PDF or ZIP file.
- Confirm the status of submitted documents and successful payments with separate submission and payment receipts.
- Explore Training Mode, an interactive simulation to safely practice filing DOCX and PDF documents, without submitting anything. You'll also receive real-time feedback.

To address concern among stakeholders regarding certificate of transmission language, the USPTO is formally waiving its relevant rules and will accept a certificate of transmission on a pre-printed form and submitted by applicants via Patent Center. See the waiver at [uspto.gov/sites/default/files/documents/pc-forms-waiver.pdf](https://uspto.gov/sites/default/files/documents/pc-forms-waiver.pdf).

## **ID: Middle-Age Crazy, Grateful and Excited**



In one of my previous lives as a sportswriter, I was stunned to pick up the 1986 Toronto Blue Jays media guide and see a 10th anniversary logo on the front cover.

This was a colossal and permanent blunder, missed or ignored by everyone in the organization. Not just bad math.

The Blue Jays' inaugural season was 1977. So when the 1986 season began, the team had played nine seasons and was starting its 10th. Ergo, the assumption and the error.

To begin a 10th year and to finish a 10th year—the latter which the Blue Jays were still 6 months away from doing on the field—are two different things. When you have finished 10 years, that's when you have a 10th anniversary.

If it's June and you got married in January, you are in your first year of marriage. The first anniversary doesn't come until the next January, when that year is complete.

OK, so why have I spent half a column belaboring this point?

Well, look at the cover of this month's issue, in the top right corner.

We are starting our 40th year.

We can't wait to celebrate our 40th anniversary next year, but this is one of the ways we are going to do it right.

*Inventors Digest* started as a newsletter in early 1985. Joanne Hayes-Rines, the most important editor in this magazine's history, oversaw this labor of love through the stock market crash of 1987, four U.S. presidents, 9/11 and—last but not least—the emergence of the Internet Age, which was the death knell for many long-lasting and even iconic magazines.

Yet we're still here in print and online, thanks to publisher Louis Foreman's commitment to educating the public about inventing and intellectual property. And to loyal readers who love to learn, create, dream and be entertained.

Much of inventing is learning about and celebrating what's new. At the same time, we can't move forward without knowing what has already been done and how we got there.

It will be a pleasure to see that No. 40 on the cover every month of 2024—as we continue the mission Joanne Haynes-Rines began during a year when the average salary was \$22,000 and the average price of a new car was \$9,000.

Yes, our 40th anniversary will be in 2025. But there's nothing that says we can't start celebrating right now!

—Reid

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## CORRESPONDENCE

*From the editor: A year ago, in response to Inventors Digest's long-ago-published online list of inventor-friendly companies, a reader identifying himself as JustaguyinLA correctly noted that the list contains companies that no longer accept outside ideas from inventors. For obvious reasons, we can't constantly update which companies do and don't do this because practices change.*

*Still, the reader makes a salient point: Many companies don't accept ideas because they have their own inventors/innovators—or, they may subtly or blatantly infringe on existing products and be willing to wage a war of attrition in court.*

*This sparked a conversation with another inventor. We hope their exchange expands to more people, with a positive outcome.*

Hi, JustaguyinLA, I am in the same boat as you and all the other inventors out there. We could try and link up to brainstorm some solutions.

It is very difficult to work out here by yourself, and very frustrating. It is quite evident that we have no shortage of sharks out there that are just waiting to steal inventors' money that they think we have.

If you read this post or any other inventors, please contact me. There has to be a solution to this problem.

— JUSTANINVENTOR, [fixmycomp2@gmail.com](mailto:fixmycomp2@gmail.com)

### "5 Tips for Great Product Photos on Social Media"

(August 2018)

This article provides some really useful tips for taking great product photos for social media.

As a small business owner, I know how important it is to have high-quality images that showcase your products in the best possible way. I appreciate the specific advice on lighting, angles and editing to make your photos stand out.

I'll definitely be putting these tips into practice for my own social media posts. Thank you for sharing this helpful information! —MITU

*Mitu, your appreciation specifically goes to our columnist Elizabeth Breedlove. She is a foremost expert on using social media to best promote an invention or product, and one of Inventors Digest's most trusted resources.—Editor*



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## TAYLOR SWIFT AND IP: A CLASS BY ITSELF

Vivek Jayaram started a seven-week intensive class at the University of Miami's School of Law in October called "Intellectual Property Law Through the Lens of Taylor Swift." He told the *Miami Herald* that spotlighting her legal issues can help students "understand how what they have learned is important, meaningful and relevant to what they'll be doing in a couple of years."

Jayaram, an attorney in intellectual property, was to discuss topics such as lawsuits filed against Swift: how Evermore Park in Utah sued her over

the attraction's trademarks because of her "Evermore" album; and how two songwriters accused her of copyright infringement and filed suit over her "Shake it Off" record before dropping it.

Her many registered trademarks, contracts and other IP matters were also on the course syllabus.

What about the recent trademark requests made by her NFL player boyfriend Travis Kelce, for his name and catchphrases like "Alright Nah"? Hey, there's plenty of school year left. —Reid Creager

You may have read on these pages how **Taylor Swift** seems obsessed with intellectual property. So now that a college professor has decided to teach a class with that premise, we have one question.

What took you so long?

# BRIGHT IDEAS



## Ultimate Hamper

ALL-IN-ONE LAUNDRY HAMPER

[songbirdnesting.com](http://songbirdnesting.com)

This patented product is purported to be the first all-in-one laundry cart that allows you to transport folded laundry in an organized fashion. It includes a rotating hanging bar.

Other projected features of the 27-gallon bin include an easy access front door, storage dividers and all-terrain wheels.

The hanging bar is easy to use. To raise it, rotate up and pull back to engage the locking mechanism. Then push forward until it stops and stays in place. To lower the bar, pull back to release the locking mechanism, then smoothly rotate down.

Ultimate Hamper will retail for \$249. It is scheduled for shipping to crowdfunding backers in September.

## Shelbru

COLD BREW COFFEE SYSTEM

[shelbru.com](http://shelbru.com)

The second iteration of this system allows you to store fresher coffee beans at the push of a button; shake out fine grounds for smoother coffee; brew up to 500 ml of cold brew concentrate, and provide a spill-proof pour every time. Shelbru also fits into your refrigerator.

The brewer prepares up to 12 servings of smooth, strong, cold brew concentrate in one batch, either iced or hot. Transform your brewer into a carafe by replacing the dual filter and filter ring with the carafe spout.

Also planned are an improved filter and lid, a measurement mark on the jar, and upgraded steel ring design.

Cold Brew System 2.0 will retail for \$80.





## Snowfeet PRO

### SKI SKATES

[snowfeetstore.com](http://snowfeetstore.com)

Snowfeet PRO turns your shoes into ski skates as part of a new sport.

Made of durable, fiberglass-reinforced material, Snowfeet is made for skiers, cross-country skiers, hockey players, hikers, roller skaters and more. Both winter shoes and snowboard boots fit inside the equipment. The skates are lightweight and fit into a backpack.

The latest model of Snowfeet is 50 cm long to help with balance. The previous incarnation was 38 cm. The base has been narrowed and the platform heightened for faster and easier turns.

The ski skates are best suited for power and ungroomed terrain.

Snowfeet PRO, which will retail for \$250, is to be shipped to crowdfunding backers in March.



**"The more you are prepared to fail, the more relevant and inventive you will become."**

— ROGER SPITZ

## X-Fly

### BIOMETRIC DRONE

[bionicbird.com](http://bionicbird.com)

Unlike standard drones, propeller-less X-Fly replicates the intricate flight patterns of birds and insects, delivering a more authentic and immersive flying experience.

The company's first upgradeable drone features evolved electronics and cutting-edge sensors for easy piloting assistance, a feature-rich smartphone app, and customizable plug-ins. Just attach the wings to X-Fly's body, choose between commands (either the smartphone app or optional joystick), and begin flying.

An improved flapping system enables better flight capabilities and allows the drone to navigate indoor and narrow spaces.

The future retail price is unavailable. Shipping to crowdfunding backers is set for April.



# They Hit the Mothercode

50TH ANNIVERSARY OF THE FIRST UPC SCAN TRACED  
TO THREE DETERMINED INVENTORS **BY REID CREAGER**

Joe Woodland conceived the initial concept for the barcode by drawing in the sand with his fingers on Miami Beach.

**I**N 1948, Joe Woodland had a decision to make: stay in graduate school, or work on a code that could be printed on groceries and scanned to speed up supermarket checkout lines.

He did not lack confidence or motivation. Woodland had already flexed his inventing muscles while an undergraduate at Philadelphia's Drexel University, via a new system for elevator music: *The New York Times* reported that it recorded 15 simultaneous audio tracks on 35-millimeter film

stock. But the project was killed by his father, who said the Mafia controlled elevator music and feared any association with them.

When a fellow Drexel graduate, Bernard (Bob) Silver,

told Woodland that a local supermarket manager was desperate for a more efficient and technological checkout system, Woodland's inventive instincts were not going to be denied.

This time, he drew a line in the sand.

## Beach chair bingo

He was living in a Miami Beach apartment owned by his grandfather in the winter of '48. According to many reports, he was lounging in a beach chair by the water one day in January 1949 when he began thinking about the Morse Code he learned in the Boy Scouts, and whether it could have any application to the supermarket dilemma.

Generally acclaimed as the inventor of the barcode, Woodland later told *The Smithsonian*:

"I remember I was thinking about dots and dashes when I poked my four fingers into the sand and, for whatever reason—I didn't know—I pulled my hand toward me and I had four lines.

"I said, 'Golly! Now I have four lines and they could be wide lines and narrow lines, instead of dots and dashes. Now I have a better chance of finding the doggone thing.' Then, only seconds later, I took my four fingers—they were still in the sand—and I swept them round into a circle."

Bull's-eye. At least, that's what Woodland's concept resembled: The patent application he and Silver filed on October 20, 1949 that was approved on October 7, 1952, "Classifying apparatus and method," had circular codes so they could be read from any angle.

This was the predecessor to today's barcodes that represent data in machine-readable form. (It turned out that bars, and barcode boxes, eventually had fewer smearing issues than circles.) Barcodes initially differentiated items by varying the widths, spacings and sizes of parallel lines.



## Research transitions

As with so many historic inventions, this one took a lot of time to see the light of day. In this case, that light needed to be very bright.

Woodland and Silver worked on a way to implement their premise, with halting progress. When Woodland joined IBM in 1951, he hoped the computer division would embrace it and possibly work on the code system with him. It never happened.

The two sold their patent to Philco for \$15,000 in 1962; Philco later sold it to RCA. Silver died of acute leukemia in 1963 at 38.

Silver was gone, but hope was not.

Others continued research and work on barcodes—most notably David J. Collins, who founded Computer Identics, and RCA. While working for Sylvania Electric Products in the late 1950s, Collins created a railroad car tracking system that used patterns of red, white, blue and black bars. He was ultimately issued at least five patents related to barcodes.

According to Tony Seideman's essay "Barcodes Sweep the World," in 1971 an IBM employee saw RCA's award-winning bull's-eye barcode system at a grocery conference. Given that in Woodland they had an expert on barcodes among them, he was enlisted to conduct further research and helped develop the Universal Product Code barcode that is still used for tracking trade items in stores.

## The laser difference

For the actual operation of barcodes, Woodland had been inspired by movie soundtracks that worked by shining a bright light through a stripe of different widths. According to *The Guardian*, he even tried "bouncing a cinema-bright light off his circular barcodes and using an RCA935 vacuum tube to read the results."

Of course, this was neither practical nor affordable. Enter Collins, whose Computer Identics had sold the world's first commercial laser scanner to General Motors for use on a Pontiac assembly line in 1969. With Woodland's and Silver's patent long expired, lasers' use on barcodes redefined the process.

## PATENT PATHWAY



The description in **U.S. Patent No. 2,612,994** says: "This invention relates to the art of article classification and has particular relation to classification through the medium of identifying patterns. It is an object of the invention to provide automatic apparatus for classifying things according to photo-response to lines and/or colors which constitute classification instructions and which have been attached to, imprinted upon or caused to represent the things being classified."



On June 26, 1974—the morning after grocery staff had put barcodes on hundreds of items while National Cash Register installed its scanners and computers—the first item marked with the Universal Product Code was scanned at the checkout of the Marsh Supermarket in Troy, Ohio. The first item was a multi-pack of Wrigley's Juicy Fruit chewing gum.

In 2011, the United States Congress recognized Collins as "the father of the barcode industry." That same year, Woodland and Silver were inducted into the National Inventors Hall of Fame. 🏆

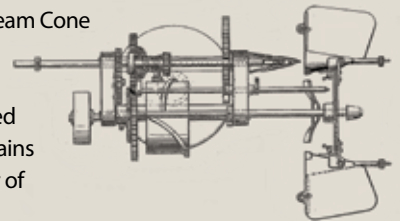
## INVENTOR ARCHIVES: JANUARY

**January 29, 1924:** One hundred years ago this month, **Carl Taylor** of Cleveland patented a machine that made ice cream cones.

U.S. Patent No. 1,481,813, applied for on February 16, 1921, was titled Cone-Rolling Machine. It was described as "Apparatus for shaping or moulding baked wafers, e.g. to obtain cones for ice cream."

According to Ohio History Central, Taylor became fascinated with ice cream cones after attending the 1904 World's Fair in St. Louis. (What's Cooking America reported that there were about 50 ice cream stands at the World's Fair and many waffle shops.) He spent the next 20 years developing a machine that could manufacture cones cheaply and efficiently.

Taylor soon formed the Ice Cream Cone Co. to manufacture the cones. The company was eventually bought by Columbus, Ohio-based Norse Dairy Systems, which remains the world's largest manufacturer of sugar cones.





# Another Use for the Patent Search

THE NUMBER OF INVENTORS FOR A PRODUCT MAY OR MAY NOT BE A SIGN FOR YOU TO JUMP IN **BY JACK LANDER**

**A** **PATENT SEARCH** should be easy. I mean, it's all logical.

There are four basic search options: patent number, inventor, patent description and patent class.

Most inventors want to enter the title of their invention as a start. I just spent four hours on the uspto.gov website and failed to find a way to enter four simple words: "tire pressure monitoring device." My plan was to write my article about the development of this truly amazing invention.

As I was about to give up, it occurred to me that my wife, Mary, who is an excellent researcher, might help me find a way to enter those four words. She found it in less than an hour.

In fairness, the patent office recently made some changes on its website, so a few glitches can be forgiven.

## Running to cash in

Anyway, my objective for searching "tire pressure monitoring devices" was because I found using the device in my car to be very helpful.

If I have low pressure in a tire, it doesn't wait for me to check; it takes priority over even vehicle speed and tells me the pressure, in pounds, in each tire. I double checked with my hand gauge, and the pressure agreed with the readout on the dashboard.

Mary has a Corolla. I don't mean to be snobbish (OK, maybe a little), but her readout only tells her when the pressure is low.

**As the number of granted patents goes up, the criteria for production based on cost becomes critical.**



Because low tire pressure is a common warning all drivers would love to have, I wondered why it took so long for car companies to adopt the device.

As so often happens—like Roger Bannister breaking the four-minute mile in 1954—once it was proven possible, others got into the act and also succeeded. And other inventors did get into the tire pressure monitoring act.

In 1974, one patent was issued; in 1975, one; nine patents were issued in 1976; two in 1977; three in 1978; three in 1979, and so on.

In any case, we have enough data to postulate about the remarkable number of inventors who were at work on the tire pressure monitoring device. And as I was reading each patent Abstract to ensure the objective of the invention was clearly tire pressure, not loan-shark pressure, I found the language to be consistent. Such nouns as Bourdon tube, solenoid, coil, frequency, transmitter and a half-dozen others appeared in most of the patents.

### Factors to consider

So, what is our takeaway from this data?

First, when an invention serves a popular need, many inventors take up the challenge. And when the first patent issues, doubts about design feasibility tend to fade—and others, independent as well as corporate, will jump in and try their hand at exceeding the utility of the first fellow's design.

As the number of granted patents goes up, the criteria for production based on cost becomes critical.

Car manufacturers have always been ultra-slow to introduce gadgets, a phenomenon known as the seat belt folly. We can be patient when an accessory is a luxury like the tire pressure monitor, but when it comes to safety features, car companies have been criminally negligent about their introduction and improvement.

The principle is that when you become aware of a large number of inventors working on an invention, your chances of having your invention chosen decreases. Also, the large number of

### A CLAIM TO (SOME) FAME

A bit more invention history: I was a pioneer for the introduction of seat belts.

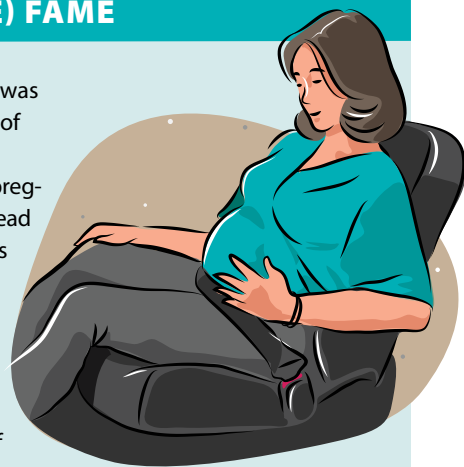
In 1953, when my wife was pregnant with our first child, I had read an article about how many lives were projected to be saved each year if the belts were offered as an accessory in automobiles. They weren't.

I scouted the avenues of Chicago and found a source of aircraft seat belts. If small planes were equipped with them, why not cars?

I installed a belt for my wife, and she used it religiously. I also installed one for myself and have used a belt ever since. People thought I was odd. I loved the compliment.

Eventually, I found a retail source for belts and became an advocate, a crusader, selling them and installing them for friends and friends of friends. Finally, around 1958, belts were offered as an accessory by some car companies—but it was a painfully slow process to get people to pay for and use them.

Thankfully, nowadays they are routine. But tell me: Are all school buses equipped with them yet?



inventors includes those who are employed by the eventual owner of the patent, if any.

(On the other hand, most new products have design flaws, which leaves you open for consumer viewpoint improvements.)

And your facilities for prototyping are probably not as good as a manufacturer with first dibs on the patent.

So, use a patent search to determine if you want to become a contestant in the race for whatever is hot at the time. Your time and effort may be better spent on an invention less glamorous but with higher odds of survival. 🍀

**Jack Lander**, a near legend in the inventing community, has been writing for *Inventors Digest* for nearly a quarter-century. His latest book is "Hire Yourself: The Startup Alternative." You can reach him at [jack@Inventor-mentor.com](mailto:jack@Inventor-mentor.com).



# 30 Ideas in Reel Time

START 2024 WITH THESE CREATIVELY INSPIRATIONAL TIPS FOR USING INSTAGRAM REELS TO PROMOTE YOUR INVENTION

BY ELIZABETH BREEDLOVE

**INSTAGRAM REELS** are a great way for entrepreneurs to showcase their products and engage with their audience. Instagram's algorithm heavily favors video content, and Reels provide a fun and simple way for businesses to showcase more of their brand and connect to existing customers while also getting in front of a larger audience.

By combining interesting video with trending audio, business owners can create high-performing Instagram content that helps them reach their business goals.

Last month's column discussed how to build a content library to make it easier to create and publish Reels. Because attention-grabbing visual content is the basis of any good Reel, by curating a library of high-quality visual content you'll find yourself quickly and easily creating Reels that perform well.

All you need to do is add audio and text, then hit "Publish."

However, some entrepreneurs and inventors run into problems at the idea stage. Many times you know you need to publish a Reel, but you have trouble coming up with a topic worth covering.

If you find yourself stuck in the creation phase without any ideas for Reels, we've got you covered with some inspiration. Here are 30 ideas for Instagram Reels that can help you promote your new product effectively:

1. **Product unboxing:** Show the excitement of unboxing your product for the first time. This content works especially well during a new product launch.
2. **Behind the scenes:** Offer a sneak peek into the making or design process of your product. This type of content can be used over and over as you give a glimpse into what your invention process really looks like.
3. **Product demo:** Demonstrate how your product works and its key features. This is another content idea that can be used repeatedly. Reels tend to be short, so you can create a series of Reels focusing on a different aspect or key feature of your product.
4. **Customer testimonials:** Share video clips of happy customers talking about your product. You can approach your most loyal customers and ask them for a video, and offer them a discount code or even a free product for their help.
5. **Time-Lapse assembly:** Time-lapses are always enjoyable to watch! Showcase the assembly process of your product in a creative, time-lapse video. Just make sure you have a steady tripod to use when you film to avoid a jerky video that causes motion sickness.
6. **Before and after:** Highlight the transformation or results your product can achieve, or compare prototypes to your final, finished product.
7. **Day in the life:** Show how your product fits into your audience's typical day or routine, or film parts of your day and time stamps to show what your day looks like as an inventor and business owner.
8. **Problem/solution:** Identify a common problem your audience faces, then demonstrate how your product solves it.
9. **User tips:** Share helpful tips and tricks for using your product effectively. This can be a great way to use user-generated content! Consider incentivizing your audience to film themselves sharing their top tips for using your product.
10. **Product comparisons:** Compare your product to competitors, highlighting its advantages.



**11. Giveaways:** Announce a giveaway to encourage engagement and interaction. Again, this is a good way to encourage your audience to create content that you can use for future Reels and social media posts.

**12. Teaser trailer:** Build excitement by teasing the launch of a new product. This is something you can do repeatedly, leading up to your product launch.

**13. User-generated content:** Share videos from customers using your product or talking about why they love your product.

**14. Product evolution:** Provide a glimpse of the invention process and show how your product has evolved.

**15. #DidYouKnow:** Share interesting facts and trivia about your product, industry or niche.

**16. Tutorial series:** Create a series of short tutorials related to your product.

**17. Quick hacks:** Share quick and easy hacks related to using your product, or to the problem it solves.

**18. Meet the team:** Introduce your team members who work on product development, marketing or other aspects of your business.

**19. Storytelling:** Share a short story about the inspiration behind your product.

**20. Product in action:** Demonstrate your product being used in real-life scenarios. This is the perfect chance to take your filming outside the office and get some creative shots.

**21. Frequently asked questions:**

Address common questions and concerns about your product; provide helpful answers and solutions. This is another type of content that can be used repeatedly, with each Reel covering a different question you are often asked.

**22. User challenges:** Create a social media challenge related to your product. Encourage

your audience to participate and post their own Reel.

**23. Product benefits:** Highlight the benefits and advantages of your product and demonstrate how it can make users' lives easier or more enjoyable.

**24. Infographics:** Share informative, animated infographics related to your product or industry.

**25. Trend hijacking:** Create reels that capitalize on trending challenges or hashtags. The Instagram algorithm especially favors trending audio, so pay attention to what sounds are frequently used across Instagram and look for opportunities to incorporate them into your own Reels.

**26. Product reviews:** Share reviews from influencers or industry experts. If you don't have videos of customers talking about your product but you have written reviews on your website or on Amazon, you can compile some screenshots and add audio to make a fun Reel.



**27. DIY projects:** Showcase DIY projects that involve your product, and encourage your audience to do their own DIYs and share the results on social media.

**28. How it's made:** Provide a look at the manufacturing process of your product. Consider a short factory tour!



**29. Flashback Friday:** Share throwback content related to your product or industry's history.

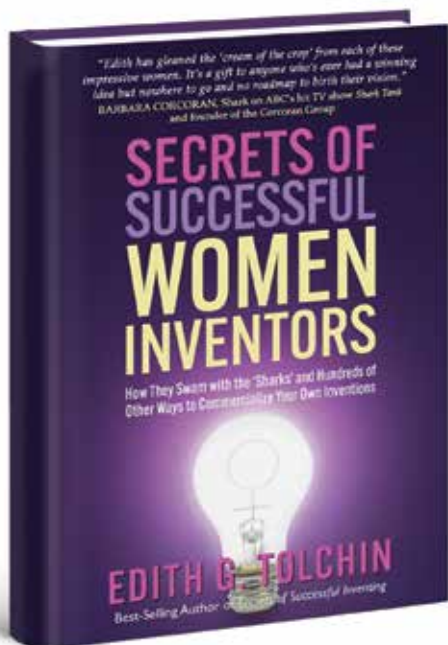
**30. Product in different settings:** Share video of your product in various settings to show its versatility. This type of content often works well as a series.

Ready to find success on Instagram in 2024? Choose a few of these ideas that make sense for your business and you'll be off to a great start as you create compelling content to promote your product or invention effectively on Instagram. 📱

**Elizabeth Breedlove** is a freelance marketing consultant and copywriter. She has helped start-ups and small businesses launch new products and inventions via social media, blogging, email marketing and more.



## Endorsed by Barbara Corcoran of The Corcoran Group and “Shark Tank”...



“... A gift to anyone who's ever had a winning idea...” Read the compelling stories of 27 esteemed, hard-working women inventors and service providers, (many of whom have appeared on “Shark Tank”). All have navigated through obstacles to reach success and have worked hard to change the stats for women patent holders, currently at only about 13 percent of all patents.

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### Edith G. Tolchin knows inventors!

Edie has interviewed over 100 inventors for her longtime column in *Inventors Digest* ([www.edietolchin.com/portfolio](http://www.edietolchin.com/portfolio)). She has held a prestigious U.S. customs broker license since 2002. She has written five books, including the best-selling *Secrets of Successful Inventing* (2015), and *Fanny on Fire*, a recent finalist in the Foreword Reviews INDIE Book Awards.

**Edith G. Tolchin**  
(photo by Amy Goldstein Photography)

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# Captioning Gets Personal

AR GLASSES DELIVER LIVE CAPTIONS TO CONVERSATIONS FOR PEOPLE WITH HEARING LOSS **BY JEREMY LOSAW**

**W**HAT IF you could add captions to real-life conversations, like you can for a movie or TV show?

This would help you stay engaged with conversations and mitigate misunderstandings when someone speaks softly, there is a lot of background noise, or if you are hearing an unfamiliar accent.

Alex Westner has come up with a device using AR (augmented reality) technology that provides live captions to conversations, which display inside AR glasses. The technology is meant to help people—especially those aging or with bad hearing—understand the conversations they have with friends, family and caregivers.

## Push a button—you're ready

XanderGlasses™ use the Vuzix Shield smart glasses platform and its built-in microphones to analyze the audio information in the user's proximity. It then uses its speech to text software to calculate what is being said, and projects the live captions onto the inside of the lenses.

The result is a display of the live conversation, so users can understand what is being said.

The audio analysis is all done inside the glasses, so there is no need to be connected to the cloud. Just push a button, put the glasses on, and you see real-time captions of what other people are saying, superimposed right in your field of view.

The lightweight and comfortable glasses can be used with prescription inserts for users who need them. There is even an integrated touchpad for users to position

the captions in an area that best suits them in their field of view.

Xander has started taking pre-orders from individuals. XanderGlasses are currently available to VA medical centers in Georgia, Alabama and South Carolina.

## Talent for a greater good

A combination of personal interest and life situations were the catalyst for Westner to develop XanderGlasses.

He had a career in audio processing where, for two decades, he helped musicians and television shows to clean audio in noisy situations. He led a team that earned an Engineering Emmy Award for a product used by shows like “Deadliest Catch,” then began to focus his expertise toward hearing loss.

Personally, he was experiencing vision loss and was diagnosed with macular degeneration. This led him to shift his priorities.

“It got me thinking about ‘What’s bigger than this? What can I do that’s more meaningful?’” he recalled. “I am thinking that if I lose my vision over time, I’m gonna have to rely on sound.”

He became interested in the concept of sensory substitution, which is how one of the senses can be heightened and make up for the degradation or loss of another. He explored the tech space around this, and AR came to the fore.

“Let’s look at the frontier technologies and see how those technologies can help people who really need them, not as fun gadgets for playing Pokémon Go and things like that,” he said.

This led him to the hypothesis that AR glasses could be used to supplement hearing, and that he could use his experience in audio processing to help others.

Alex Westner, who led a TV audio processing team that won an Engineering Emmy Award, sought to make his talents meaningful to people in need.





I can't hear what you're saying,  
but I can read what you're saying.

### A great start, but then ...

The first step was to build a prototype.

Westner found off-the-shelf AR glasses and built custom software to run it. The prototype had WiFi, and would send the audio information to the cloud for processing and return the text.

The prototype was built during the COVID lockdown. When he was finally able to test with end users, the feedback was astounding.

"I had one lady who I visited. She's like, 'Hang on, let me get my checkbook,'" he said. "She left the kitchen ... she brought back her insurance information and her checkbook. That was all I needed to decide this is a real thing."

Although initial tests were great, there was trouble on the horizon.

Westner and his cofounder tested prototypes with dozens of people with hearing loss in the Boston area, most of whom had access to reliable internet connectivity. Working with the VA, they learned that many VA hospitals and veterans are not as connected due to being in rural areas, having a lack of technology, or both.

For the device to run seamlessly, the data had to be processed on the device itself. So, he had to completely change AR glasses platforms to something that had more processing power.

### Fruitful demos

Though Westner has patents pending for aspects of the technology, he admitted that his goals were first and foremost to help solve a problem for people.

"Our customers don't care [about patents]," he said—even if it does help to have pending IP for conversations with investors.

The Consumer Electronics Show hosted the first public launch of the product. However, most of the traction and enthusiasm for XanderGlasses has been garnered from demonstrations with potential users at facilities such as VA hospitals. There is a strong need there, where most of the first production run is headed.

The product is made 100 percent in the United States. The glasses are sourced from Vuzix, an AR industry leader based in Rochester, New York. Westner is supported by a team of five software engineers based in Seattle, Washington D.C., New York and Vermont.

Westner and his cofounder handle all other aspects of the business, including inventory management, software provisioning and kit building, from their home in Somerville, Massachusetts. The goal now is to ensure users have a great experience, and to make changes to the software that support users as they live with and use the product regularly. 📞

*Details, and how to subscribe to the waiting list: [xander.tech](http://xander.tech)*

The audio analysis is all done inside the glasses, so there is no need to be connected to the cloud. Just push a button, put the glasses on, and you see real-time captions of what other people are saying, superimposed right in your field of view.

**Jeremy Losaw** is the engineering director at Enventys Partners, leading product development programs from napkin sketch to production. He also runs innovation training sessions all over the world: [wearewily.com/international](http://wearewily.com/international)



# Scared Into Action

TODDLER'S NEAR-FATAL CHOKING EXPERIENCE INSPIRES MOM TO INVENT TOOL TO AID IN CPR PROCESS **BY EDITH G. TOLCHIN**

**BELONG** to many diverse groups on social media. I especially enjoy scouting and interviewing inventors with new products on the market.

Here is Tennessean Felicia Jackson's story about inventing the potentially life-saving CPRWrap.

**Edith G. Tolchin (EGT): How did CPRWrap come about? I understand your (then) toddler son and husband were involved.**

**Felicia Jackson (FJ):** CPRWrap was born from a deeply personal experience that my family and I went through several years ago.

At the time, my son was just a toddler, full of curiosity and energy. During a family outing, he accidentally choked on a small object, and panic immediately set in. Despite my working in a hospital and being CPR trained, fear and distress clouded my ability to recall my CPR training.

In that critical moment, my husband, who was also present, reacted quickly, saving our son's life. It was an eye-opening experience that made me realize the crucial need for a reliable and user-friendly tool to confidently guide individuals

through the CPR process during medical emergencies.

Through extensive research, development and countless iterations, CPRWrap was born. CPRWrap combines visual hand placements for proper compressions, an attached one-way valve mouth barrier for added protection during rescue breathing and translated CPR instructions for global usage.

**EGT: How did you create the first prototypes? How many prototypes did it take before you had a market-ready product?**

**FJ:** Creating the first prototypes for CPRWrap was a challenging process. I actually had a dream of this product being used to revive someone, and I remember homing in on what was on the victim's chest.

After waking up from that dream, I quickly sketched what I could remember in a spiral notebook I used to keep next to my bed. During that time, I also worked in a hospital surrounded by many multidisciplinary medical professionals and was able to get their expert thoughts on CPRWrap as I was developing it.

CPRWrap combines visual hand placements for proper compressions, an attached one-way valve mouth barrier for added protection during rescue breathing and translated CPR instructions for global usage.





**“Despite my working in a hospital and being CPR trained, fear and distress clouded my ability to recall my CPR training.” —FELICIA JACKSON**



I was not tech savvy, could not draw very well, and I didn't have the funding to pay someone to create my first prototype, but I was determined to develop a user-friendly and effective tool for the non-medical community.

I initially conducted extensive research on existing CPR training aids and studied real-life emergency response scenarios, then moved on to crafting a very rough prototype—combining visual hand placements, translated CPR instructions, and the one-way valve mouth barrier.

Throughout the development phase, I continuously tested and refined each prototype, seeking feedback from medical experts and conducting user trials to identify areas for improvement. This approach allowed me to address any shortcomings and fine-tune my design.

Creating a market-ready product was a meticulous journey that required a total of three prototypes. Each iteration brought me closer to my goal of creating a simple, effective and accessible solution for CPR. Finally, after countless hours of hard work, collaboration and dedication, CPRWrap was ready to be launched.

**EGT: When did you open the business?**

**FJ:** I opened my business in 2017, initially from my home, and eventually moved into my first office space inside the Incubator in downtown Chattanooga, Tennessee.

**EGT: Are there any special regulations for manufacturing a health-related product such as this?**

**FJ:** Yes, manufacturing a health-related product like CPRWrap involves compliance with specific regulations to ensure safety, efficacy, and adherence to industry standards. The regulatory landscape for medical devices and health-related products can vary, depending on the country or region of production and distribution. We had to get a “Medical Device Classification,” for which

CPRWrap is categorized as a “Class 1” medical product.

This means our manufacturing partners have to adhere to “Quality Management Systems” as well as compliance with international standards to help ensure consistent product quality and safety. We also had to comply with regulatory agencies like the Food & Drug Administration, make sure our labeling and instructions were clear and accurate as a health-related product, and more.

It is crucial for manufacturers of health-related products like CPRWrap to engage with regulatory experts and consultants, and help guide us through the complex regulatory landscape. Ensuring compliance with applicable regulations not only guarantees the safety and effectiveness of CPRWrap but also enables smooth market entry and distribution.

**EGT: Is CPRWrap quality control tested by any government safety agency?**

**FJ:** Yes, manufacturers of health-related products are often required to establish and maintain a robust Quality Management System (QMS, as mentioned above). Compliance with international standards such as “ISO 13485” helps ensure consistent product quality and safety.

In the United States, the FDA oversees the regulation of medical devices. Other countries have their own regulatory authorities, such as the European Medicines Agency in the European Union and Health Canada in Canada.

**EGT: Where are you manufacturing the product?**

**FJ:** We were fortunate to partner with a family-owned manufacturing company, Global Product Sourcing, in Madison, Tennessee.

**EGT: Do you use a distribution center, or are you fulfilling the orders yourself?**

**FJ:** We distribute the CPRWrap kits from our office in Chattanooga and rely on our manufacturing partners in Nashville to ship our larger bulk orders worldwide.

**EGT: Where are you selling? Retail? Amazon? Health care facilities?**

**FJ:** We are selling our CPRWrap kits on our own e-commerce website as well as Amazon, Walmart.com and eBay. We recently started partnering with independent pharmacies to carry our kits in their brick-and-mortar locations.

**Jackson will soon release CPRCanine, designed exclusively for dogs. It will enable dog owners to confidently perform CPR while they await professional medical help.**

**EGT: Have you had any production issues or problems?**

**FJ:** Unfortunately, problems come with the territory.

We have experienced delays in receiving raw materials or components from suppliers during the initial stages of product conception. We also had “Certification and Compliance” issues with meeting regulatory requirements and obtaining necessary certifications, especially in different countries. Further, designing efficient and protective packaging for the CPRWrap Kit and ensuring timely shipping was a big issue as well.

**EGT: Are you planning any add-on products?**

**FJ:** We will soon release CPRCanine, the groundbreaking CPR product designed exclusively for dogs. Our innovative solution will enable dog owners to confidently perform CPR, providing critical time to seek professional help for their beloved pets.

**EGT: Is CPRWrap patented? Did you have any issues obtaining the patent?**

**FJ:** In 2019, I successfully obtained a patent for CPRWrap, marking a significant milestone

in our journey. While the application process itself proceeded without complications, the only setback I encountered was a temporary backlog that delayed the assignment of my application to an examiner.

Despite this minor hurdle, the entire patenting process was completed in a little over three years, solidifying CPRWrap’s unique position in the market.

**EGT: Have you done any crowdfunding?**

**FJ:** After attempting a Kickstarter crowdfunding campaign for my product, CPRWrap, I encountered a roadblock as it was not accepted due to its classification as a medical product. Undeterred, I decided to pursue an alternative route and launched a successful equity crowdfunding campaign with StartEngine.

This strategic move allowed me to secure the necessary funds and support to propel CPRWrap forward, making a significant impact in the market.

**EGT: Do you have any advice for new inventors? For women inventors?**

**FJ:** For new inventors, I would tell them to believe in their idea and tune out the naysayers, and connect with other inventors, entrepreneurs and industry professionals. Collaborating and learning from experienced individuals can open doors to valuable resources and insights.

For women inventors: I would tell them to surround themselves with supportive mentors, peers and advocates who can provide guidance, encouragement and opportunities. Don’t let gender stereotypes deter them, and let their innovation and expertise speak for itself—regardless of gender. 🍀

*Details: [cprwrap.com](http://cprwrap.com), [info@cprwrap.com](mailto:info@cprwrap.com)*

**Edith G. Tolchin** has written for *Inventors Digest* since 2000 ([edietolchin.com/portfolio](http://edietolchin.com/portfolio)). She is the author of several books, including “Secrets of Successful Women Inventors” (<https://a.co/d/fAGlvZJ>) and “Secrets of Successful Inventing” (<https://a.co/d/8dafJd6>).



# Climb the Charts

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# POWER

AS WOMEN ENTREPRENEURS  
EXPLODE IN NUMBERS, GROUPS  
BUILD STRENGTH VIA NETWORKING  
AND INNOVATION **BY REID CREAGER**

# SURGE

The  
Studio

**W**HEN MELISSA BARKER WAS A LITTLE GIRL, she knew marketing was going to be her career. She might not have known she was going to be part of a revolution.

As founder and CEO of Charleston, South Carolina-based Women Entrepreneurs Inc., Barker provides and oversees branding, design and digital marketing services in a collaborative, collegial environment for women who have started a business. Her company is No. 1 on ForbesWomen Must-Watch List.

“I will always be building and creating,” she said. “I’m really passionate about helping women run their own business because it is something that we can continue to pour into and give us personal fulfillment.”

These women are successful professionals, often highly and multiple-degreed: lawyers, accountants, architects, proven retailers and, yes, inventors. Many are creative business innovators. Their careers are not side hustles. For them, this is not a lark. This is not a social group.

These women mean business.

And business is very good.

## More than a group hug

The U.S. Census began tracking data on women entrepreneurs in 1972. Before then—and for

many years afterward—this was a decidedly small and even minuscule segment of the population. No more.

If you think women entrepreneurs are still in the distinct minority, you don’t know the half of it. Because according to statistics reported by EarthWeb in November, female entrepreneurs are closing in on making up half of all entrepreneurs: 43 percent worldwide.

When Census tracking began in The Year Watergate Happened, about 402,000 women owned a business. Today, that figure is 12.3 million. And almost half of start-ups in 2021 were formed by women, according to human resources cloud software company Gusto.

So the emergence of women’s entrepreneurial groups, some of them large and multi-tiered, was a natural byproduct. In the case of Women Entrepreneurs Inc., Barker—who has started two companies on her own and cofounded another—aimed high when she opened this new endeavor ([weinc.co](http://weinc.co)) in 2017.

“Women start businesses for many reasons,” said Barker, who also spent almost six years as a global brand manager at The Coca-Cola Co. “Our focus is on women coaches, consultants, and professional service providers who have a vested interest in making their company succeed.”

**World, take note:** Women now make up 43 percent of all entrepreneurs. Melissa Barker is CEO of Women Entrepreneurs Inc., which focuses on successful businesswomen and provides coaching and consulting in specific components related to marketing and branding.



## Growing with change

Barker's vast and varied marketing experience taught her the importance of constantly assessing and, if necessary, refining in order to provide unique services to customers. "If you're doing what everybody else is doing, you're not going to make it," she said.

In the past year, she has re-branded and shifted her company's mission to keep up with the torrid pace of growth and sophistication among women entrepreneurs.

The original mission—to make and promote connections, gather information and learn together—has evolved into putting that into practice via a series of action-driven challenges.

That theme is headlined by a series of competitions called the Get #VISIBLE Challenge, run through Instagram. Members are given one activity to complete every day for 21 days. Activities include claiming your Google Business page, updating your LinkedIn profile, or learning to use AI.

"We hear back from women who say, 'Oh, my gosh. These things have been on my to-do list forever, and I would have never gotten to them if it weren't for this!'" The challenge has members applying for grants, pitching for speaking opportunities, and even nominating themselves for awards.

A bonus of the challenge is tapping into women's desire to excel and realize a tangible measure of success, with winners publicly recognized and

winning prizes. "There's a little bit of that leaderboard aspect there. You don't want to let each other down."

## A deeper understanding

For Barker, understanding how successful women think reflects her own successes, and a deeper understanding of women and their priorities.

The three factors women value most, she said, are personal fulfillment, financial stability and time freedom. This is born of their general instincts, and roles they have assumed since the beginning of time.

"We're natural nurturers," Barker said. "Women select businesses that they know won't take up more piece of the pie than what they can dedicate time to, because they know a chunk of that pie is family, parenting, community and volunteering."

Her first question to newcomers is, "How do you define success?" Barker's definition may differ from the norm.

"Men are much more debt comfortable, so they are more apt to take on a business loan or take on venture funding. This means when companies are deemed 'successful' based on the size of their debt, team, or office, women-owned businesses are often overlooked.

"I believe the definition of success has to change. For women, our metric of success is the amount of positive impact we can create for ourselves, our family and our community."

**"When I launched these services for our women, I wanted it to be like buying a pair of shoes. What you see is what you get."**

—MELISSA BARKER, CEO, WOMEN ENTREPRENEURS INC.





## Shoe shopping

To make getting help easy, Barker created a website with a boutique approach to marketing-related services so women can avoid the kind of debt and apprehension she feels are not compatible with true success. They are not buying an overwhelming, one-size-fits-all consulting or coaching package.

“When I launched these services for our women, I wanted it to be like buying a pair of shoes. There are no complex packages or fine print, and I don’t use confusing jargon.”

Women can purchase only what they need—be it a logo or a new website—and not what they don’t. Barker has the resources and accomplished experience to deliver detailed expertise, whether it’s hers or someone else’s.

At The Coca-Cola Co., the University of Georgia graduate was in her late 20s when tasked with the immense responsibility of policing the brand for the iconic, billion-dollar institution.

“My role was to review creative from all around the world and make sure we were maintaining the integrity of the brand. This included advertising from global campaigns like the Olympics all the way down to the right color red on a single Coke can.”

She emphasized that her company’s services can be as collaborative as members want—or don’t want.

Its membership—a done-with-you model of coaching and accountability, helps women learn the skills and tools they need to market their businesses themselves. Meanwhile, The Studio—its done-for-you agency—employs a team of professionals skilled at launching and scaling brands.

Barker encourages women to leverage the Internet Age in starting and building their businesses—to save money and build confidence.

“The technology belongs to all of us. You can be your own advertiser. You can be your own PR agent. Using professionals can help you build your brand faster and better. But if you don’t have the money, it doesn’t mean you’re out of luck.”



## Another Call to Community

WE MEMBER’S APP DRIVES A PROGRAM FOR DOG OWNERS AND VETS TO FIGHT CANINE OBESITY

We may be loving our dogs to death. One of the members of Women Entrepreneurs Inc. who is an inventor has developed an app to help slow dog obesity.

Chubby Dog Nation™ aims to build a community of chubby dog owners and their veterinarians to improve the health of their pets. The app provides a customized, step-by-step action plan, resources, on-the-go tools, and support to help your dog lose weight.

A vet tech since 1994, Jenny Glasgow officially started Chubby Dog Nation in 2022. “But it’s something I’ve been working on for several years. I knew there had to be a better way to keep the dog owner and veterinarian on the same page.”

The Chubby Dog Nation app is easy to use. Just download and create your account; personalize your dog’s information; track your dog’s daily progress, and send reports directly to your veterinarian. The program could be covered by your pet insurance policy. Check your insurer for details.

The American Veterinary Medical Association estimates that more than half of all dogs in the United States are overweight. This begets health problems such as diabetes, heart disease and joint issues.

It also leads to shorter lives. “The Purina Institute did a study, the Purina Life Span Study, where they took a litter of puppies and followed them throughout their entire lives. Half of them were kept at an ideal healthy weight, while the other half were allowed to get chubby.

“At the end of their lives, all the dogs died of the same diseases and/or conditions, but the ones that were kept at an ideal weight died two years later. That’s crazy!”

Glasgow met Melissa Barker in 2017, the same year the latter founded her organization.

“I have been amazed at the depth and reach she brings to every aspect of entrepreneurship,” Glasgow said.

“Women Entrepreneurs Inc. has been a sisterhood of boss ladies and has proven invaluable for support, ideas, sounding boards, education, contacts and resources.”



**"If you're doing what everybody else is doing, you're not going to make it."**

### **Camaraderie rewards**

The more collaborative members "are the women I have a lot of personal fulfillment from, because I can really get in the trenches with them. It's not just me giving them advice, which can be overwhelming. We're actually doing it for them and with them."

That feeling of inclusion is "the thing I get complimented on the most. It's always the community aspect and the women that members meet. What's really fun is, I will see two women who are members who start a business together or host an event together who met through our membership."

She wrote her book, "Why #VISIBLE Women Will Win," as part of the new #VISIBLE branding and to further emphasize and inspire women entrepreneurs of all kinds. It is the most important thing she has ever done for herself.

"I have been a fly on the wall of hundreds of women's businesses. I've been a partner with many success stories, but I have seen women close their doors. I've seen some lose it all.

"So many of these sad stories could have been prevented: If they had a better support system, learned the right skills earlier, and had access to reliable professionals to guide them.

"My book was my way to say, 'You might not be able to afford our membership, but my book is \$32 and I will tell you everything I know about getting visible in 250 pages. I hope some of that helps your doors stay open one day longer.'" 📖

With experience that includes starting two companies, cofounding another and policing the Coca-Cola brand throughout the world, Barker wrote a book that is empathetic and inspirational.



PHOTO BY ERIN TURNER PHOTOGRAPHY

# Strength in Numbers

Here are some other noteworthy groups and programs that serve and galvanize female entrepreneurs and innovators. Of note: The U.S. Small Business Administration's Women's Business Centers ([sba.gov/local-assistance/resource-partners/womens-business-centers](https://sba.gov/local-assistance/resource-partners/womens-business-centers)) provide "free to low-cost counseling and training and focus on women who want to start, grow, and expand their small business."

### **National Association of Women Business Owners**

NAWBO purports to be "the only dues-based organization representing the interests of all women entrepreneurs across all industries; with chapters across the country. With far-reaching clout and impact, NAWBO is a one-stop resource which propels women business owners into greater economic, social and political spheres of power worldwide." [nawbo.org](https://nawbo.org)

### **Female Entrepreneur Association**

"Hello lovely, we're so delighted that you're here." That's the welcome on the website, which invites you to access more than 70 classes and connect with thousands of women from around the world. FEA, founded by Carrie Green in 2011, claims a million women in its network. [femaleentrepreneurassociation.com](https://femaleentrepreneurassociation.com)

### **WBDC**

Founded in 1986, the Women's Business Development Center is a nationally recognized leader in women's business development and economic empowerment. Its programs, services and advocacy efforts have helped more than 100,000 women entrepreneurs "gain economic sufficiency through business ownership and expansion." Programs and services are in the realms of coaching/curricula, contracts and capital. [wbdc.org](https://wbdc.org)





Julia Pimsleur

### Goldman Sachs 10,000 Women

The “ten grand” program provides women entrepreneurs around the world with business and management education, mentoring and networking, and access to capital. It has supported over 200,000 women entrepreneurs in more than 150 countries and features a free-to-access practical business education program. (Very long URL; just search by name online.)

### Ellevete

“Are you ready to find your people?” the site repeatedly asks. Featured programs include the Ellevete Roundtable; a 12-week support program; chapter meetups, and many more. Membership programs for entrepreneur goals are very affordable. [ellevetenetwork.com](http://ellevetenetwork.com)

### Julia Pimsleur

This business coach, speaker and best-selling author founded Million Dollar Women, a New York City-based social venture that helped thousands of women entrepreneurs across the United States and Canada to improve their businesses. Her Million Dollar Women Accelerator is a 12-week business program that “shows you how to build a scalable, profitable business, and get your life back.” The site offers free ebooks that reveal “mindset practices” of business leaders. [juliapimsleur.com](http://juliapimsleur.com)



WBENC is among groups that offer national certification for women-owned businesses.

### WBENC

The Women’s Business Enterprise National Council, founded in 1997, says it is “the largest certifier of women-owned businesses in the U.S. and a leading advocate for women entrepreneurs.” It connects with 14 regional partner organizations to provide certifications. Opportunities include the chance to become a corporate member. [wbenc.org/about-wbenc](http://wbenc.org/about-wbenc)

### CRAVE

Self-proclaimed connection engineer, serial entrepreneur and strawberry shortcake heiress Melody Biringer is the force behind the Crave Co., where she has “spent more than 20 years encouraging women to have fun while connecting with others.” She originated the Women in Tech Regatta—an annual series of conferences in Seattle, Vancouver, and Amsterdam—and Loop, an outdoor community with events that include a “fireside chat” with a leader and a curated resource library of audio books, podcasts, meditations and more. [loop-club.com/melody-biringer-brands](http://loop-club.com/melody-biringer-brands)

### TheNextWomen

Billed as “The Network for Female Entrepreneurs,” TheNextWomen features programs, pitch competitions throughout the world, networking events and “incubation and acceleration summits.” It works with boardrooms, municipalities, ministries, banks, venture capitalists, accelerate programs and knowledge institutions. [thenextwomen.com](http://thenextwomen.com)

### Springboard Enterprises

Led and advised by a team of experienced company builders, Springboard says it has accelerated the growth of more than 890 women-led companies that generated \$39 billion in value during its 20-plus years. To be eligible for Springboard’s Innovation Program, you must be a woman in a senior management position with a significant equity stake in the company. “We’re looking for more than just ‘high-growth’ and ‘women-led,’” the website says. [sb.co](http://sb.co)

### Women’s Startup Lab

“Hello, nice to see you. We know who you are. No not in that creepy way, ew!” Women’s Startup Lab is a Silicon Valley-based global entrepreneurship program for women entrepreneurs. The organization boasts “an active global community of over 20,000 women entrepreneurs, investors, industry experts and active supporters.” [womenstartuplab.com](http://womenstartuplab.com)



The Women’s Startup Lab has a Japanese Women’s Entrepreneur Program.



# WANTED: 100 Million Inventors

WITH THE GAINS CHINA IS MAKING IN PATENTS AND INNOVATION, AMERICA'S FUTURE DEPENDS ON IT **BY LARRY UDELL**

**M**Y OPENING QUESTION: Mr./Ms. CEO, can your company develop all the new products it needs to maintain profitability over the next 10 years?

If your answer is “yes,” you can stop reading now. If your answer is “no,” keep reading.

In today's global economy, it is not just companies that compete, it's whole societies. It is simply management versus management, labor versus labor, technology versus technology, education versus education and government versus government.

A world of hard but fair competition can result in a very productive one. We are not living in a world of winners and losers but a world of winners and winners.

We the public, whether we realize it or not, are the winners. America as a nation needs more technology, more innovation and more invention. All the nations of the world are in the same position.

How does American industry produce the products and services of tomorrow? How we do it begins with recognizing that it must be done and convinced that it can be done.

## Innovation is power

Stop for a moment, look around you and see all that was the result of a creative mind.

The high cost of in-house or contracted research and development, together with rapidly reducing budgets, will continue to make it more difficult to create the new products of tomorrow. Even though the USPTO has great increases in filings and issuances, stop and look at where those are coming from. It is obvious that the American market and its technology hungry consumers dominate where the demand for the newest gadgets will be sold.

Innovation is a primary source of national power. A country's ability to develop new products and methods of production enables it to create the goods desired by others. In turn, innovation creates wealth, leads to technological advancement, and fosters additional innovation through the development of product improvements and new inventions.

According to a World Intellectual Property Organization report released in November, applicants based in China filed about 1.58 million patent applications in 2022, covering both domestic and foreign jurisdictions. Next were the United States (505,539), Japan (405,361), the Republic of Korea (272,315) and Germany (155,896).

Let's take a critical view of the facts.

China is positioned to evolve from an imitator to an innovator, following a path blazed by its Asian Tiger neighbors (Hong Kong, Taiwan, Singapore, and South Korea). It has already shown itself capable of leading the world in a number of advanced technologies, such as supercomputers and high-speed rail.

The second-largest economy, China strives to transform into an innovation-driven superpower. The Chinese government pays its citizens and companies to file in China and abroad. Its impact on filings in the United States cannot be underestimated.

China's potential for innovation threatens the market share of the United States and allied nations in high-value-added, advanced industries, which are important to U.S. prosperity and security.

In 2010, China's innovation and advanced-industry capabilities were approximately 58 percent of U.S. capabilities on a proportional basis (accounting for size of its economy, population, etc.) and 78 percent of U.S. output in absolute terms. By 2020, China's innovation



## China's potential for innovation threatens the market share of the United States and allied nations in high-value-added, advanced industries, which are important to U.S. prosperity and security.

and advanced-industry capabilities increased to roughly 75 percent of U.S. capabilities on a proportional basis and 139 percent in absolute terms.

China still faces economic challenges, but its progress in a wide range of innovation indicators suggests it is projected to overtake the United States in innovation and advanced-industry output—in both proportional and absolute terms. In 2004, China filed 64,569 patent applications. In 2014 it was 630,561; in 2021, 1,585,663.

Internationally, China is a member of WIPO that has ratified several international treaties and bilateral agreements in the patents arena during the past 30 years. Therefore, international patents are recognized, and there are a number of ways to register those patents in China.

### We need more IBMs

A great example of an old American patent powerhouse is IBM. Employing 170,000 technical professionals and spending over \$6 billion a year in research and development activities has helped IBM build a high-quality patent portfolio.

Such a portfolio helps IBM generate significant IP income, and—equally important—grow its business. IBM earns fees from licensing and custom-developing intellectual property for other companies, as well as patent sales and product innovation.

Moreover, according to IBM's chief patent counsel, Manny Schecter, the portfolio also protects others who might aggressively bring their patents directed at IBM. The company could also benefit by protecting all those innovations with patents, because it's not uncommon for customers to be interested in working with or buying from IBM. It has a large portfolio of licenses with others that may enable the company to market products and services that they can't obtain elsewhere at the same price, or without threats from a patent holder against another supplier who doesn't have a license.

In conclusion, the purpose of writing this article was not only to stimulate American inventors and their boundless creativity but to inform the reader that unless we return to our 100-plus years of creating the products and technologies of tomorrow, we will wake up to a reality.

The reality is that the nation that has led the world in technological achievement is now falling behind. The time to act is now. Hesitation will be costly. 🚩

**Larry Udell** is executive director of the California Invention Center and founder of the Licensing Executive Society, Silicon Valley Chapter. He is a teacher, lecturer and consultant who has created more than 35 corporations. He consults to Fortune 500 firms and smaller businesses.



# Don't Drink the Fool-Aid

THE MISPLACED EUPHORIA OF I-DRUNK, OR IDEA INTOXICATION, SHOULD BE SOBERING TO INVENTORS **BY WILLIAM SEIDEL**

**I-DRUNK IS** Idea Intoxication, which occurs when euphoria takes over for the idea.

It is an inebriated blindness or blackout that blocks everything of business sense, financial reason, and good judgment. The inventor is so high from the idea that he or she is drunk, and makes bad decisions and ridiculous demands.

This euphoria energizes the project, and it becomes all involving and contagious. The potential seems enormous. This often spawns more intoxication about where the product will be sold, how much money it will make and how it will change the world.

That same passion that creates the drive to fuel the immense effort may also cause failure when not paired with good business sense.

**I-Myth:** *"I know it will sell millions if it's in Walmart!"*  
The fact is, you must guarantee the sales in Walmart or the products are returned, you pay for the shipping and you don't get paid. It's called a "guaranteed sale."

I-Drunk tricks our brain to believe that if it sells into stores, it will always sell to customers. This is false.

A proven sales history is needed for securing any mass merchant account. So, a new product with no sales and no advertising budget has no chance. There are a few exceptions, but they are not the rule.

**I-Myth:** *"I invented it. Now I need someone to do the rest, and I'll pay a 5 percent commission."*  
This is I-Drunk. Statements like this give inventors a bad name. It shows no understanding of the process, costs or the established distribution needed to succeed.

No one will invest in the enormous costs of development and marketing for a commission. This assumes the idea to be everything and all else is insignificant.

The opposite is true. The company or licensee will put up the money, the marketing, and use its valuable relationships to make and sell the product—and offer a 3 percent royalty.

It is attributed to Thomas Edison that "Genius is 1 percent inspiration and 99 percent perspiration."

**I-Myth:** *"Everyone will buy it!"*

I have been on the receiving side in many presentations when the inventor confidently says this.

Defining everyone as the customer shows you do not know who the customer is. It does nothing to identify the market and ruins your credibility.

Not everyone buys TVs, cars or computers, and everyone will not buy your product. If you have sales data or market tests, you know how much people will buy, what they will pay and where and how they buy.

**I-Myth:** *"I get 50 percent, or no deal!"*

I had a client with a patented pet brush and negotiated a 12 percent royalty with the second-largest brush company, which was willing to pay royalties on all international sales with only U.S. patents. We were excited because it was a great offer with an industry leader.

Our client was insulted because he didn't know the difference between revenue and profit. He was I-Drunk from his unreal view of how the business worked.

He stubbornly refused to accept anything less than 50 percent. The company retracted the offer, we lost a valuable contact, and we dropped the client.

The irony is, 12 percent of the wholesale price was 26 percent of the company's profit for the product. He did not recognize a good deal when he had it and lost a small fortune.

Then he showed it to dishonorable companies, it was knocked off, and he lost everything. He could



not pay the patent maintenance fees or afford infringement action.

**I-Myth:** “*They stole my idea, and I’m gonna make ‘em pay.*”

Robert Kearns invented the intermittent windshield wiper portrayed in the movie “Flash of Genius”—a painful, personal story.

One of his attorneys referred him to me, and we spoke several times late in his crusade.

I served on a board with another attorney who worked for GM at the time and dealt with Kearns. Both attorneys, from different sides of the table, agreed Kearns was out of bounds, unreasonable and impossible to deal with.

He was I-Drunk! He did not understand the companies he was fighting and had a distorted view of the value of his idea, suing for \$395 million. Judge Avern Cohn, who presided over five of the trials, said, “His zeal got ahead of his judgment.”

Let’s screw our heads on straight. Kearns turned down a \$30 million offer from Ford for a windshield wiper control. That’s a great deal and a bad decision that cost him a fortune. The jury ordered Ford to pay \$6.3 million, which the judge reduced to \$5.2 million.

Kearns exposed it to all automakers. Mistake No. 1. This steals the element of surprise and tips off the competition, making it less attractive.

Mistake No. 2, he assumed his idea could not be stolen because he owned the patents.

Of course it can be stolen. The burden of proof is on the plaintiff, and this was not a battle Kearns could afford.

He believed he would win because he was right—Mistake No. 3. He legally won but ultimately lost.

Mistake No. 4: He insisted the auto manufacturers admit they were wrong. It was naive to believe this would happen with a leading corporation.

Kearns spent the settlement on attorney fees to sue GM, Volvo, the Japanese and German companies, while Chrysler settled. He fired his attorneys and acted as his own counsel. All pending cases were dismissed because he missed the filing dates.

Kearns was a clever engineer, a terrible businessman and a disastrous representative for his



**That same passion that creates the drive to fuel the immense effort may also cause failure when not paired with good business sense.**

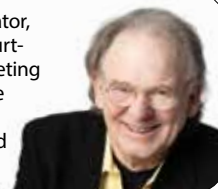
own rights. Making a deal work for both sides is essential while being fair and reasonable. Kearns did not know how to make it a better deal, nor did he have a fallback position other than litigation.

Some negotiating finesse could have gone far toward giving Kearns a high percentage of sublicense royalties—which Ford could negotiate and enforce, and which Kearns could not. Most important, Ford’s legal team would defend his patents, saving Kearns a fortune, 12 years of litigation and the loss of his family.

The tragedy is that Kearns fought for what he believed were the rights of the little guy—but what he achieved was to build a bigger wall around the corporate giants preventing independent inventors from having any access.

There are very few reasons an idea will succeed, and thousands of reasons it will fail. When it fails, there is a high likelihood I-Drunk is involved. ☹

**William Seidel** is an author, educator, entrepreneur, innovator, and a court-approved expert witness on marketing innovation. In his career and as the owner of America Invents, he has developed, licensed, and marketed billions of dollars of products.



# Courting That Spark

BLOCKED ON YOUR IDEAS? TRY THESE SIMPLE TRICKS TO RE-STOKE THE CREATIVE AND INVENTIVE THOUGHT PROCESS

BY APRIL MITCHELL

**I** WAS recently asked in an interview where I get my ideas or how I come up with them. Do the ideas just come to me—you know, just pop into my head—or are there certain things I do to help generate the ideas?

The answer: both of the above.

Often, ideas do just come to me. This can happen after I spend some quiet time journaling or reading my Bible, or meditating. Other times, I have to work on coming up with ideas or practicing that process—like we do with exercising.

Here are some things I do to help generate ideas. Maybe one of them might work for you!

**Sometimes, we just need to see new things, touch new things, experience new things, talk about new things.**



## Walk away for a while

Being mentally “blocked” can also happen when I already have the main idea for an invention, design, or even an article. For example, if it’s a board game, I might have most things worked out but can’t seem to figure out one piece.

When this happens, I have learned not to push it. I stop focusing on that project or problem within the project. I set it down; I mentally walk away from it.

I may work on another project or idea, but whatever I do decide to work on does not have anything to do with that other problem.

I do, however, ask myself the question that needs to be sorted out before I go to bed. By doing this, I find that my subconscious mind “works” on it for me. Then, at the oddest times, the answer just appears to me and I use it to figure out things and progress the project further.

Other times, it still may need more work or massaging—which is when other things can come into help.

## Nature can nurture

I often feel very creative when in nature.

I think this is because I am truly relaxed and calm. I am away from my office and computer, as well as the pressure that projects can sometimes create. I am breathing fresh air and taking in things.

Whether it is the beauty and serenity of the beach or the grandness of the mountains, I feel like I am where I am meant to be. The environment is so relaxing that I often find myself inspired to create.

Sitting in the same space inside all day does not help with my creativity. Daily outside time with its fresh air and sunshine is a must for me—so if I feel blocked, I go for a walk, to the beach or to the woods.

Ideas often seem to replicate different shapes of nature or themes. I tend to “see” things or ideas in nature.

### Surf for inspiration

Sometimes, we just need some inspiration. We need to see new things, touch new things, experience new things, talk about new things.

We need to smile and laugh—and learn about what is making others smile and laugh. We can do this by visiting different shops or parks, or even get inspired by things we see online.

I like to see what others are following, watching, sharing or talking about. What are the most popular videos online? What are the most popular shows or cartoons? What about songs or entertainers?

I like to look up trends or talking points. What is everyone wanting to put on their backpacks and pajamas? Could snails be the next llamas? Who knows? But you won't know if you are not out there looking.

### Lists can engage the mind

I am a list maker. From making daily and weekly to-do lists to making lists of words, an idea can spark from all kinds of things.

Sometimes, I make a list of fun words. They may be fun to say, or maybe I make up words or combine words to make new ones. Or it could be a list of themes or trends, maybe even a list of items I haven't seen new uses for, or items never used in a game before.

When in doubt, list it out. This gets your brain going, thinking differently, and practicing.

### Take the day off

Once in a great while, I completely take the day off. When there is no pressure to perform or create, it lets our minds relax or wander.

When that pressure is off, my mind says, “What about this?” or “How about something here?”

Maybe it's a mind trick I play with myself, but I have recently realized that some of my best ideas come when I take the day off. 🍷

**April Mitchell** of 4A's Creations, LLC is an inventor in the toys, games, party and housewares industries. She is a two-time patented inventor, product licensing expert and coach, and has been featured in several books and publications such as *Forbes* and *Entrepreneur*.



## Introducing the CATERPEELER



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**April Mitchell**  
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# Starting Green

CLIMATE TECH SUMMIT, MEETUP IN BOSTON WOWED WITH INNOVATIVE TECHNOLOGY SOLUTIONS **BY JEREMY LOSAW**

Below left: Pecos Wind Power cofounder and CEO Josh Groleau (right) discusses electric solutions with Kazuma Aoki of Chubu Electric Power Co. at Greentown Labs' Climate Tech Summit.

Below right: Massachusetts Gov. Maura Healy holds a fireside chat with the CEO of Greentown Labs, Kevin Knobloch.

**A S ADVOCATES** for curbing climate change rally to help our planet, policy makers and innovators are seeking both effective and economically viable solutions.

Amid this frenzy for new thinking is a whole ecosystem devoted to helping startups in this space create meaningful solutions and thriving businesses.

A key player is Greentown Labs, a climate tech incubator with offices in Houston and Boston that is devoted to developing green startups. Greentown hosts a Climate Tech Summit each year, and I was fortunate to attend the 2023 edition to see which innovations and trends in climate change technology are evolving.

## The conference

The summit was held in November: one session in Houston and the other in Boston. I went to the Boston event, which was a half-day focused on climate change, technology solutions and entrepreneurship.

The event featured entrepreneurs who work out of the Greentown space. A highlight was a “fireside chat” by Massachusetts Gov. Maura Healy, who touched on investment in offshore wind power and leveling up education for technicians to support green tech.

Other sessions included using partnerships to accelerate climate tech businesses and challenges related to late-stage startups. Select founders from the incubator were also given

Everywhere you looked were 3D printers, electronics, and high-tech gizmos and sensors to support research being conducted by the resident startups.



PHOTOS COURTESY OF GREENTOWN LABS

time to pitch their companies to the 100-plus attendees, and there was plenty of time set aside for networking.

My favorite part was the lab tour. After lunch, a section of the incubator lab space was opened to attendees.

It was the ultimate maker/entrepreneurship environment. Tech companies were arranged in nooks in the industrial part of the building and were huddled together, like food stalls in an Asian food market.

Everywhere you looked were 3D printers, electronics, and high-tech gizmos and sensors to support research being conducted by the resident startups. This included new forms of plant-based meat, smart recycling tech, and high insulation aerogel windows.

My favorite company was SpadXTech, which showed its microbe-grown leather—a green alternative to standard and vegan leather that can be used for clothing products and purses.

### **Boston Hardware meetup**

After an enriching and inspiring day at the summit, my time in Boston was punctuated by a visit to the Boston Hardware meetup group. The event was hosted at the office of desktop 3D printer company Form Labs and sponsored by IoT company Particle.

The Particle team, which gave attendees free Photon 2 WiFi development boards, invited me to speak about Enventys Partners' experience as a Particle development partner. Andrea Wolga, senior firmware engineer at Mamava and a client of mine, drove in from Vermont to be part of the fun.

Erik Fasnacht, Andrea and I talked about how Mamava lost its cellular chip supplier, how Particle was able to step in to fill the void with its hardware and software solution, and how Enventys Partners was able to provide engineering services to quickly redesign the circuit board. It was a great night to meet local startups, students and entrepreneurs and hear about the technology being created in the area.

After a full day immersion in the Boston innovation scene, I was blown away by the community's vibrance.

A diverse and tech-savvy student population is passionate about solving problems. The immense resources and funding available for entrepreneurship and startups results in a plethora of opportunities for young companies to pursue their technology and make a difference. Greentech Labs and the city of Boston are both wonderful places to visit and highly recommended for those looking to build their tech startup. 📍



**Jeremy Losaw, Andrea Wolga and Erik Fasnacht relayed a success story at the Boston Hardware Meetup.**



### **ABOUT GREENTOWN LABS**

Greentown Labs is a nonprofit that strives to address climate change concerns through entrepreneurship and collaboration.

The organization started serendipitously in 2011, when a group of MIT grads rented a warehouse in Cambridge where they could work together building the technology for their startups. Initially, sharing the space was about saving money on rent, but they found that working in the same space had other enormous benefits. They shared tools and resources—and when visitors such as investors dropped in, they got a chance to meet each of the companies, not just one.

Eventually, the space moved to Boston's innovation district and grew to 55 companies. Greentown has a 100,000-square-foot space in Somerville, Massachusetts, and a 40,000-square-foot sister office in Houston that serves 200 green technology startups with office and prototyping space, community engagement and opportunities for investment.



# An Interesting See-Saw

NEW PATENT LITIGATION CASES DOWN OVERALL IN FIRST HALF OF '23, BUT NUMBER OF DAMAGES AWARDS UP

BY LOUIS CARBONNEAU

**T**HE BEHEMOTH insurer Aon, which offers various IP-related products, recently published a report showing the latest trends in patent litigation. Key takeaways:

- New cases declined from 4,006 in 2021 to 3,829 in 2022, a modest 5 percent drop. But new cases in 2023 were at 1,539 during the first half of the year, compared to 1,958 in 2022 for the same period—a 21.4 percent drop.
- This trend is much more significant. (It is worth noting that two of the more prolific filers, IP Edge and Cedar Lane, had decreased filings during the first half. It would be interesting to see if the decrease correlates.)
- In 2022, non-practicing entities (NPEs) filed 63 percent of patent litigation cases, the highest percentage of NPE suits since 2015. (*Editor's note:* An NPE is a person or business holding a patent for a product or process but with no intention of developing it.)
- In the first half of 2023, roughly 51 percent of cases were filed by NPEs—significantly higher than the proportion of NPE suits in first halves during the past 10 years.

- Intellectual property insurance coverage continues to improve, trending toward increased capacity and stabilizing pricing.
- Finally, despite fewer cases being filed, the number of damages awards were on the rise—signifying a higher risk for companies. More damages awards were won in the first half of 2023 than in previous years' first halves: 49 in 2023 versus 31 in 2022 and only 28 in 2020 (the latter a low number likely due to court closures during the onset of the COVID-19 pandemic). There were five damages awards of \$100 million or more in the first half of 2023.

## Exhibit A in inconsistency

District courts sometimes yield some discrepancies between decisions on related topics, given that they are conducted by one judge and facts play an important role in each decision. But we recently saw the epitome of what plagues our patent system creating uncertainty and unpredictability throughout when the United States Court of Appeals for the Federal Circuit, sitting on appeal, came to two completely and contradictory decisions on something as simple as defining the word “a” in a patent.

Specifically, within the span of six days, the federal circuit held that:

“A computer” means one and only one computer when a subsequent claim element recites “the computer” (in the case of *Finjan v. Sonicwall*).

Yet, “a sample stream” means one or more sample streams when a subsequent claim element recites “the sample stream” (*ABS Global v. Cytonome/ST*).

## THE BREAKDOWN

The leading technology domains in terms of patent lawsuits:

- Software and data processing, 15%
- Manufacturing, 12%
- Pharmaceuticals, 12%
- Networks and communications, 11%
- Retail and service industry, 11%
- Computers and electronics, 10%







And we are supposed to trust the federal circuit with the legal process? It doesn't get any worse than that.

### Putting eBay at bay

For many, what really started the decline of patent rights holders was the day the U.S. Supreme Court ruled in *eBay v. MercExchange* (2006), noting that only in very specific circumstances could plaintiffs asserting their patents obtain an injunction to bar a defendant from selling, importing, etc., products or services deemed to be infringing their patents.

This was the day that patents went from being “a right to exclude” to a simple right to claim damages from freeloaders. This was the seed that grew into pervasive, efficient infringement as we know it today.

Yet, a few recent decisions from the Unitary Patent Court in Europe where such injunctions have been granted have started to disrupt the status quo and accelerated the movement of patentees relying increasingly more on European courts to protect their rights against infringers.

Because U.S. politicians do not like to become irrelevant, it did not take long for Sen. Chris Coons (D-Delaware), the chairman of the IP committee, to make it known that he was looking for a co-sponsor to a proposed bill that now aims at reversing eBay and its progeny—thereby reestablishing patent owners' rights to seek and obtain injunctive relief. This would be a complete game changer if it ever came to pass.

One can only dream ...

## The climbing number of damages awards signifies a higher risk for companies.

### What is US Inventor thinking?

The Promoting and Respecting Economically Vital American Innovation Leadership Act (PREVAIL) Act of 2023, proposed by the Senate IP Committee and for which there is already a House version, would significantly overhaul Patent Trial and Appeal Board practices. Normally, advocacy groups supporting inventors' rights should throw their full support behind it.

Unfortunately, US Inventor is actively lobbying against the bill on the premise that it does not go far enough, even calling hearings about the bill a “sham hearing” in its November 8 mailer because it does not like the list of witnesses invited to testify.

Many respected pundits who are clearly in the pro-patents camp, such as IPWatchdog founder Gene Quinn and retired federal circuit chief judge Paul Michel, admonished the organization for missing a great opportunity to move the needle in the right direction.

Sometimes the best is the enemy of the good, as Voltaire used to say. 🗨

**Louis Carbonneau** is the founder and CEO of Tangible IP, a leading patent brokerage and strategic intellectual property firm. He has brokered the sale or license of 4,500-plus patents since 2011. He is also an attorney and adjunct professor who has been voted one of the world's leading IP strategists.





# Good Signs for 2024

DESPITE AN UNCERTAIN IP WORLD, EXPERTS SEE POSITIVES FROM COURT RULINGS AND PROPOSED LEGISLATION

BY EILEEN MCDERMOTT

*All Eye on Washington stories originally appeared at IPWatchdog.com.*

**WE RECENTLY** asked the IP community to chime in with what they were most grateful for in the realm of IP in 2023.

**Alan Behr, Phillips Nizer:** We can be grateful this year that despite all the concerns about an ideologically divided Supreme Court, when it came to IP cases, the court has recently provided a rational consensus.

**2023 produced many notable damages verdicts for patent owners in U.S. district courts.**

In *Jack Daniels Properties, Inc. v. VIP Products LLC* (see July 2023 *Inventors Digest*), the Supreme Court wisely said that enough is enough with trademark infringers hiding behind the defense that ordinary commercial products are works of artistic expression. In *Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith* (see June 2023 *Inventors Digest*), the court was asked whether some of the works by Warhol that derive from a photograph used without authorization actually infringe on the photos. Answer: they sure do.

Most of all, IP lawyers can be grateful that AI has not yet taken our jobs.

**Aaron Fahrenkrog, Robins Kaplan LLP:** Inventors and patent owners should express gratitude and optimism for one noticeable trend in 2023 that should continue into 2024: patent cases going to verdict in the U.S. district courts.

When cases go to trial, inventors and patent owners have the opportunity to protect their investments in inventions and intellectual property. Over the last 15 years, patent owners have faced many new hurdles they must clear to get to trial, including increased scrutiny of damages theories and evidence, expanded categories of inventions considered “abstract ideas” ineligible for patent protection, near-guaranteed challenges to the validity of asserted patents in the Patent Trial and Appeal Board, growing use of early motions under Rule 12 to dismiss patent cases, and decreased venue options.

Patent owners have risen to meet these challenges, and 2023 produced many notable damages verdicts for patent owners in U.S. district courts, reinforcing the United States as a leader in protection for investments in invention and innovation.



**Sherry Knowles, Knowles Intellectual Property Strategies:**

I am deeply thankful for our brave colleagues in the patent bar and patent advocates who are willing to stand up to support innovation and innovators; for those who are willing to volunteer their time to speak, write, and organize to defend the wording of statutes as passed by Congress; and to fight against the creep of substantive judicial and administrative patent law-making.

And I am abundantly thankful for leaders who speak out just because it is the right thing to do to support and motivate new health care inventions that can save or improve lives, as well as those who speak against the false narrative that pharmaceutical patents hurt people.

I also remain grateful to those who lead the discussion on the misuse of the tax code to create an unbearable penalty to force corporate involuntary submission, as seen in the Inflation Reduction Act. Blessings to you who strive to make a difference.

**Scott Hejny, McKool Smith:** This past year has been a time of continued uncertainty for intellectual property owners, but I'm thankful that there are those in Congress looking to maintain the value of American ingenuity as the country continues its battle to maintain technological supremacy.

I'm particularly thankful for Congressional leaders taking a close look at critical issues, like patent eligibility, and steering the Patent Trial and Appeal Board in the direction that was intended with the enactment of the America Invents Act. Guidelines need to be established to level the playing field when it comes to the intersection of district court litigation and PTAB proceedings, and we're seeing proposals, such as the PREVAIL Act, that are trending in that direction. ☺

**Eileen McDermott** is editor-in-chief at IPWatchdog.com. A veteran IP and legal journalist, Eileen has held editorial and managerial positions at several publications and industry organizations since she entered the field more than a decade ago.



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Whether your concern is how to get started, what to do next, sources for services, or whom to trust, I will guide you. I have helped thousands of inventors with my written advice, including more than nineteen years as a columnist for *Inventors Digest* magazine. And now I will work directly with you by phone, e-mail, or regular mail. No big up-front fees. My signed confidentiality agreement is a standard part of our working relationship. For details, see my web page:

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Best wishes, Jack Lander



## IoT Corner

Purdue University researchers launched an IoT platform called **MySmartE** to help reduce residential energy consumption.

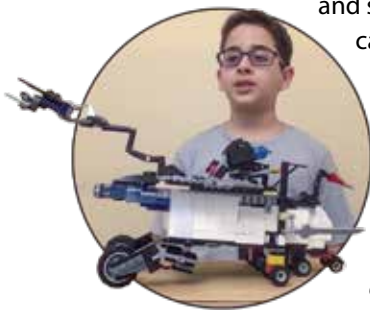
MySmartE “gameifies” reduction in energy consumption by using eco-feedback and social games to help educate home energy consumers about their usage.

The initiative has been launched in Indiana’s Indianapolis, Fort Wayne, South Bend and New Albany communities. Initial results show a 30 percent reduction in energy usage for users. MySmartE has also raised nearly \$4 million in award funding to further the technology. —*Jeremy Losaw*

## Wunderkinds

At Bridge Innovate’s 2023 Bright Spark Invention Challenge, **Fares Rami Ja ouni** from Pristine Private School in Dubai won Best Overall in the elementary school division with his “Rescue Automobile” for disasters or emergencies. It consists of a plane, boat, ambulance, car and submarine. Features include a camera that scans under debris

and behind walls to locate people; a water hose to put out fires; a drill to penetrate many surfaces; strong blades to clear debris, and foldable wings with attached solar panels. [youtube.com/watch?v=ARInCbk4ld4](https://www.youtube.com/watch?v=ARInCbk4ld4)



## What IS That?

It’s **Lester’s Fixins Outrageous Wild Crazy Unique Flavor Soda Pop 6 Pack Sampler Set**. One adjective on this gag gift was left out—yucky! A reviewer said of the ranch dressing soda: “Best way to describe it was drinking sugary soda water mixed with smelly old sock with an equally off-putting aftertaste.”

## Get Busy!

**IPWatchdog’s PTAB Masters 2024**, January 29-31, will be a live and in-person discussion on all aspects of Patent Trial and Appeal Board practice. Speakers and experts will include former USPTO Director Andrei Iancu. The event will be at IPWatchdog Studios in Ashburn, Virginia. [ipwatchdog.com/4th-annual-ptab-masters-2024](https://www.ipwatchdog.com/4th-annual-ptab-masters-2024)

## WHAT DO YOU KNOW?

**1 True or false:** Michael Jackson’s epic “Thriller,” copyrighted on January 31, 1983, is the best-selling album of all time.

**2** Campbell’s Soup was trademarked on January 9, 1906. It was the sole sponsor for the entire run of which classic TV series?

- A) “The Ed Sullivan Show”
- B) “Lassie”
- C) “The Honeymooners”
- D) “The Carol Burnett Show”

**3** King Camp Gillette, born in January 1855, invented the safety razor. Who was issued a patent first—Gillette, or U.S. Army Col. Jacob Schick?

**4 True or false:** Campbell’s red-and-white colors were inspired by Coca-Cola.

**5** Who said: “With all these new inventions, I believe that people are hurried more and pushed more.”

- A) Hedy Lamarr
- B) Thomas Edison
- C) Elon Musk
- D) Nikola Tesla

1. True. Some reports say 70 million copies have been sold. 2.B. 3. Gillette was granted a patent for his razor in November 1904; Schick’s grant for his first electric razor was in November 1928. 4. False. The labels, originally blue and orange, were inspired by Cornell University’s uniforms. 5.A.

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