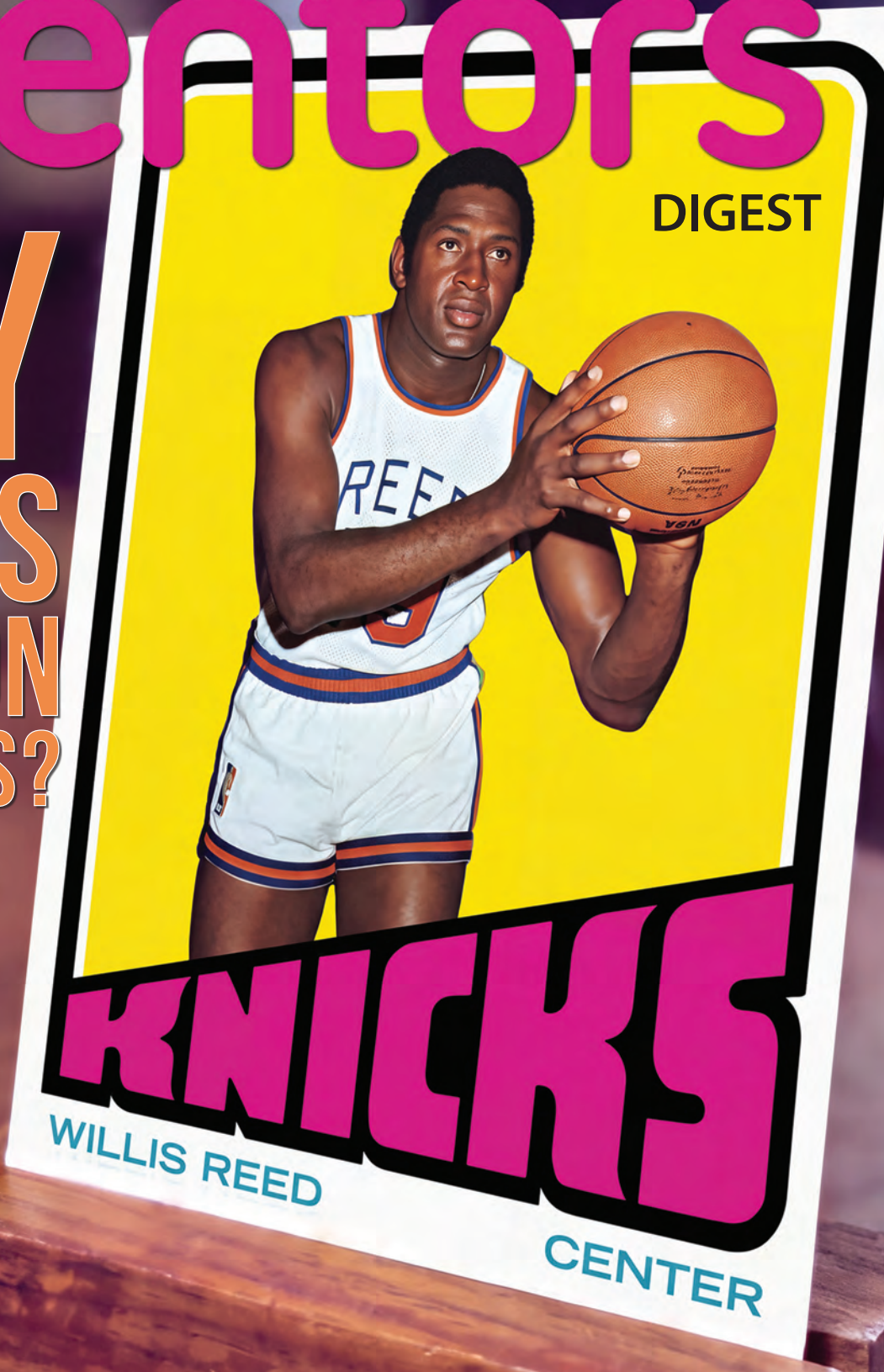
NOVEMBER 2026 Volume 42 Issue 11

Inventors DIGEST

WHY WAS HIS JERSEY ON BACKWARDS?



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08

They Said What?

11 "For decades, men's underwear companies thought their customers were men. Wrong! Women bought 60 percent to 70 percent of men's underwear."

23 "Taylor Swift's appearance in Travis Kelce's family's private suite at Kansas City's Arrowhead Stadium on September 24, 2023 was such a sports licensing gold mine, the Chiefs should have been playing the 49ers."

28 "I ran an ad in Variety in Manhattan for $74, a full-page ad asking the world to give me a dollar to get the Beatles back together."

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On the Cover
1972-73 Topps basketball card No. 129. Topps Chewing Gum did not have a licensing agreement with NBA teams and could not produce cards that showed team logos on uniform fronts, so it often photographed players with their uniforms on backwards. More on Page 25.

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Low-Tech Inventions Still Have Their Time



It's *TIME* for an annual awards celebration of the best kind.

No televised dog and pony show. No impossibly rich people celebrating each other. No red carpet. No designer gowns or fashion controversies.

No one getting slapped. And no one slapping us collectively by telling us how to think or vote.

TIME's Best Inventions of 2026, announced in October, features Apple CEO John Ternus on the cover of its magazine issue—not surprising, given that the overwhelming majority of the cited inventions feature high-tech gadgets or processes. This made us curious as to how many of the 300 selections (plus 100 "Special Mentions") are low tech or no tech.

Not many. But in the spirit of wearing a tuxedo T-shirt at the Oscars (OK, maybe more classy than that), we'll celebrate a few of those here.

VunaNexis Aurin, garden fertilizer made from urine, will soon be *de rigueur* in Paris, of all places! *TIME* reports that "starting next spring, Paris will begin installing urine processing plants in its Saint-Vincent-de-Paul neighborhood, where it already has hundreds of urine-separating toilets."

The process gained important momentum in 2023, when plumbers replaced about 70 toilets at the European Space Agency's Paris headquarters with ones that funnel urine to a basement treatment plant. "There, VunaNexus turns pee into Aurin, a liquid fertilizer. Deodorizing, filtering, concentrating, and pasteurizing urine takes about a week."

Aoro Mexico is a line of plastic-free cosmetics, right down to the packaging. The company uses traceable ingredients and packaging made from single materials such as tin, aluminum and wood that are easy to recycle. The company partners with rePurpose Global so that for every product sold, the company funds the removal from nature of nine times that item's weight in plastic waste.

K18 FutureIQ. Hair aging encompasses shedding, graying and damage. FutureIQ's goal is to tackle them all with a serum that "combines biomimetic peptides, a root-anchoring complex, and antioxidants to fortify hair on multiple, overlapping fronts." K18 says that in a 12-week study, 100 percent of participants experienced less hair fall and 70 percent had fewer visible grays.

It's hard to love inventing without having some love for technology. It's easy to love invention that has timeless simplicity.

—Reid
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Attempts to Speed Up Newman Case: Too Late?



The latest developments following the 2023 suspension of now 99-year-old Judge Pauline Newman show compassion and a practical effort to speed up the complaint process against circuit court judges. But even those actions will take time to potentially provide the result she wants: a return to the bench.

A judge for the United States Court of Appeals for the Federal Circuit, Judge Newman was suspended indefinitely in an action initiated by federal circuit Chief Judge Kimberly Moore in September 2023. After colleagues reportedly expressed concerns about some of Judge Newman's actions and mental acuity, the Committee on Judicial Conduct and Disability directed her to undergo an interview with a neurologist and a full neuropsychological examination. The accomplished 1984 appointee by President Ronald Reagan—known as "The Great Dissenter"—refused, saying the mandate was unconstitutional and a threat to judicial independence.

The suspension was renewed again in 2024 and 2025, and the U.S. Supreme Court declined to hear her case this June. However, this October it was reported that Supreme Court Chief Justice John Roberts transferred her case to a different federal appeals panel, the Atlanta-based 11th Circuit, in August. Her lawyers with the New Civil Liberties Alliance said she had sought a transfer for more than three years.

Also in October, U.S. Rep. Scott Fitzgerald (R-Wisconsin) introduced a bill to amend the Judicial Conduct and Disability Act that would "provide for mandatory transfer requests for complaints against circuit court judges," among other changes. The bill would also limit suspensions to two years from the initial effective date of the suspension order.

Both the 11th Circuit transfer and proposed legislation will require more time and debate to become possible factors in a reinstatement for Judge Newman. And her time is likely in short supply.

In each of the past two years, I have seen and interacted with a perfectly cogent and alert Judge Newman at the annual IPWatchdog Live—where she has also given speeches with no sign of confusion or mental infirmity.

It is important to note that my limited interactions with her are not proof of anything. But it does support the belief of many others in the IP community that the ongoing case against her is dragging out unnecessarily, with the real possibility that she will not live long enough to return to the bench. *—Reid Creager*

BUSINESS SCHOOLS NEED AN IP EDUCATION

The latest facts are in from a study on education at the top U.S business schools. And what it says is a stunning commentary on the lack of importance placed on intellectual property.

According to a summary report, "Intellectual Property Education at Leading Business Schools—2026 Update, Identifying Tools for Today's Educators and Tomorrow's Leaders," more and better courses are being offered to students at graduate business programs about how IP rights function in business.

But not a single program requires an IP-related course be completed to earn a degree.

The study was conducted by the Center for Intellectual Property Understanding, an independent nonprofit. Chairman and cofounder Bruce Berman, in a story for IPWatchdog, wrote: "Business students having completed MBAs, many of whom will be leading major corporations or engaged in finance and transactions, need to be conversant in IP to work with technology, legal and market specialists. A knowledge-based, AI-driven landscape demands it."

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INVENTING 101

Selling Products Online

BY DON DEBELAK

Often, inventors who want to license their product run into a lukewarm (or worse) response from potential buyers. To improve their odds of success, inventors often look to sell their product online to show there is a strong market for their product.



Selling online has become more difficult, as Google has all its top links with companies that are paying for advertising. But success on the internet is still a strong possibility if you run the right campaign.

What sells best on your own

Products that aren't widely sold but have a dedicated core of customers, such as fishing rods, can be a good sales possibility.

Another product that might do well is one for which there is already large internet activity that you can connect with by offering a free item to users. For example, if you have a gift item for engaged couples, you could offer a free booklet on "Ten Things to Avoid on Your Wedding Day."

VITAL VOCABULARY

USPTO AIR This web-based tool allows applicants to request and interview with an examiner for their pending patent application. Applicants may file their Automated Interview Request (AIR) via the Patent Center.

Check sites that are a good fit

You should also investigate sites that sell to your target customer and see if they will offer your product. They are typically easier to sell to than a retail store because they don't have a lot of cost in adding a new product.

But you will have to give the internet store a 40 percent to 50 percent discount off your suggested retail price. You may be able to get a lower discount from a small retailer, but it is not easy.

The issue, of course, is finding people's names. Websites often only let you leave messages that will be responded to online, which doesn't help you get a buyer's name.

You may be able to find contact names on LinkedIn. You can do a search for finding contacts at domain sites and find many companies with lists and software. Hunter's Domain Search helps you find publicly available professional email addresses from any company.

Manufacturing, patents

If you plan on developing a business online, you should have your manufacturing cost less than 30 percent of your suggested retail price. Otherwise, you won't make money.

If your product does well, you will have copycats. The United States Patent and Trademark Office gives you one year to file a patent after you introduce the product through a provisional patent application.

But waiting one year is not a safe approach. The United States has a first-to-file system, so people can see your product and file their own patent on it. The patent might not be allowed if the examiner sees someone else has been selling the product, but you might not be able to get a patent later.

Using Trademark Symbols Correctly



Two tiny, familiar and commonly used symbols have huge intellectual property value and importance. Understanding what they represent, and utilizing them the right way, is crucial for establishing and maintaining maximum trademark protection.

Not surprisingly, ™ stands for trademark—a distinct type of mark that is not all-encompassing. You can use it to claim rights to a trademark for products, logos, slogans or names to indicate ownership, even if the mark is not registered with the United States Patent and Trademark Office.

Although this symbol establishes common-law rights and shows an intent to protect the brand, it has limited power for deterring potential infringers. The ™ is often used as a placeholder until full federal protection is achieved.

Such protection comes with the registered trademark symbol ®, which indicates the trademark has been officially registered with the USPTO. This is the highest level of protection and an important tool if you need to pursue legal action to protect from infringement. Using the symbol before or without receiving the registration certificate from the USPTO is illegal.

(There is no fixed fine or penalty for using the registered trademark symbol incorrectly in the United States. But this can result in loss of registration rights, inability to recover damages in court, and possible legal liability if willful deception is proven.)

Many people don't know there is a third type of main trademark symbol.

A service mark, denoted by ℠, is specifically for services rather than physical goods. Examples include airlines, and legal, consulting, or cleaning services. A service mark can also apply to physical things or slogans.

As with a trademark, it is not necessary to register a service mark. But doing so provides protection advantages.

Although a service mark differs from a trademark, which identifies the source of goods, the word trademark is often used for both.

You often can't stop someone from selling your product unless you have a design or utility patent, so I recommend you apply for one of those two as soon as you see there is a good chance your product will succeed.

I feel that most inventors don't keep pursuing their product long enough. The No. 1 issue is proving their product will sell. Internet sales are one approach.

I'm also a believer in selling to local retail stores and attending small shows in your city—viable ways to prove your product will sell.

With 3D printing services readily available, many products can be produced in small volumes to run a test on a product's sales potential.



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Recipe for Greatness

Green bean casserole, a Thanksgiving staple, has a presence in the National Inventors Hall of Fame **BY REID CREAGER**

The famous creation was the result of an assignment in 1955 from Dorcas Lillian Bates Reilly's employer, which wanted a quick, easy side dish using canned green beans and Campbell's condensed cream and mushroom soup.

If ever there was an invention that could warrant trade secret protection, this was it. But Dorcas Lillian Bates Reilly was content to share her green bean casserole recipe with the world.

Reilly, who created the iconic Thanksgiving dish 71 years ago while working at the Campbell's Test Kitchen in Camden, New Jersey, had a saying: "Food should be fun. Food should be happy."

No secret formulas here, unlike Coca-Cola or KFC's Fried Chicken. Just the satisfaction of a job well done—and a recipe card that is forever in the National Inventors Hall of Fame.

Yummy assignment

Reilly worked at the Campbell's kitchen as a chef and recipe developer, among other things, from 1949 to 1962. Among her hundreds of recipes were Campbell's tomato soup meatloaf, tomato soup cake, and varieties of porcupine meatballs.

Her most famous creation was the result of an assignment in 1955 from her employer, which wanted a quick, easy side dish using canned green beans and Campbell's condensed cream and mushroom soup.

After numerous experiments and improvements, she came up with what was then called the "Green Bean Bake."

During a ceremony at which she was presented the Recognition of Eminence by Alpha Sigma Alpha Sorority in 2009, Reilly explained the processes and rigorous standards required by Campbell's at the time.

"We would get assignments based on things that were going on: promotions, cookbook labels, et cetera. We had a staff of home economists. It varied from time to time, but we had a staff of five or seven or eight gals.

"When a request came in, we'd discuss it, then we would pick out one person to go out into the kitchen and work. We had experimental sheets and kept strict attention to what was going on. When this person thought they had come up with a dish that might work, they would set up a time and [we would] go out and sit quietly around a table, and we'd be served a portion of it."

The portions were scored on a scale of 1-10. "If it got anything below a 3 or 4, forget it. Start all over. Five, you're getting pretty close. Six, 7, you're there, and if you got an 8, boy, that was a real winner."

INVENTOR ARCHIVES: NOVEMBER



November 3, 1903: Listerine was trademark registered. It was named after Joseph Lister, who pioneered antiseptic surgery at the Glasgow Royal Infirmary in the United Kingdom, and was originally developed as a surgical antiseptic.

Chemist Joseph Lawrence first formulated and sold the product in 1879. He also tried to promote it for various other uses: floor cleaner, hair tonic, dandruff cure, deodorant and remedy for dysentery, diphtheria, smallpox, and gonorrhea.

Listerine's marketing campaign, which espoused the horrors of bad breath to an America previously not concerned about it, helped its revenue explode in the 1920s. Advertising scholar James B. Twitchell writes, "Listerine did not make mouthwash as much as it made halitosis."

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Among Dorcas Lillian Bates Reilly's hundreds of recipes were Campbell's tomato soup meatloaf, tomato soup cake, and varieties of porcupine meatballs.

MMM MMM ICONIC

Green Bean Casserole

Prep time: 10 minutes. Bake time: 30 minutes. Makes: 6 servings.

Ingredients:

1 can Campbell's Condensed Cream of Mushroom Soup
1/2 cup milk
1 teaspoon soy sauce
Dash ground black pepper
4 cups cooked cut green beans
1 1/3 cups French's French Fried Onions

Preparation:

Mix soup, milk, soy, black pepper, beans and 2/3 cup onions in 1 1/2-quart casserole.
Bake at 350 degrees F for 25 minutes or until hot.
Stir and then sprinkle with remaining onions.
Bake 5 minutes, or until onions are golden brown

The group then worked to improve the results, and the recipe was not released until the team came up with a perfect score.

Tasting and doing good

Among Reilly's other opportunities at Campbell's was appearing in commercials for its products in the late 1940s—although only her hands were visible. But full visibility came as the decades progressed and the green bean casserole became a staple for millions of American families each Thanksgiving.

In 2002, Reilly, representing Campbell's, donated the original recipe card to the National Inventors Hall of Fame in Akron, Ohio—followed by a meal featuring her signature dish. The yellowing 8-by-11-inch recipe was also officially transferred to the NIHF archives for preservation.

This story is being written 100 years after Reilly was born and exactly eight years after she died on October 15, 2018. There is no sign her dish will go cold anytime soon.

Last year, celebrity chef Chadwick Boyd announced a partnership with Phi Upsilon Omicron to celebrate Reilly and the 70th anniversary of the dish with "Green Bean Casserole for Good," a national T-shirt fundraising campaign. Its goal is to raise $25,000 for the Bates-Stoklosa Family Legacy Fund–TRAILBLAZER Research Grant through Phi U's Educational Foundation.

The grant supports student research and innovation in fields such as culinary arts, nutrition, dietetics, hospitality and family sciences. (As of this writing, the olive T-shirts were still available for purchase at chadwickboydlifestyle.com.)

The fanfare would amaze Reilly, as it did when she was alive. The Grandmother of the Green Bean Casserole always said, "I was just doing my job."

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The Divine Missed M

Measurement is the crucial 4th component of successful marketing **BY WILLIAM SEIDEL**

The conventional three M's of marketing are Market (who the customer is), Message (what you say) and Media (how you reach customers).

I've taken the liberty to add a critical fourth M, for Measurement.

This is a feedback loop that validates performance, provides benchmarks and improves future efforts. It makes the 4M's operational.

Marketing today includes hundreds of traditional and digital tactics: direct mail, retail displays, events, social ads, emails, banners and more. Choosing the right mix is complicated and requires research, testing and data.

When you get it right, marketing becomes focused, efficient and results driven.

First M

The market is who you are trying to reach and influence. It is your current customers, prospects, buyers, decision-makers and the audience you must influence.



It may be one person: a banker, venture capitalist, licensing prospect or strategic partner. Or it may be millions of consumers with shared needs and behaviors. The point is that you craft the message to the specific target.

For example, a licensing pitch should align with that organization's goals and opportunities. A message to hardware buyers at Lowe's or Ace speaks to margins, velocity, availability and competitive advantage. Buyers need to know profit margins, sales velocity, availability and increased sales over the competition.

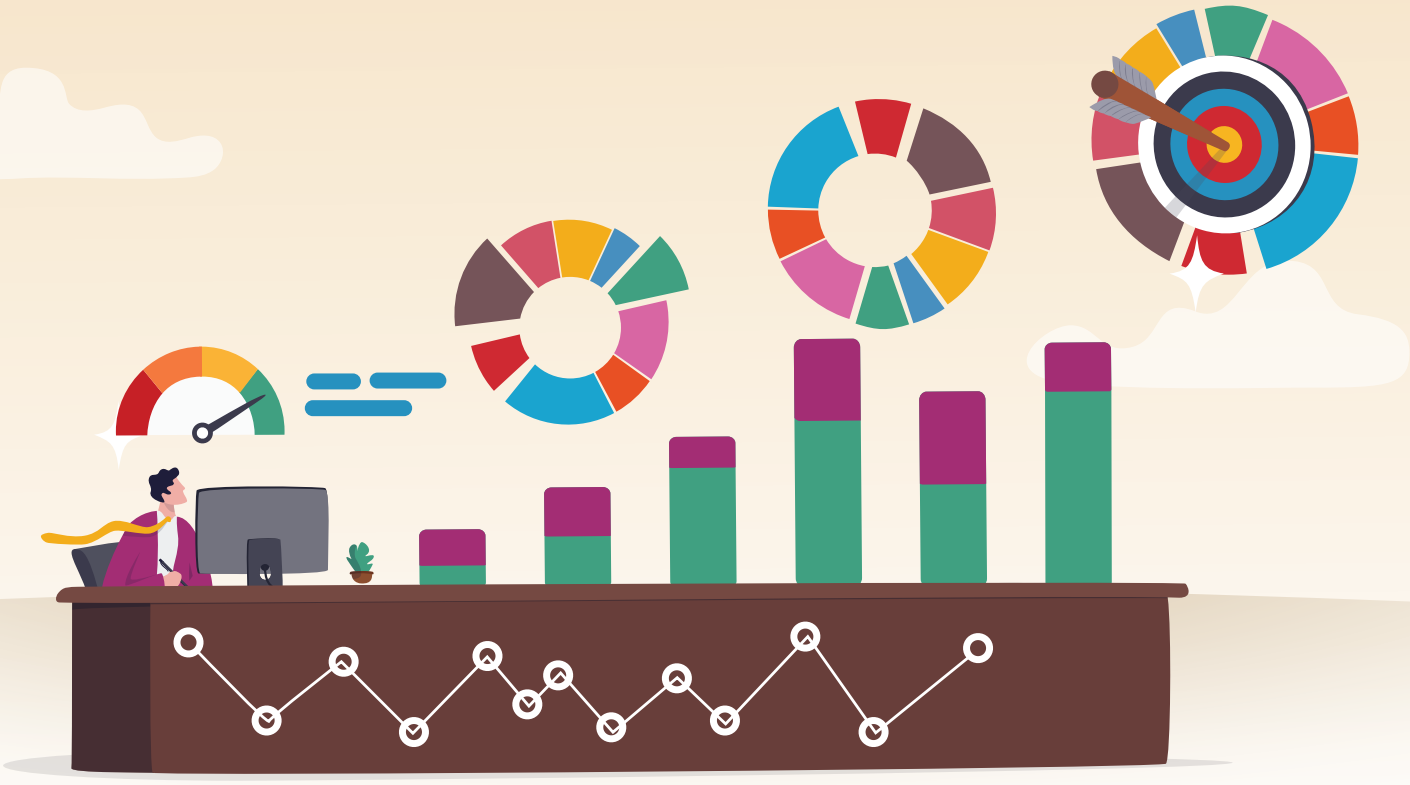
A mass-market message appeals broadly. M&M's "Melts in your mouth, not in your hand" gave consumers an immediate, memorable reason to choose.

The principle is simple: Address customer needs while supporting your business strategy. Put the right message in front of the right people and persuade action.

You need to segment the market.

Marketers do not want to know individual customers. They need to understand customers well enough to get more of them. Identify segments most likely to buy using:

- **Demographics (who)**: Age (Gen Z, Boomers), income (pricing), education (tone/complexity), gender, occupation.
- **Psychographics (why):** Values, motivations, emotional triggers. Does your message match sustainability, luxury status, or family-first priorities? A "Guns & Pickups" segment gets a very different message than "Blue Blood Estates."
- **Behavior (how):** Actions, habits, decision processes. Brand loyal vs. first-time buyers. Do they respond to recommendations, discounts, convenience, or late-night phone purchases?
- **Geographics (where):** Where customers live, work, shop. Regional strengths matter. You don't want to market surfboards in



Metrics provide efficacy for budgeting. Without them, marketing becomes a series of out-of-control activities. With them, every action has direction and purpose—connecting tactics to strategy.

Montana. Coats in Montana sell for warmth; coats in New York City are for style. San Diego is a poor market for coats but a great market for surfboards.

A common mistake is assuming what customers want.

Without evidence, people often project their opinion, internal bias or guess the customer needs. This usually leads to failure. When the message is to the wrong customer everything underperforms.

For decades, men's underwear companies thought their customers were men. Wrong! Women bought 60 percent to 70 percent of men's underwear.

Brands refocused from clinical packaging to high-profile athletes such as Jim Palmer, Michael Jordan and Jerry Rice. This appealed to female buyers (who liked the spokespeople) and male end-users (who respected the athletes). Sales skyrocketed.

Second M

The message is what you say. A strong message makes the value clear, distinguishes the offer from the competition and gives customers a reason to act.

Some estimate the message drives 80 percent of marketing success. The best messages are concise, relevant and memorable: "Diamonds Are Forever"; "Just Do It"; "The Happiest Place on Earth."

If the customer research is correct, the message will be on target.

In 1974, BMW sold 13,000 cars in the United States. The "Ultimate Driving Machine" campaign was launched and has worked for over 50 years.

By 1984, BMW sold 100,000 cars and led the luxury performance category. It didn't just promote a car. It anchored the brand to a superior driving experience.

The right message does more than describe a product. It creates a position in the customer's

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mind—and this creates the brand identity. It's called message-market fit.

Third M

The media is where you reach customers and gets your message in front of them: what they watch, listen to and read. The media mix combines online and offline channels where your customers spend time. Online channels including social media platforms, websites and emails are quick to provide response. Offline channels including print ads, snail mail and events are slower but effective when the message is right.

It's a mistake to start with media thinking, "I need to run Facebook Ads" or "I should start TikTok."

Campaigns fail when message and media don't match customer needs. This is disconnected.

Identify the market first, craft the message second, then choose the media that reaches customers best.

Fourth M

Measurement matters. It is how much, and absolutely crucial: If it can't be measured, it can't be managed.

Metrics provide efficacy for budgeting. Without them, marketing becomes a series of out-of-control activities. With them, every action has direction and purpose—connecting tactics to strategy.

Measurement transforms marketing from a corporate expense to a measurable revenue driver. Without it, businesses waste resources on guesswork. With it, metrics deliver significantly higher revenue growth.

Short-term metrics are tactical, like click-through rates, cost-per-click and impressions. Strategic metrics are long-term, like customer acquisition cost, customer lifetime value and return on investment. These numbers justify marketing budgets directly to the CFO and executive board.

Final word

The strongest marketing begins with a deep understanding of the customer. The 4 M's are not theory but precision for marketing effectiveness.

In short, know the customers, understand their needs, provide a message that lands with them and show up where they are most likely to see, hear and act on your message.

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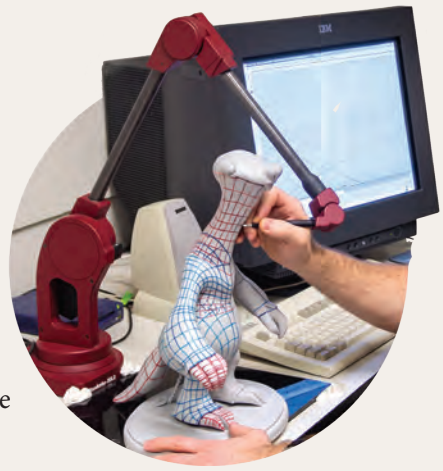
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Keeping Humans in the Loop:

The Inventions of Dr. Louis Rosenberg

BY MISHA GHOSH



Rosenberg invented the Microscribe 3D digitizer, allowing animators to sculpt characters.

Long before Silicon Valley began obsessing over headsets and algorithms, Dr. Louis Rosenberg was building the foundation for modern immersive computing. Holding a Stanford PhD and research roles at NASA and the U.S. Air Force, the prolific inventor holds over 340 worldwide patents, anticipating consumer revolutions decades early.

Between 1991 and 1994, Rosenberg developed Virtual Fixtures at Stanford and the Air Force Research Laboratory. It was the world's first working augmented reality system, allowing interaction with physical and virtual objects and laying the groundwork for AR-guided surgery. At Outland Research, he developed the first AR systems for geospatial notes and media players, inventions Google later acquired before launching Google Glass.

At Immersion Corp, Rosenberg invented the first VR surgical simulators, haptic touchscreen, haptic graphical user interface, and haptic web pages, enabling tactile feedback now embedded in billions of mobile and gaming devices. For Hollywood, he invented the Microscribe 3D digitizer, allowing animators to sculpt characters for "Shrek" and build digital assets for films like including "Titanic."

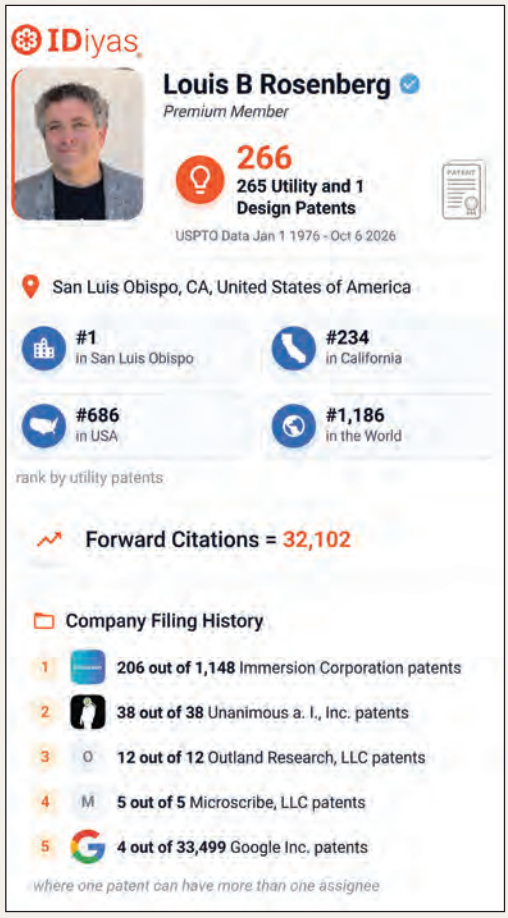
Rosenberg also founded Unanimous AI to amplify human abilities. Inspired by biology, his Swarm AI enables networked teams to solve problems as a collective intelligence. The system famously proved itself by predicting the top four Kentucky Derby finishers in exact order, defying 540-to-1 odds.

Today, Rosenberg is pioneering Collective Superintelligence to address a core challenge: Human conversation fails to scale past small groups. His patented technology, Hyperchat AI, deploys networked AI agents to connect thousands of people in real-time discussion. Academic studies validate it, and enterprise and military partners have contracted it, allowing large groups to debate and forecast with amplified intelligence.

Through every invention, Dr. Rosenberg has shown that computing should not replace human agency, but make humanity collectively wiser.



Misha Ghosh is the Founder and CEO of IDiyas, a patent intelligence and innovation analytics platform. A prolific technologist, he holds 105 issued U.S. utility patents with over 100 pending. He authors the thrice-weekly IDiyas newsletter.



After You're Found, Now What?

Beyond the hurried likes: Maintaining lasting conversations with followers of all kinds **BY ELIZABETH BREEDLOVE**

For an inventor or small-business owner, getting someone to notice your product can feel like a major accomplishment. And it is.

Attention is difficult to earn, particularly when you are competing with established companies, endless online content and thousands of other products asking for the same few seconds of someone's time.

But attention is only the beginning.

A person can see your post, watch your video, visit your profile and even leave a comment without ever taking the next step toward becoming a customer, partner, retailer or supporter. The real opportunity comes when you create a clear path from that first moment of interest to a meaningful next action.

A like isn't a relationship

Social media platforms are designed to make engagement easy. Someone can double-tap a photo or click a reaction button and quickly move on. This simplicity is useful when you are trying to build awareness, but a large number of likes or views doesn't tell you much about whether people are truly interested in your product.

The more useful question is what happens after someone discovers you.

If a person sees a post about your invention and wants to learn more, can he or she easily find your website? When visiting your website, is it immediately clear what the product does and who it is for? If people are interested in receiving updates, is there an easy way to join your email list? If someone from a company sees potential for a partnership, can this person figure out how to contact you?

These connections matter, because social media attention is temporary. An email address submission, website visit or direct inquiry is more useful for building a longer-term relationship.

Give people a destination

One of the simplest ways to turn social interest into something more valuable is to give people a clear next step. It should make sense in the context of what you have shared.

A post explaining a problem your invention solves might direct people to a product page where they can learn how your solution works. A behind-the-scenes post about development could point interested followers toward an email signup for product updates. A post about your company's growth might invite potential partners, retailers or manufacturers to get in touch.

If someone has to search through your profile or click through several pages to figure out how to contact you, many will simply move on. Not taking action doesn't necessarily mean someone is uninterested, but it may mean there was not an obvious path forward.

Social media metrics become much more meaningful when you look beyond likes and follower counts.

Notice which posts lead people to your website. Pay attention to which pages visitors view once they arrive. Watch for increases in email subscriptions, product inquiries or messages after different types of content are published.

Your website: The next step

A visitor who arrives from Facebook, Instagram, LinkedIn or another platform should be able to

understand within seconds what you offer and why it matters.

Your product should be easy to identify, your explanation should be understandable to someone who has never heard of it, and your contact information shouldn't be difficult to find. If you are seeking retailers, licensing opportunities, investors or strategic partnerships, those opportunities need an appropriate place on the site as well.

A social post can create curiosity. Your website needs to satisfy it.

The connection of the email list

An email signup is another important bridge between social attention and a lasting relationship.

Not everyone who discovers your invention will be ready to purchase immediately. Someone might be interested but still researching options. Others might want to know when the product becomes available, hear about improvements or learn more before making a decision.

An email list gives you a way to stay in touch with those people. The invitation to subscribe should also give people a reason to do so.

"Join our mailing list" doesn't present a benefit to the subscriber. A clearer invitation might promise product updates, availability announcements, useful information related to the problem your invention solves, occasional company news or even an early-bird discount.

Attract more than buyers

Keep in mind that not everyone who finds your product is a potential customer. Your social content might attract someone who wants to buy the product, but it could also attract a retailer, distributor, manufacturer, journalist, potential licensee or another business owner with an opportunity to discuss.

These different people won't all respond to the same call to action. A customer may want pricing and purchasing information; a retailer may want wholesale details; a potential partner may be looking for a way to start a conversation.

If your only visible option is "Buy Now," you make it difficult for valuable business opportunities to find you.



Not everyone who finds your product is a potential customer. Your content might attract a retailer, distributor, manufacturer, journalist, potential licensee or another business owner with an opportunity to discuss.

Build an open next step

Social media can introduce your idea to people who might otherwise never encounter it, but the real relationship begins when someone chooses to learn more.

You don't need to force every person into the same path; you just need to make the next step available.

A view lasts a moment, and a like may disappear into a stream of activity. But a conversation, an email subscriber, a website visitor or a serious product inquiry allows you to keep building from that initial spark of interest.



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.

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Funded, Famous —and Copied

Crowdfunding strategies must walk the fine line of gaining attention and revealing too much

BY ANDREA L. ARNDT

A crowdfunding launch can feel like proof that an invention has captured the market's attention. The campaign is funded, videos are spreading, and customers are asking when it will ship.

For an independent inventor or an established company testing a new product, that attention can validate years of engineering and open doors to retailers and licensees.

But the same visibility can also expose a product before its intellectual property protection is established. A campaign page may become evidence of public disclosure, reveal information that was once a trade secret, alert competitors to market demand, and reduce leverage in later licensing discussions.

The goal is to ensure the launch sequence supports the business plan rather than unintentionally limiting it.

From publicity to prior art

Patent protection generally requires an invention to be novel. Publicly disclosing how an invention works before filing a patent application can therefore affect whether patent rights remain available.

Crowdfunding campaigns create particular risk because they often include product photographs, demonstration videos, technical explanations, prototype images and detailed answers to backers.

Not every marketing statement discloses enough to defeat patentability.

A general description of a product's benefit may reveal little about its underlying engineering. A video showing internal components, however, may provide a skilled viewer with enough information to understand or reproduce the relevant features. Campaign updates, manuals, livestreams, demonstrations and responses to backer questions may also become part of the disclosure record.

Patentability grace period

U.S. patent law generally provides a one-year grace period for certain disclosures made by an inventor or someone who obtained the subject matter from the inventor.

That protection can preserve an opportunity to file a patent application after a launch, but it should not be treated as a routine extension of the filing deadline.

During the delay, another party may publish related technology or file its own patent application, complicating patent examination and questioning who created the invention.

Waiting can also weaken negotiating leverage. A manufacturer or licensee may value a product differently when no patent application has been filed or uncertainty surrounds the available claims.

The U.S. grace period does not create a worldwide safety net. Grace-period rules vary significantly by jurisdiction, and many countries apply stricter novelty requirements or recognize only limited exceptions. A campaign that leaves U.S. options open may still jeopardize protection elsewhere.

For products with global potential, filing before launch often preserves more options and allows business decisions to drive the international strategy.

Copycats move quickly!

A successful campaign does more than attract customers. It identifies demand for competitors and provides a roadmap of what consumers like.

Similar products may appear before the original team fulfills early orders. The risk is especially serious when the campaign discloses the product's most valuable features before patent applications are filed.

Patents are not the only response, and filing an application does not guarantee that competitors will stay away. Utility patents protect functional features; design patents protect ornamental features; trademarks protect the product name or logo; copyrights cover original graphics or campaign content, and contracts control manufacturers and collaborators.

The useful mix depends on what creates the product's commercial advantage and how easily competitors can work around it.

Trade secrets need secrecy

Some advantages are better kept as trade secrets: manufacturing tolerances, formulas, source code, supplier information, testing methods, and processes that customers do not need to see.

Trade secret protection generally depends on the information remaining secret and on reasonable measures to protect it. Once confidential know-how is posted publicly, the loss may be irreversible.

A campaign should distinguish between information needed to persuade backers and information needed only to build the product.

A delicate balance

A campaign that says too little may fail to earn trust; one that reveals everything may surrender rights or teach competitors too much.

Planning before launch can reduce that tension. The team can identify the features worth protecting, decide what should be patented or kept confidential, file appropriate applications, clear and protect the campaign's brand, and review videos and technical materials before publication. It can also document disclosure dates and control what outside vendors may share.



A campaign that says too little may fail to earn trust; one that reveals everything may surrender rights or teach competitors too much.

Even before the product is finalized, an initial patent filing may protect important features before they are disclosed to third parties. However, later changes and improvements may require additional filings.

Before pressing the Launch button, inventors and companies should know which features are addressed in a patent filing, what must remain confidential, which markets matter, and what the campaign will reveal.

Michigan State University College of Law Juris Doctor candidate Mariah E. Gaither contributed to this report.



Andrea L. Arndt is a member of the Intellectual Property Practice Group at Dickinson Wright in Austin, Texas. She is a nationally recognized intellectual property attorney with extensive experience advising startups, Fortune 100 companies and market leaders on their intellectual property portfolios globally. Contact 737-484-5536 or AArndt@dickinsonwright.com.

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Bug Zapping. What a Racket!

Serial inventor's pickleball-inspired insect killer plays off the sport's growing popularity **BY EDITH G. TOLCHIN**

Neil Kay took the iconic shape of the regulation pickleball paddle and turned it into a powerful, EPA-approved electronic bug zapper that lets you bring your competitive spirit to the home kitchen, backyard, barbecue area, campsite, patio and beyond.

Having recently interviewed Melanie J. Romero, inventor of oktō, "the ultimate pickleball backpack" (*Inventors Digest*, March 2026), here's another invention tied to the growing sport from a prolific inventor family.

It was created by Californian Neil Kay, father of Ian and Jordan Kay—also interviewed for their Rally Flip Cap® (*Inventors Digest*, June 2018). Here is the PickleZapper® story.

Edith G. Tolchin (EGT): What is your background, and have you invented anything before?

Neil Kay (NK): I live in Rancho Palos Verdes, California. I have been involved in bringing to market over 50 inventions. We have numerous patents not covered by NDAs (non-disclosure agreements).

I helped develop and bring the components to the USA for the first disposable camera made in the USA by Kodak. It was the first Fling® camera.

EGT: How did PickleZapper come about? Do you play pickleball?

NK: As a 40-year tennis player, I chose not to play pickleball until it was available on a Greek island cruise the summer before last. My wife saw they had pickleball scheduled for 2:30 p.m. the first day. So, she said, "Let's show up and see."

Wow! Between 40 and 50 people showed up. One guy had a Pickleball USA T-shirt and a bag holding three pickleball paddles, so I stood next to him like Forrest Gump and asked, "Anybody play pickleball before?"

I found out it was a pickleball cruise and tournament package for which these people signed up. I ended up being his partner and winning the tournament.

During my next trip to China, I was in the factory that makes mini tennis handheld racket bug zappers. I immediately called my lawyer and filed for the PickleZapper trademark and the PickleZapper patent!

PickleZapper was created by and for the racket and paddle sports community, players who know how to have fun, play hard, and bring people together.

We took the iconic shape of the regulation pickleball paddle and turned it into something unexpected: a powerful, EPA-approved electronic bug zapper that lets you bring your competitive spirit to the home kitchen, backyard, barbecue area, campsite, patio and beyond.

EGT: Is it battery operated? How does it work?

NK: The PickleZapper runs on two AA alkaline batteries available anywhere. It has an "on" function where you can manually "zap" airborne insects by pressing the red activation button in the "on" mode.

PickleZapper has an automatic, hands-free mode where you can place it in the stand provided for hands-free automatic use with the UV blue light insect attractor.

EGT: What is the age range for PickleZapper? (If it can be used by children younger than 12, are you following the U.S. government's Consumer Product Safety Improvement Act safety guidelines?)

NK: Twelve and up. The PickleZapper is EPA approved and is a safe, non-chemical way to get rid of airborne insects and crawling bug home invaders.

EGT: Where are you manufacturing? Have you had any problems with manufacturing or logistics?

NK: PickleZapper is designed in California and manufactured in China. It has excellent quality and is covered by product warranty as well.

EGT: Were there any concerns that users might try to use the "Zapper" as a pickleball paddle?

NK: We have clear markings on the product and packaging that explain that the PickleZapper is not a toy. We also clearly mark (the product) that it is not for pickleball play.

In my background and experience with having innovations become implemented by the masses, I've learned individuals will use items the way they see fit even when they're warned against it or cautioned. It's supposed to be fun: comedy-, prank- and parody-oriented.

EGT: Please share your patenting experience with our readers. Were there any obstacles?

NK: This was the fastest patent issued in my over 48 years in business. My patent lawyer said, "Neil, you are over 65. The patent office has a new, fast track process for patent appliers who are over 65!"

I guess they did not like seeing old guys die, waiting for their ideas to receive a patent. So,

"We have clear markings on the product and packaging that explain that the PickleZapper is not a toy. We also clearly mark (the product) that it is not for pickleball play." —NEIL KAY





Development took only 6 months.

I invested under $600, and our patent was issued within 5 months. Unheard of!

EGT: How long did it take you to develop this product?
NK: Six months—quite easy, since our shape is that of an official pickleball paddle. All other handheld, electronic bug zappers are basically mini tennis racket-like or smaller styled—more like a badminton racket or fly swatter shaped.

EGT: Crowdfunding or "Shark Tank?"
NK: No need; our parent company is Cisco Sales Corporation, which has been a quasi- "Shark Tank," assisting clients in bringing their ideas to market for over 48 years. We are collaborators, not "Sharks."

EGT: How do you handle your PR?
NK: Ian Kay, who co-created on the development of the PickleZapper, is our creative director who oversees our brand identity, messaging, social media, advertising and public relations. Cisco Sales Corporation and its affiliates have relationship capital when it comes to PR and industry credibility.

EGT: Are you working on any new inventions?
NK: Cisco is in the process of developing two intellectual properties covered by non-disclosure agreements.

EGT: Any advice on developing a similar product, from idea conception to sales and marketing?
NK: Prospective inventors should ascertain if their idea is an improvement that has properties that solve issues for the consumer. The IP should be such that it can be protected by a patent to ensure the protection of the IP from copy and infringement of the idea.

Protection of intellectual property is one thing. Having people benefit from your originality and generating sales is where execution meets profitability.

Details: picklezapper.com



Edith G. Tolchin has written for Inventors Digest since 2000 (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).

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1-2-3 Common Invention Questions Answered

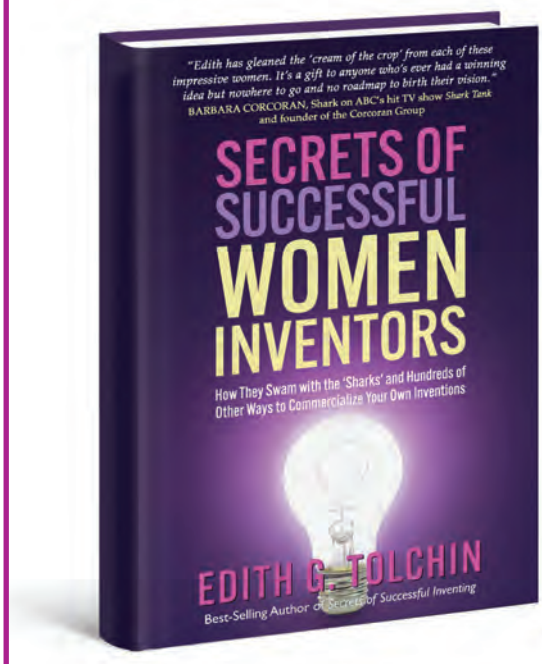
BY BEN GREENBERG, FOUNDER OF INVENTIONS UNLIMITED
InventionUnlimited.com • Ben@InventionUnlimited.com

1 What costs do first-time inventors most often forget when calculating their product's true cost?
They usually calculate the part cost and forget everything surrounding it. Packaging, assembly labor, freight, duties, inspection, scrap, warehousing, fulfillment, payment processing, returns, warranties and marketing can all take a piece of the sale. A product that costs $10 to manufacture does not really cost you $10. Know your landed and delivered costs before setting your price. Revenue sounds impressive, but margin is what keeps the business alive.

2 How should an inventor determine the right retail price for a new product?
Work backward from both the customer and your costs. First understand what competing solutions cost and what value your product creates. Then calculate your complete cost structure and make sure the price leaves room for healthy margins, marketing, returns and potentially retailers or distributors. Never choose a price simply because it "sounds right." Pricing is an equation. If the customer won't pay what the economics require, the design or business model needs to change..

3 Why can a product with strong sales still lose money?
Because sales and profit are two completely different numbers. You can sell thousands of units while losing money on every one through poor margins, expensive advertising, shipping, returns or inventory costs. Growth can actually accelerate the problem because in this scenario, every new order creates another loss. Inventors understandably celebrate revenue, but contribution margin matters more. Selling more of an unprofitable product doesn't fix the business; it makes the problem bigger.

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. ***HEAR US ROAR!***

Available for purchase at Amazon (https://tinyurl.com/334ntc3w), Barnes & Noble, and edietolchin.com.



Edith G. Tolchin knows inventors!

Edie has interviewed over 100 inventors for her longtime column in *Inventors Digest* (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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CELTICS
Dodgers
LAKERS

WHERE IP RICHES ARE A SLAM-DUNK

How sports licensing hit $44 billion and climbing: What's new and what's ahead

BY REID CREAGER

Taylor Swift just wanted to watch her new boyfriend play football in person for the first time. It turned out that her appearance in Travis Kelce's family's private suite at Kansas City's Arrowhead Stadium on September 24, 2023 was such a sports licensing gold mine, the Chiefs should have been playing the 49ers.

Fanatics, a manufacturer and retailer of licensed sports gear and trading cards, reported a 400 percent increase in sales of Kelce merchandise after the singer's first Chiefs game. That was pennies compared to the incalculable marketing and licensing opportunities created by a sudden increase in Gen Z females watching NFL games.

Swift's new sports connection milked a cash-cow trifecta: Entertainment is America's most lucrative licensing property category; corporate (synonymous with the National Football League) ranks second; sports is third.

All three categories leverage intellectual property rights such as patents, trademarks, copyrights and image rights to allow for commercial use of their assets. No category is hotter than sports. A Global Licensing Industry Study released this September by Licensing International reported that sales of licensed sports products grew 8.5 percent year-over-year in 2025 to a record $44.35 billion.

The study said much of sports licensing sales growth was driven by video games and trading cards. Video games and social media are changing how fans discover licensed gear, with gaming revenue up 12.5 percent and social commerce driving 16 percent of all online licensed sales. Another boost is linked to money for the casino and gaming category, which grew 8.7 percent in the past year—thanks in large part to sports betting apps.

The ultimate licensing bonanza combines Entertainment, Corporate and Sports.

© ILLUSTRATION BY ADOBE FIREFLY

Emerging sports leagues are discovering that making licensing a peripheral, supplemental strategy for building revenue is as backwards as the jersey on this month's *Inventors Digest* cover. Making licensing a tentpole in their core revenue strategy is a key to maximizing profit and growth—and surviving.

Global: Worlds of opportunity

While promoting its January 20-22 event at the Las Vegas Convention Center, the Sports Licensing & Tailgate Show explained some reasons for the category's unrivaled gains, calling sports "one of the few monocultures left.

"Leagues have found new playbooks for turning fandom into revenue. Fans can get licensed merch for every part of their life; it's no longer just jerseys for game day but decals, mugs, hats, dress shirts, denim, and any number of other lifestyle opportunities."

And that's just in America.

"Established franchises are pushing licensing deals deeper into international markets, treating global expansion as a focus rather than a nice-to-have. Just look at the international push the NFL has made in recent years. MLB and NBA have scheduled international games as well."

That exposure has such far-reaching economic impacts, they can't all be adequately measured. But here's one: According to Statista, the global sports apparel market is expected to reach $294 billion in 2030, up from an estimated $213 billion in 2023.

Women as a larger team

The growing popularity and visibility of women's sports is also part of the equation, no longer an offshoot but a licensing collaboration with well-established leagues of both genders. Global sports licensing, marketing, sponsorship and media company OneTeam Partners, founded in 2019, is a joint venture between the NFL Players Association, MLB Players Association, Women's National Basketball Players Association, MLS Players Association, and U.S. Women's National Team Players Association—with backing from HPS, General Atlantic and Morgan Stanley Tactical.

This collaboration recognizes the gains of the present with a keen future vision. "Investing in women's sports is about more than just what women's sports is now," Meghann Burke, executive director of the National Women's Soccer League Players Association, told License Global. "It's investing in what women's sports are becoming."

Much of sports licensing sales growth is driven by video games and trading cards, providing countless new opportunities to leverage patent, trademark and copyright rights.



Investment in recent years has included 2K Games adding WNBA players into its "NBA2K" video game title; Panini creating a United States Women's National Team trading card set to celebrate the soccer team's 2019 World Cup victory; and Fanatics selling USWNT and WNBA player jerseys.

One emerging women's sports league has been licensing focused from the opening tip. In February 2025, OneTeam Partners, the Women's National Basketball Players Association and a new 3-on-3 women's basketball league called Unrivaled signed a deal granting the new league group licensing rights for all WNBA players, creating new revenue streams through sponsorships, licensing and memorabilia—with proceeds benefiting every WNBA player.

Unrivaled is coming off a breakout year in which it reportedly reached more than 1.2 billion fans across digital platforms, set attendance records in Philadelphia and Brooklyn, and recently reached a $650 million valuation. *Sports Business Journal* reported in late September that Unrivaled signed a multiyear agreement with Adidas to be the league's official uniform and performance apparel partner beginning in its 2027 season.

Looking ahead

Artificial intelligence will play a role in the future of almost all business activity. Sports licensing is no different.

Not only is AI becoming a primary tool in daily operations and marketing, it's used by teams and brands to analyze information from social media and purchases to personalize offers and predict future trends. AI has moved past the "standard" chatbots and virtual assistants to provide customized highlight reels and more.

Another emerging force is NIL (name, image, likeness; see the September 2023 *Inventors Digest* cover package)—which makes athletes their own content creators through media campaigns, podcasts and streaming projects. The value added creates sponsorship opportunities that open a new world of patents, trademarks and copyrights under the ever-expanding umbrella of sports licensing.

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TOPPS' BACKWARD THINKING



Trading cards have long been a mainstay in sports licensing, though not nearly in such spectacularly lucrative fashion as they are today in all major professional sports. Card licensing generates hundreds of millions of dollars annually for leagues and players' associations.

In August 2021, Fanatics scored a historic coup when it secured an exclusive trading card license with Major League Baseball and the MLB Players Association (MLBPA), ending Panini's and Topps' MLB rights. The agreement was more than 10 times larger than any MLBPA deal in history, with combined league and union commitments projected to generate about $2 billion by 2045.

The licensing and IP landscape for sports-cards is a fullcourt heave away from where it stood decades ago. Exhibit A: Topps Chewing Gum Co.'s basketball product in the early 1970s.

In an era when Major League Baseball was king, Topps wasn't as committed to licensing agreements with other sports. Its first basketball set in 1957 was not a success, featuring grainy, sometimes dark photos. Topps did not produce basketball cards again until 1969.

Its early Seventies cards seemed a half-hearted effort. Topps won the rights to produce basketball cards through the NBA Players Association but did not secure licensing agreements with National Basketball Association teams that would allow it to use team or league logos on cards.

For Topps to do so would be an actionable trademark violation. (Oddly enough, using the logos on stickers was fine.)

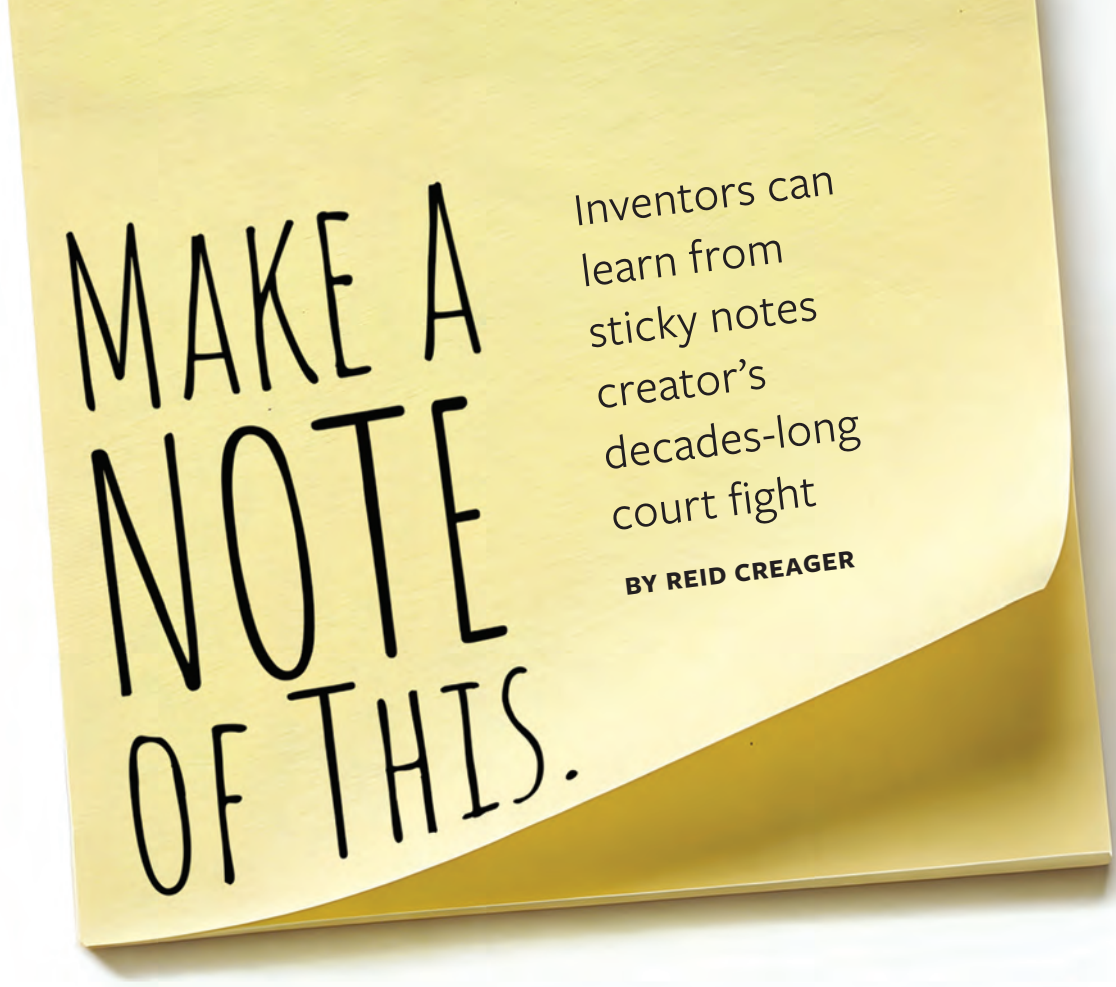
When I interviewed Topps patriarch and icon Sy Berger for a 2007 *Beckett Basketball* magazine cover story on the 50th anniversary of Topps' basketball debut, he told me the company's "solution" was to photograph many players wearing their jerseys backwards, showing just their last name or uniform number. Other workarounds included players holding a basketball in front of their chests to block the logos on their jersey, or wearing a warmup jacket or generic T-shirt.

Some players were allowed to be shown in their standard jerseys with "Milwaukee" or "Phila." or "Detroit" in block letters on the front, presumably because these did not involve logos. So, what exactly was permitted, and what wasn't? What was going on?

In a 2015 *Sports Collectors Digest* article, longtime Topps CEO Arthur Shorin was asked about the jersey situation. His response: "Beats me."

Nowadays, the NBA grants exclusive rights to a single company for full logo use. In October 2025, Fanatics Collectibles, the NBA and the National Basketball Players Association announced that Topps was returning as the NBA's official exclusive trading card licensee for the first time since the 2009–10 season. (The Panini Group entered into a contract with the NBA that year.)

During these 15-plus years when Topps was not permitted to use NBA logos on its products, its workarounds became considerably more creative and sophisticated than its earliest ones.—*Reid Creager*



Inventors can learn from sticky notes creator's decades-long court fight

BY REID CREAGER

The Supreme Court has spoken. Now there is something important to say to all independent inventors.

Alan Amron, who created the Press-On Memo in 1973, is doing the saying—following a nearly three-decade court battle over 3M's patent for Post-it® Notes. His message to the little guys who are outnumbered and outgunned by the big guys: Press on.

Amron put the Press-On Memo into commerce in 1974, before 3M launched Post-it Notes without his involvement in 1980. On October 5 of this year, the Supreme Court declined to hear his case over 3M's later reading of their 1998 settlement, without ruling on the merits.

He says he gave samples of his product to a 3M executive at a New York inventors exhibition before 3M launched Post-It Notes. He sued 3M in 1997 over its patent; the parties reached a confidential settlement soon after.

But Amron later sought rescission of the agreement, alleging it was unconscionable, illusory, and breached the implied covenant of good faith and fair dealing, among other claims. 3M attempted to dismiss, but that appeal was rejected by the Second Circuit Court of Appeals before the Supreme Court's ruling.

The high court declining to hear his case "is not a ruling on the merits," he told *Inventors Digest*, "and it does not answer the question I asked: How could I have sued over 3M's position on our settlement before 3M took that position in January 2024?

"The court was never asked who invented the sticky note, and nothing in this decision touches that. My dated 1973 and 1974 records and 3M's own April 6, 1998 letter are public (see link below in this story). Anyone can read them and decide for themselves." 3M had not responded to a written request from *Inventors Digest* for comment as of this writing.

Convincing documentation

When high-profile serial inventors are mentioned, Amron immediately sticks to mind.

His 42 U.S. patented inventions include battery-operated water guns, temperature alarms to prevent blood and food spoilage, the first-ever digital photo wallet for Nikon Camera,

"I was a kid. I had just gotten married. I didn't have any money. When the lawyer told me how much it was going to cost [to file for a patent], I told him I couldn't do it." —ALAN AMRON



and much more. Amron personifies the scrappy, underdog mentality of his hometown Brooklyn, never languishing over disappointment and always looking ahead positively.

"The last time a non-lawyer was heard by the Supreme Court was 1978," he said. "Yeah, my expectations were low with this case, but I was hoping high, you know?"

So he was not surprised he did not win. Even with his extensive documentation that includes introducing the sticky note into commerce and his idea to have it patented. Even despite the fact that 3M settled with him very shortly after he filed suit: three weeks, he said.

Even though the oft-reported story of how 3M invented the sticky note is often challenged.

Legend has it that 3M employee Art Fry discovered the first repositionable notes after a chemist at the company, Spencer Silver, failed to create a super-strong adhesive for industrial use in the late 1960s. Fry reportedly was frustrated with loose bookmarks in his hymnbook and saw that the adhesive could hold paper in place without damaging the pages. He applied the adhesive to small pieces of paper, creating the notes.

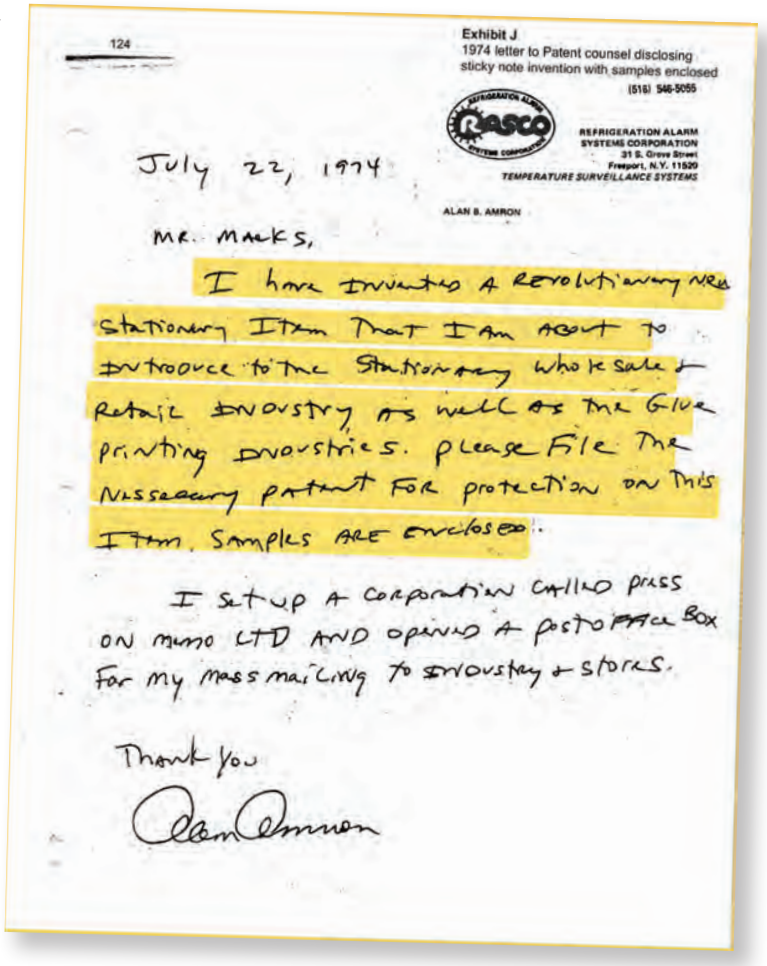
Amron takes glee in a recent email written to him by Beth Py-Lieberman, former senior editor at *The Smithsonian* magazine. Although the publication wrote a story decades ago that gave credence to Fry's account, the email said, "I'm pretty clear about Fry's contribution being more 'legend' than anything else."

Had Amron followed up by paying the necessary patent filing expenses after sending a letter to a New York attorney asking him to file for patent protection for the sticky notes, the story could have been a lot different.

"I was a kid. I had just gotten married," he said. "I didn't have any money. When the lawyer told me how much it was going to cost, I told him I couldn't do it."

Days in the life

The long-running sticky situation is but one chapter in a star-crossed life. Amron's book, "An Invented Life: The Smoking Gun"



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Exhibit J
1974 letter to Patent counsel disclosing sticky note invention with samples enclosed

(516) 546-5055

REFRIGERATION ALARM SYSTEMS CORPORATION
31 S. Grove Street
Freeport, N.Y. 11520
TEMPERATURE SURVEILLANCE SYSTEMS

ALAN B. AMRON

July 22, 1974

MR. MACKS,

I have invented a revolutionary new stationary item that I am about to introduce to the stationary wholesale & retail industry as well as the Give printing industries. please file the necessary patent for protection on this item. Samples are enclosed.

I setup a corporation called press on memo LTD and opened a post office Box for my mass mailing to industry & stores.

Thank you

Alan Amron

Below: This 1974 correspondence shows Alan Amron's intention to patent his Press-On Memo sticky notes.

chronicles his acumen and passion for inventing since childhood.

It's been a whirlwind tour that includes reminisces about his friendships with the Sinatras; being assigned by Frank Sinatra to track down confirmed recluse J.D. Salinger, who wrote the epic novel "Catcher in the Rye," because Sinatra sought movie rights; and perhaps most notably, his attempt with Muhammad Ali, of all people, to reunite the Beatles.

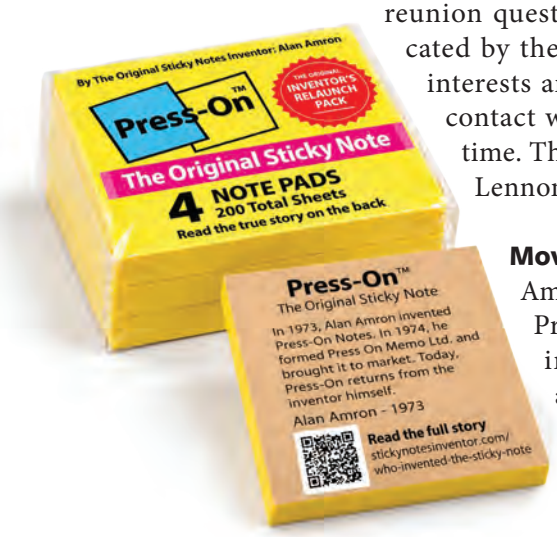
The abridged version of a much more detailed and colorful narrative: Amron said he contacted Solters & Roskin, a public relations firm in Hollywood that represented the Beatles. With Paul McCartney's OK, the firm said it would represent Amron in his quest.

"They got me a lot of press," he told *Inventors Digest*. "I ran an ad in *Variety* in Manhattan for $74, a full-page ad asking the world to give me a dollar to get the Beatles back together. And then *Rolling Stone* magazine picked up the article and ran it as a story, and it went worldwide. So I started getting dollars from people all over the world, money I never saw."

He said he ran into Ali when the heavyweight champion was eating by himself at a Florida diner ("That would never happen today"), and told him of the reunion idea. "He said, 'Absolutely! I love the Beatles.'"

He met with Ali at his Chicago home to discuss the plan, and their friendship grew. Ali invited Amron and his wife to attend Jimmy Carter's inauguration in 1976.

Ali's and Amron's yearslong Beatles reunion quest was constantly complicated by the group members' varied interests and challenges of making contact with them all at the same time. The dream ended with John Lennon's assassination in 1980.



Alan Amron's Press-On relaunch went live on Kickstarter in late October.

Movie on his life in works

Amron is working to relaunch Press-On sticky notes original and page markers, and is in manufacturing discussions with 4A Paper. There's more.

YOUR 4 TAKEAWAYS

"The lesson I'd most want your readers to take away is: Losing one fight with a big company doesn't end an inventor's story," Alan Amron said. His musts for independent inventors:

- " Keep every dated record. My 1973 chemist's letter, my 1974 letter to patent counsel, the postal receipt and the incorporation papers are why my story can still be told 50 years later."
- " Protect it in writing before you show it. A handshake and good faith at a trade show are not protection."
- " Read every word of a settlement, and get every promise in writing. In 1998, 3M's lawyer wrote that there was "no reason to change that commitment from either side." In 2024, 3M took the position that the confidentiality clause bound only me."
- " Never stop. I'm 77 and relaunching the product I invented in 1973."

The self-regenerating ReGen candle, which he invented, just received a Notice of Allowance from the U.S. Patent and Trademark Office. It will issue as a U.S. patent. "So, 50 years after the sticky note, at 77, I'm still inventing and still getting patents."

If Amron's life sounds like the stuff of movies, it's because it is. "Keep the Light On," a feature film about his life as an inventor, is in development with Oscar-winning producer Matīss Kaža and director Viesturs Kairišs.

"We're looking to get Ryan Gosling to play me," he said. "I always say: If you're going to go for a long shot, go way up high first—and if you miss, you'll hit something along the way down on the bottom."

Amron's dated case chronology:
stickynotesinventor.com/who-invented-the-sticky-note

Supreme Court docket and filings:
supremecourt.gov/docket/docketfiles/html/public/26-5031.html

158 Countries, One Treaty, and Laura Peter

BY MISHA GHOSH



World Intellectual Property Organization Deputy Director General Laura Peter did not take a traditional route to patent law.

She holds, in the reassuringly understated language of international bureaucracy, a senior executive post. In practice, Laura Peter has become one of the most consequential leaders in global intellectual property, and she got there via a route no careers adviser would have recommended.

It began with industrial engineering at Cornell, followed by a master's in public policy from the University of Chicago. This is not the traditional pipeline into patent law, which tends to prefer people who knew at 14 exactly what a Markush claim was. Instead, Peter built a background in how things are actually built and how governments actually behave. In hindsight, this looks less like indecision and more like an unusually long game.

The legal career started at Townsend, Townsend and Crew (now Kilpatrick Townsend & Stockton), where she worked as a commercial and IP litigator. Then came Silicon Valley, and the part of the CV where things get properly interesting. At Foundry Networks, she served as assistant general counsel and director of intellectual property, where she built the company's patent portfolio and led successful patent enforcement actions against large competitors. That sentence does a great deal of work in very few words, as the large competitors would doubtless confirm.

She went on to become vice president and general counsel of Immersion Corp, overseeing all of the company's legal matters, including its IP portfolio, before joining A10 Networks as deputy general counsel. There she handled commercial alliances, litigation and IP portfolio development, and helped steer the company through its 2014 initial public offering. Twenty-five years of practice, three technology companies, one IPO. It is the sort of record that makes a person genuinely difficult to lecture about how patents work in the real world.

In November 2018, Commerce Secretary Wilbur Ross appointed her deputy under secretary of commerce for intellectual property and deputy director of the USPTO, a post she held until 2021. After leaving government, she moved to Charlotte as executive director at UNC Charlotte, a change of pace that lasted precisely as long as such things ever do.

After the World Intellectual Property Organization's Coordination Committee formally approved her nomination in July 2026, Peter officially took office as deputy director general on October 1. She now leads the Patents and Technology Sector, administering key global frameworks including the Patent Cooperation Treaty, and WIPO programs covering patents and trade secrets. The PCT currently counts 158 contracting states, which is a polite way of saying she oversees the machinery through which most of the world's cross-border patent filings pass.

World IP Review has named her among the most influential women in IP.



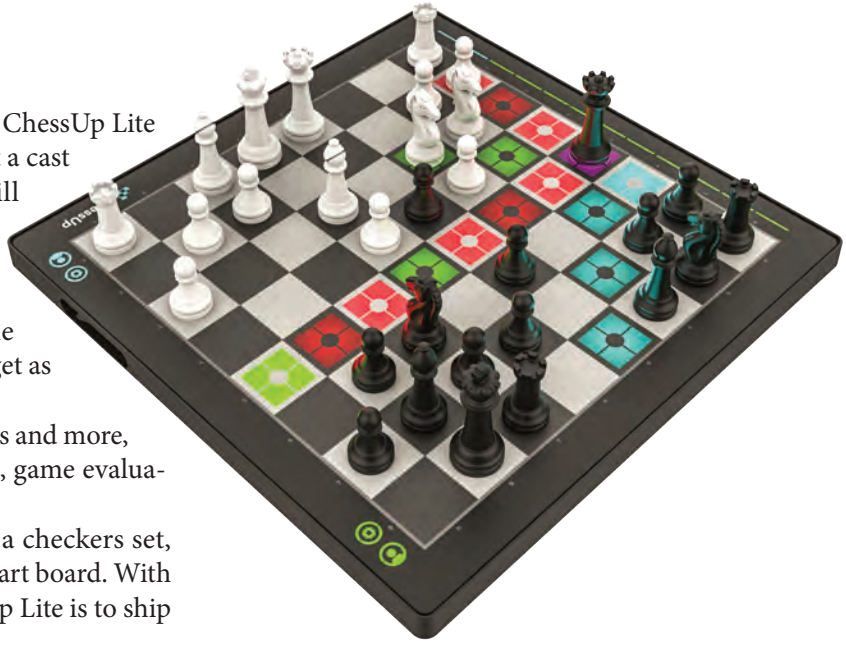
Misha Ghosh is the Founder and CEO of IDiyas, a patent intelligence and innovation analytics platform. A prolific technologist, he holds 105 issued U.S. utility patents with over 100 pending. He authors the thrice-weekly IDiyas newsletter.

BRIGHT IDEAS

ChessUp Lite

SMART CHESS BOARD

playchessup.com



Connecting with a Chess.com account, ChessUp Lite helps you learn chess by playing against a cast of interactive bots with different skill levels and personalities.

Get free interactive lessons at every level that sync directly with the board and explain concepts as you move the pieces. Assistance is adjustable, so you get as little or as much help as you want.

The app controls game modes, settings and more, with features that include AI assistance, game evaluation and move feedback.

A portable carrying case also holds a checkers set, unlocking another game to the same smart board. With a suggested retail price of $279, ChessUp Lite is to ship to crowdfunding backers next July.



Purewell K8

PORTABLE, PRESS-AND-DRINK WATER FILTER BOTTLE

purewell.com

Purewell K8 filters water from suitable outdoor sources with a simple press.

Its six-stage, 0.01 µm system helps reduce particles, sediment fine contaminants and unwanted odors while dual bottom air vents support easier pressing and flow rates up to 4.5 L/min. Features include a twist-off, easy-clean filter for up to 10,00 0 liters and a rugged, non-slip body.

There are no pumps, batteries or complicated setup. Fill the K8 with water from a suitable source and press the flexible bottle body to send water through the filtration system.

Projected retail price is $119. Shipping for crowdfunding backers is set for December.

Dog Vibe

SMART DOG TRAINING COLLAR

dogvibe.com



Built for off-leash freedom, Bluetooth-controlled Dog Vibe is a smart training system that detects leash pulling, sets virtual proximity fences and runs from an app on your phone. No subscription.

Guided training is step by step. The Leash Module responds the instant your dog pulls, every time. An invisible boundary keeps your dog close, whether on an off-leash hike or within a specific boundary. A recall whistle plays on both the collar and the remote.

Smart bark and whine detection responds only to your dog. Long-range remote reaches up to 3/4 of a mile.

Dog Vibe will have a retail price of $400. Shipping to crowdfunding backers is set for April.

"I do not think there is any thrill... like that felt by the inventor."

—NIKOLA TESLA



Kell Hammock Sleeping Bag

MULTIPLE-USE CAMPING BAG

kelloutfitters.com

Lightweight at 4 lbs., 2 oz. and rated to 30 degrees Fahrenheit, this hammock and sleeping bag system is designed to reduce pack weight and simplify setup. The Kell includes a sleeping bag, sleeping pad, under quilt, hammock and more.

Nylon webbing is used for suspension straps to attach to a tree as a hanging sleeping bag. Draft tubes are woven into the zipper lines to prevent drafts.

Conversion into a hammock is easy, shown on a YouTube video: youtube.com/watch?v=xammgrmmcQo

The future price is unknown. The project had not reached its $5,000 Kickstarter goal with seven days left in the campaign.

6 Years, Thousands of Dollars Gone

How to be proactive to ensure your patent professional is actually doing the work **BY ROSE MARIE ISKOWITZ**

As a new inventor, there are so many pitfalls to fall into—and the complex world of intellectual property is no exception.

In 2008, I was a young mom of two and brand new to the inventing world. I had an idea for a baby product and filed a provisional patent application through LegalZoom.com.

The provisional application was only the first step. It established my filing date, but it was not examined and would never become a patent on its own. I had 12 months to file the full nonprovisional application and claim the benefit of that original filing date.

I proceeded to hire a patent agent I met in an inventors group. First mistake.

He missed the filing deadline. My provisional application was considered "abandoned," I lost the benefit of my original filing date, and I was told the application could not be reinstated. I had to start over.

I thought I had hired a qualified professional. He attended a well-known inventors group and spoke regularly. It never occurred to me that he would be so inept.

I gave him a chance to rectify the situation. He never did. I consider this theft of service, as he took my money and I had nothing to show for it. I should have pursued it legally, or at least with the inventors group, but I never did.

The cost of this mistake was not only the money but more important, my original filing date.

Starting over, paying again

I blamed myself for hiring a patent agent from an inventors group instead of a respected IP firm, so this time I hired an intellectual property firm in Princeton. I was confident I would now be in qualified, professional hands.

The firm filed a new application, and I paid the invoices. Then the application sat. And sat.

Years passed. Thousands of dollars spent. From where I stood, no one was doing the work necessary to move the application forward.

I followed up regularly. I kept hearing versions of the same explanation: patents take time.

And yes, they do. I get it. It's complicated: prior art searches, office actions, rejected claims, amendments, arguments, and long waits for the United States Patent and Trademark Office.

But there is a difference between a difficult application and one in the abyss because no one is actively pushing it forward. Mine was in the abyss.

By this point, I had been in the patent process for approximately six years. I had done what inventors are told to do. I hired professionals. I paid the invoices. I waited.

What I did not have was a patent.

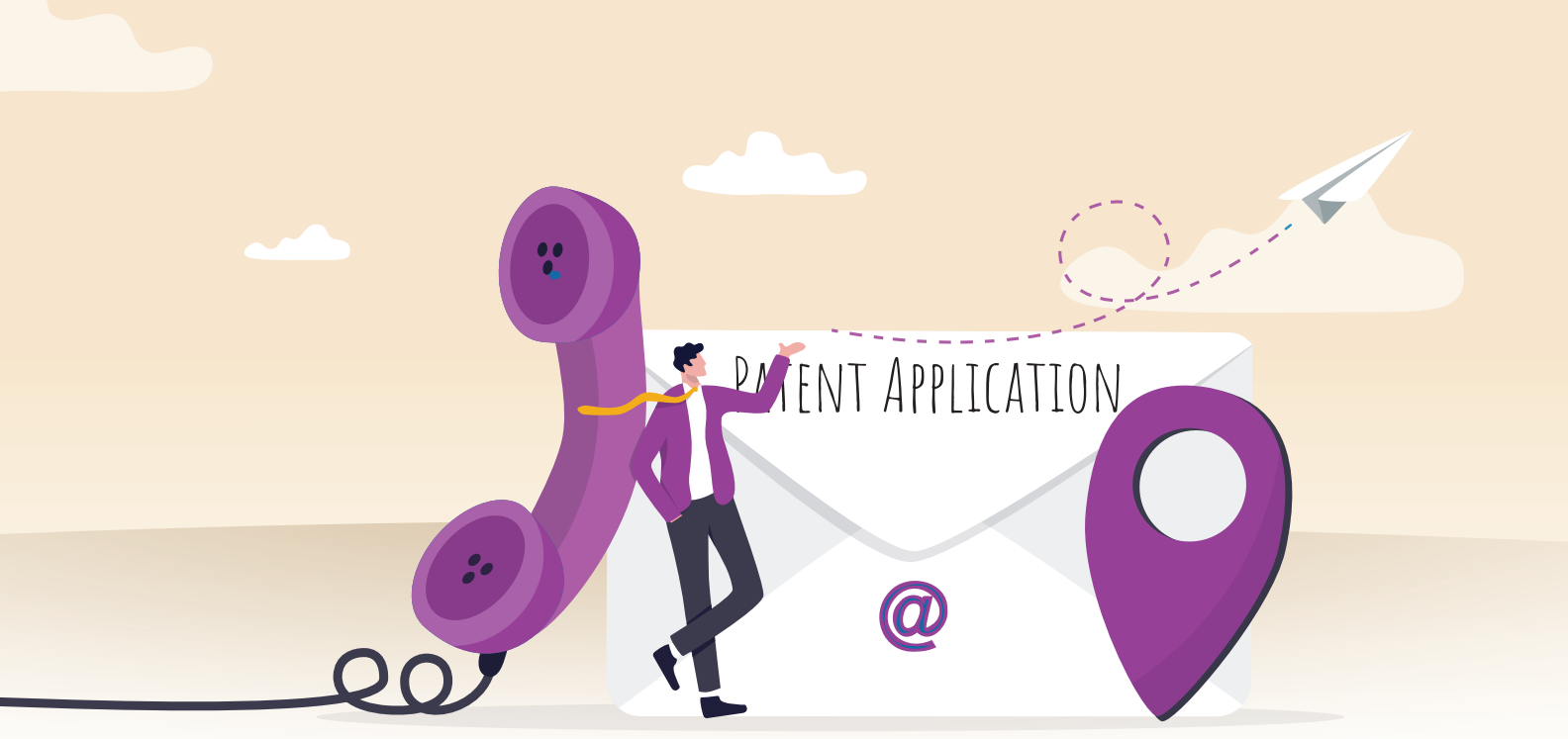
Grandma to the rescue

Through an inventors group, I met a kind grandma who had invented a baby product. She told me she had received her patent in less than a year.

What?

Six years had passed, and I had nothing to show for it except empty pockets. I looked up her patent attorney and contacted him. He was in the Midwest, and his fees were significantly lower than anything I had paid before. That alone surprised me.

He took over my application. Less than six months later, my patent was issued.



Finally, I found an attorney who contacted the person reviewing the application, asked what was needed, and made the necessary adjustments.

Naturally, I asked him how he had accomplished in months what two previous "so-called" professionals had failed to accomplish in six years.

His answer? "I called the patent examiner and asked what was needed."

That was it. He picked up the phone.

I wasn't sure if I should be outraged or thrilled.

It wasn't the call that got the patent issued; the claims had to be acceptable, and everything still had to be handled properly.

But this attorney did something that should not have felt so monumental, yet it was. He contacted the person reviewing the application, asked what was needed, and made the necessary adjustments.

After six years and thousands of dollars, someone finally took ownership of the outcome.

Pointed pointers

So, what did you learn from this sad story?

It wasn't the size or prestige of the firm that mattered. It was the attention to the work.

The first patent agent I hired—well, he may have just been a scam artist. The second firm, that's a bit more complicated.

My take: They saw a young woman with a baby product and saw no value in it.

Honestly, I'm not sure how I would have gauged that ahead of time. My best recommendation would be to find a fellow inventor who has successfully navigated the process and was happy with his or her experience, and then, talk to that person's attorney.

Once you do have a recommended professional to work with, here are some pointers:

Find out: Who is personally responsible for my application?

Get the name of the person you can contact for status updates, and who will be responsible for following the case.

Ask: What should I expect through this process, and how will I know the work has been completed? The firm should be able to tell you approximately how long it will take for it to prepare the application, and what to expect once it's filed.

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A high bill is not proof of progress. And a long wait isn't always a sign that progress is occurring.

You should be able to follow the entire process through your portal and on the uspto.gov website. Keep an eye on deadlines and check in with your team to make sure they are on track to meet them. In my experience, I was tracking the status much more closely than the firm was.

Determine what is preventing the application from moving forward. If you find your application sitting in inertia for a while, ask what is keeping the application from moving forward and what can be done to assist the process.

Other questions: Is the application waiting to be examined? Has the examiner rejected certain claims? Is prior art creating a problem? Does your representative need information or a decision from you? Has a response already been filed? "Patents take time" is not a meaningful status update.

Ask your professional: Have you spoken with the examiner? The USPTO allows patent practitioners to interview examiners during the examination process.

An examiner interview is not appropriate in every case, and it does not guarantee a patent will be issued. But if an application appears stuck, asking whether a conversation with the examiner could clarify the issues is entirely reasonable. In my case, that conversation changed everything.

Trust, but stay involved

There is a difference between waiting for the patent office and waiting because your representative has failed to act. Ask what has already happened, what needs to happen next, who is responsible for it, and when it should happen.

My experience also does not mean every patent that takes years has been mishandled. Some applications genuinely require a long and complicated prosecution.

But inventors should not be expected to accept years of delay, mounting bills and vague explanations without evidence that someone is actively doing the work.

The good news: I eventually received two patents. I manufactured my product overseas, sold it through the Babies "R" Us website, and ultimately licensed it to a baby product company.

I got there. But it took six years, thousands of unnecessary dollars, a failed filing, three different patent professionals, and one phone call that should have happened much sooner.

My advice is simple: Hire professionals, but do not be impressed by the wrong things.

A big firm is not the same as a committed advocate. A high bill is not proof of progress. And a long wait isn't always a sign that progress is occurring.

Sadly, sometimes the person you've hired is simply not doing the work.



Rose Marie Iskowitz is an inventor, entrepreneur and founder who has taken products from idea to patent, manufacturing, retail and licensing. Her work focuses on creating practical tools—from consumer products to educational programs—that help people solve problems and reach their potential. Her newest project: *risecognitiveblueprint.com*

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Prototyping in Stages

Focus on what you learn as you move from concept to product

BY BEN GREENBERG

One of the most common things I hear from inventors is, "I already have a prototype."

My response is usually, "Great, but what kind of prototype?"

There is a major difference between having a prototype and having a product ready to manufacture and sell. There are several types of prototypes throughout the product-development process, and each serves a different purpose.

I like to think of prototypes as tools for answering questions.

You don't necessarily build a prototype because you're ready to manufacture. You build it because there is something you need to learn.

One client we worked with provides a great example. He owned a fishing lure business and wanted to develop a product that could reduce or eliminate the need for outriggers on certain fishing vessels.

During trolling, fishing lines naturally trail behind the boat. Outriggers spread those lines farther to the left and right, allowing fishermen to deploy more lines across a wider area.

His simple idea: What if the lure itself could travel outward from the boat?

The idea was simple. Making it work was not.

Proof of concept: Can it work?

A proof of concept, or POC, is usually the earliest prototype. Its purpose is to answer one fundamental question: Can this idea work?

As we discussed last month, a POC does not have to be pretty. It can be made with tape, glue, screws, 3D-printed parts, off-the-shelf electronics, or whatever allows you to test the theory quickly and inexpensively.

That is how the SideTracker started.

The inventor took existing surface lures, glued wings and rudders onto them, and tested them in the water. They certainly weren't products you would package and sell, but that wasn't the purpose. He wanted to determine whether the geometry of a lure could cause it to move laterally away from the wake of a moving boat.

Those experiments also revealed that making the lure move where he wanted was more complicated than simply adding a wing or rudder. Hydrodynamics, stability, drag, speed, geometry and line forces all affected its behavior.

That is one of the greatest values of a proof of concept. Sometimes, it proves your idea. Other times, it reveals problems you didn't know you had.

Functional prototype

This is the next step. The question changes from "Can this work?" to "Can we make it work consistently?"

The inventor in our example brought in professional engineering help to solve the technical challenges discovered during his initial testing. Through engineering, CAD design, prototyping and testing, a new version of the SideTracker was developed that could travel outside the boat's wake. Prototypes were 3D printed, allowing different geometries to be produced and evaluated without investing in expensive production tooling.

This is exactly what functional prototypes are for. They don't necessarily need to use final materials or manufacturing methods. If a relatively inexpensive 3D-printed part can answer a question before you spend thousands on tooling, print the part.

At this stage, the objective is learning, not mass production.

Appearance prototype

This answers a different question: What should the final product look and feel like?

These prototypes focus on size, shape, ergonomics, colors, finishes and the customer experience. An appearance prototype can look almost exactly like a finished product while having limited functionality.

For the SideTracker, appearance wasn't purely cosmetic. Its size and geometry affected its performance, but it also needed to look and feel like a professional fishing product customers would want in their tackle boxes.

This distinction is important: Looking like a product and being ready for manufacturing are not the same thing.

Engineering prototype

Now we're bringing together the lessons from previous prototypes. The question becomes: Will the entire design operate reliably under real-world conditions?

Our client tested the engineered SideTracker a few times but needed more validation.

Approximately 50 fishermen in New York and other northern states were given 3D-printed prototypes to test. This provided something difficult to reproduce in an engineering office: real users operating the product in real environments.

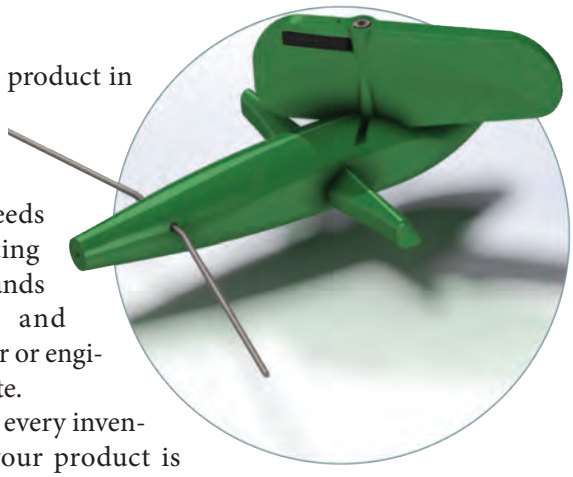
Different fishermen have different boats, equipment, trolling speeds and fishing styles. Putting prototypes into their hands can reveal problems and opportunities an inventor or engineer may never anticipate.

This applies to almost every invention. You know how your product is supposed to work; your customer doesn't.

Watch what happens when someone receives your prototype.

What do they misunderstand? What breaks? What do they love? What would they change?

Sometimes, 50 customers can teach you more than another 50 hours staring at a CAD model.



The inventor proved that looking like a product and being ready for manufacturing are not the same thing.

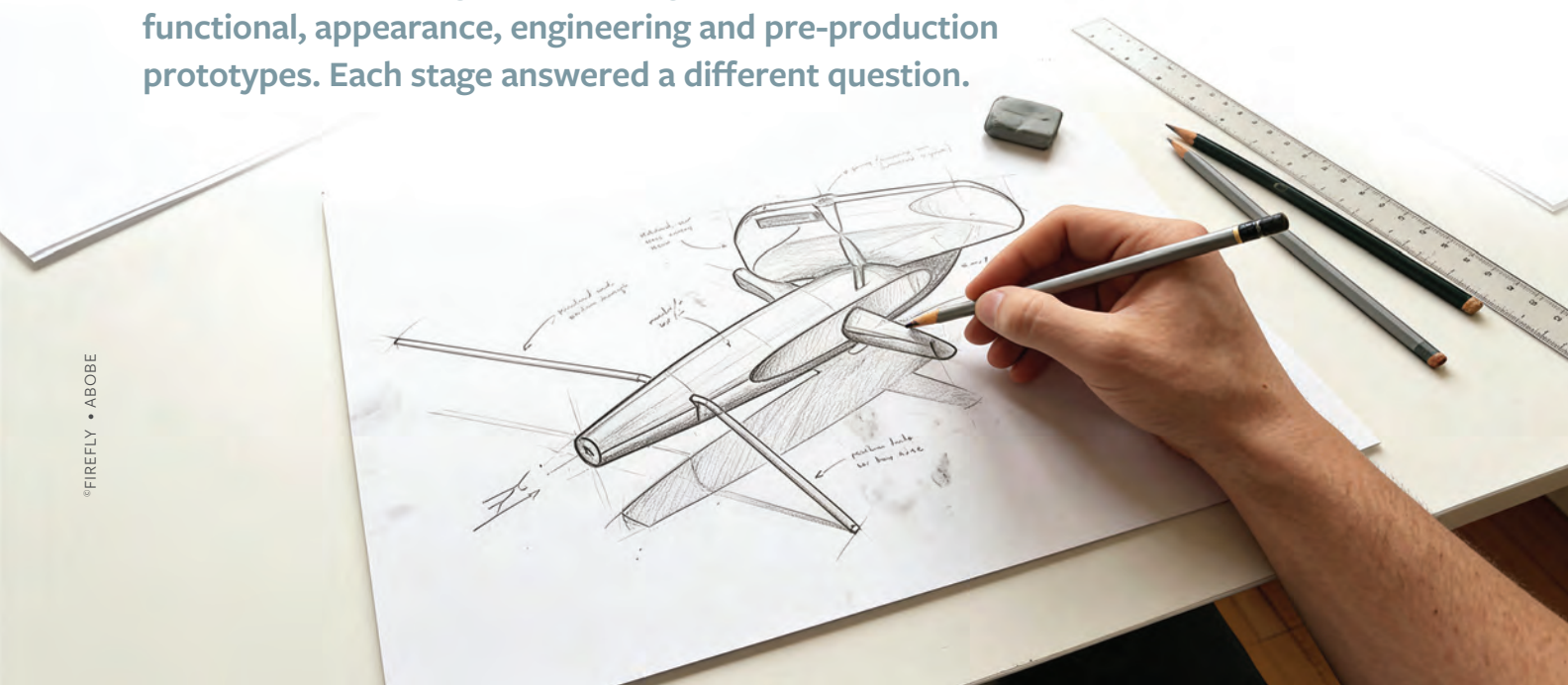
Pre-production prototype

Once the SideTracker had been tested and validated by fishermen, the project moved toward manufacturing. Now the question became: Can we manufacture it repeatedly, reliably and economically?

This is where Design for Manufacturing and Assembly (DFM/DFA) becomes critical.

A geometry that works perfectly as a 3D print may be difficult or impossible to mass manufacture. Wall thicknesses, draft angles, tolerances,

The SideTracker progressed through proof-of-concept, functional, appearance, engineering and pre-production prototypes. Each stage answered a different question.



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The completed fishing lure shows a successful result from all the prototyping stages.

materials, assembly methods and production costs all must be considered.

Eventually, the inventor partnered with a manufacturer whose minimum order quantity, or MOQ, was 2,000 units. Ordering 2,000 units of an unproven invention can be intimidating.

But notice what happened first. The concept had been tested. The engineering had been completed.

Multiple prototypes had been produced. Most important, the product had been put into the hands of approximately 50 fishermen and validated under real-world conditions.

Only then did the inventor make the larger financial commitment to manufacturing.

After that first production run, more than 90,000 SideTrackers have been sold.

From prototype to product

The SideTracker is a great example of the product development process. It started with wings and rudders glued onto an existing lure and progressed through proof of concept, functional, appearance, engineering and pre-production prototypes.

Each stage answered a different question: Can it work? Does it work consistently? Will it perform in the real world? Can it be manufactured economically?

Finally, the market answered the most important question: Will people buy it? With more than 90,000 units sold, the answer is clear.

So, when you say, "I have a prototype," ask yourself: What did my prototype prove?

The answer will tell you how close you really are to having a product.



Ben Greenberg is an engineer, inventor, product development expert and author of *The Inventor's Playbook*. As the founder of Inventions Unlimited, LLC, he helps inventors transform early-stage ideas into functional, manufacturable products. Ben has helped develop more than 250 products across consumer goods, medical devices, industrial systems, aerospace and emerging technologies.

INVENTOR UPDATE

A Nerd Star is Born



What *hasn't* Tiffany Norwood done, really?

Serial entrepreneur. Inventor. Global public speaker. One of the first successful black female tech entrepreneurs who pioneered innovations in digital broadcasting, broadband internet, digital music, eSports and space technology. Became a CEO while a junior at Cornell University. Licensed her first software code for a multibillion dollar bank merger at 24.

Served as a guest judge on the PBS/Edison Nation series "Everyday Edisons." February 2022 *Inventors Digest* cover feature subject.

So, imagine our surprise to recently receive an email from her that opened with: "I am performing at the Roxy Theatre in Hollywood on Halloween!

"I have done nine start-ups spanning 60 countries and impacting billions of people. A lot of what happened in those rooms was hard ... and hilarious.

"So, I've turned it into 'Sexy Black Genius: A Nerd Comedy Show.'"

The "SBG World Tour" continues November 20 in London and next year in New York City (TBA). For more information on the show she describes as like a STEM comedy show that had a baby with "Schoolhouse Rock!," go to sexyblackgenius.com.—*Reid Creager*

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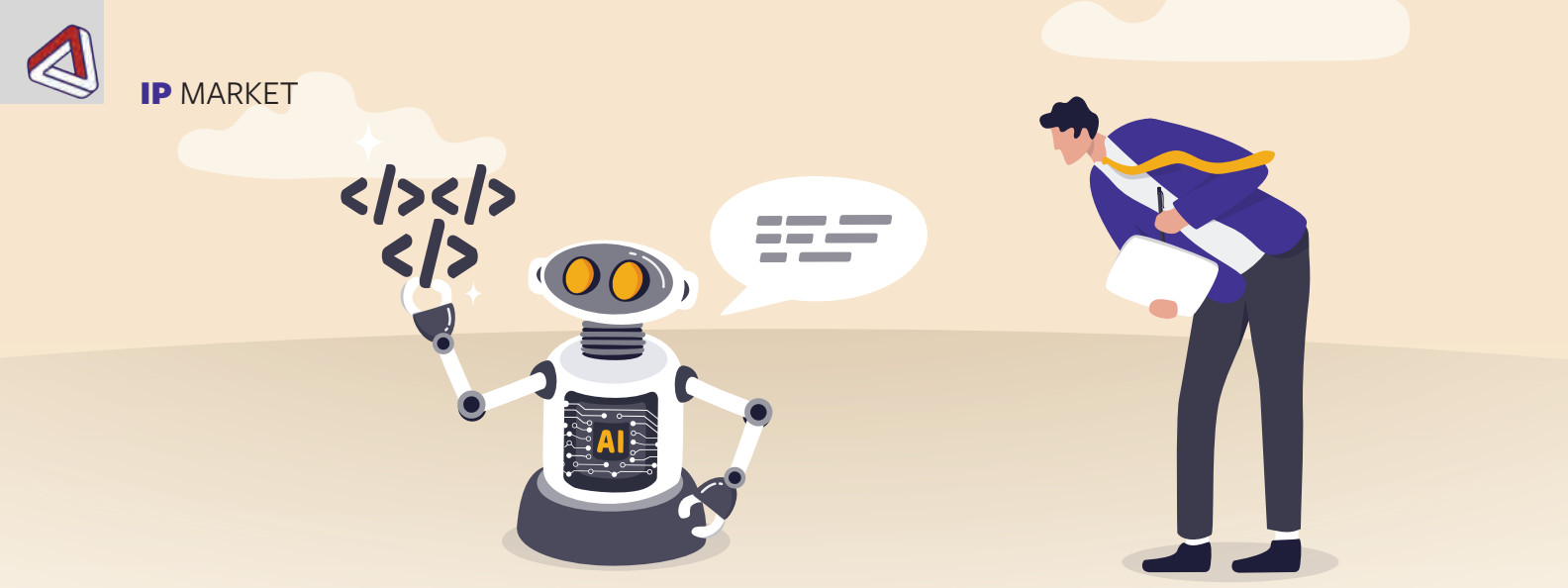


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Stop the Madness

Overnight inventors filing provisional applications via AI: Beware the potential pratfalls

BY LOUIS CARBONNEAU

At Tangible IP, we receive at least five inquiries a day from a new species of patent owner.

Call them the overnight inventors. Somebody had an idea in the shower, typed it into his or her favorite AI engine and watched the machine expand it, fill in the blanks, propose a provisional application, draft it—and then, as a finishing touch, write the cover email to us.

That email invariably describes a "foundational, game-changing platform worth billions." The machine is nothing if not supportive.

(To be fair, mine has never told me an idea was bad, either.)

Here is why most of these filings are worth roughly what it cost to file them—which can be as little as $65—why many are likely invalid from the day they were filed under inventorship rules here and abroad, and why the valuation on Page 1 of the email would not survive a single phone call from a buyer.

Tangible IP tracks five factors that move patent values: supply and demand, new case law, the regulatory environment, large damage awards, and funding availability.

Patent value is log-normal, not normal. The economists who measured it, Scherer and Harhoff among them, found that the top 1 percent of patents may carry 30 percent to 40 percent of all value, while the median patent is worth very little.

Our own numbers agree. Roughly 1 in 5 brokered packages ever sells, and only 1 percent to 2 percent of the portfolios we review are realistically transactable.

Why so few? Because value only accrues to patents that clear two bars at once: claims that survive the cheapest available attack, and that read on revenue large enough to justify a fight lasting five years and a trip to the United States Court of Appeals for the Federal Circuit.

Few patents clear one bar. Almost none clear both.

Now, run the overnight inventor's provisional patent application through the five factors listed above.

Demand: Buyers acquire issued patents with evidence of use, not drafts.

Case law and regulation: The document has never been examined and never will be in that form.

Damages: Nobody can infringe a provisional.

Funding: No funder underwrites a filing receipt.

Zero for five.

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A casino in the backyard

Picture a homeowner who files an application for a permit to build a casino in his backyard, then lists the house at a price reflecting 20 years of projected gaming revenue.

Any serious buyer makes one call to city hall and learns the permit will never issue. Zoning, licensing, the state gaming commission and the neighbors all have a say. The house is worth what every other house on the street is worth.

A provisional patent application, while a valuable step in a long-term process to protect a valid invention, is even less than the permit application when it comes to immediate value.

The filing fee is $65 for a micro entity. Nobody at the United States Patent and Trademark Office ever examines it. It lapses after 12 months unless a real application follows, and it cannot be enforced against anyone.

"Patent pending," in this context, carries about as much weight as "casino pending." And unlike our homeowner's buyer, a patent

buyer does not even need to call city hall. The defects are visible from the curb.

The first defect is inventorship. In the United States, only a natural person can be an inventor. The federal circuit said so in *Thaler v. Vidal,* and the Supreme Court declined to revisit it.

Last November, USPTO Director John Squires rescinded the 2024 guidance on AI-assisted inventions and replaced it with a single standard: AI is a tool, like lab equipment, and inventorship turns on traditional conception.

That sounds generous. For our correspondents, it is anything but.

Conception means a definite and permanent idea of the complete and operative invention, not a goal or a wish.

"An app that predicts which restaurants I will like" is a wish. If the human supplied the wish and the machine supplied the how, then the how is what the claims cover, and no natural person conceived it.

A patent in that position cannot be rescued by swapping names on the cover sheet, because there is no right name to swap in. That is what "invalid ab initio" means in practice: not defeated in court, but never valid in the first place.

Written without looking

The second defect is prior art. These provisionals are drafted with no search at all. Worse, a large language model expands an idea by

recombining what has already been published, which is a fair working definition of prior art.

If a general-purpose chatbot produced the "invention" from a single sentence, a person of ordinary skill with the same chatbot would have, too. A defendant will not have to work very hard on that obviousness argument.

If a general-purpose chatbot produced the "invention" from a single sentence, a person of ordinary skill with the same chatbot would have, too. A defendant will not have to work very hard on that obviousness argument.

The third defect is the document itself. A provisional secures a priority date only for what it adequately describes. Forty pages of fluent generalities, the kind where "the AI module may determine an optimal outcome," will not support specific claims a year later, and the priority date evaporates with them.

None of this is unique to patents. A not-yet-peer-reviewed study by researchers at MIT and USC found that 18 percent of pro se filings (i.e. filed directly by the inventor) in federal court now contain AI- generated text.

Chief Judge Patrick Schiltz of Minnesota has called the flood an existential threat to the federal courts. The patent office should not expect to be spared.

Worth billions?

Then there is the number on the cover email. Investors do pay for patents. A startup's first patent raises its odds of landing venture funding

within three years by 47 percent, according to Farre-Mensa, Hegde and Ljungqvist.

The same research shows that issuance itself depends partly on the luck of drawing a lenient examiner. A provisional has not even bought a ticket for that lottery.

Let me be clear: AI is a superb tool in skilled hands. We use it every day for searching, analysis and drafting, and an inventor with genuine conception who uses it well is in better shape than ever.

The madness lies elsewhere. It is substituting the machine's fluency for the inventor's conception, and a cover email for diligence.

So, to the overnight inventors: Search before you file, write down what you actually conceived and what the machine supplied, and have a human professional tell you what you really have. And before you price the house on the strength of the casino, call city hall.

But first, stop the madness.

Return to Sender, Again

On September 29, USPTO Director Squires told the Senate IP Subcommittee he is considering keeping the discretionary portion of institution decisions for himself and returning the merits to the panels.



Translation: "The judges get the merits, I keep the veto."

As former USPTO Solicitor Tom Krause has pointed out, that is essentially Coke Morgan Stewart's March 2025 bifurcation, now handed to a board thinned by departures. Meanwhile, the October 2025 proposed rule on discretionary denial sits at the Office of Management and Budget after more than 11,000 comments, and the traffic has already rerouted.

Per Unified Patents, *inter partes* review (IPR) petitions to challenge patents hit an all-time quarterly low of 57 in the second quarter of 2026 while *ex parte* reexamination requests set a record of 336. Institution supporting those challenges bottomed at 19.4 percent in August 2025 and was back to 47.4 percent by June 2026.

The forecast now changes faster than the patents do.

That matters to price. A patent is worth roughly what someone would pay to enforce it, discounted by the odds that it survives the cheapest credible attack.

Think of a house whose title any neighbor can contest for a fraction of what it costs you to defend it. AIPLA's 2025 survey puts the median IPR through the hearing at roughly $355,000, against about $3.5 million to take a high-stakes case through trial and appeal.

Of instituted claims that reached a final written decision, about 3 in 4 were canceled (Finnegan's cumulative tally). Re-examination is cheaper still, carries no estoppel, and is ordered more than 90 percent of the time. Fewer than 1 in 4 third-party re-examinations end with every claim confirmed.

I argued in January that the collapse in institution justified higher patent values. The reverse is just as true.

Every time the door swings back open, the discount returns. Buyers do not price the rule. They price the odds that the rule will change before they get paid.

The rules only decide how cheaply someone can test your patent. The prior art search is in your control. And the prior art decides whether it passes that test.

The Jackpot Nobody Collects

Every time a lottery jackpot crosses a billion dollars, ticket sales spike. The odds do not improve; the number on the billboard just gets bigger.

The patent market runs on the same psychology.

On September 25, a San Diego jury ordered Apple to pay Taction Technology $5.72 billion for infringing two haptics patents covering the Taptic Engine in iPhones and Apple Watches. It is the largest patent verdict in U.S. history, more than double Idenix's 2016 record against Gilead.

Apple said it will appeal. (Apple always says it will appeal. It is the corporate equivalent of "I'll call you.")

I can picture my inbox. We review more than five new portfolios a day, and after a headline like this one, the cover emails start doing arithmetic. "My patent also reads on smartphones."

Apple sells hundreds of millions of them. Do the math. Very few hold a $5.7 billion patent, and the ones who come closest are the ones who never mention the verdict.

What the billboard leaves out: None of the nine before Taction survived appellate review intact. Exactly one was paid as awarded, Virnet's $454 million from Apple in 2020. The rest were erased, cut, or remain stuck on appeal, including VLSI Technology's $2.175 billion against Intel, now five years old.

Bowman Heiden at Berkeley Haas built a database of every patent damages award above $10 million appealed to the United States Court of Appeals for the Federal Circuit from 2010 to 2025. Of the 82 that reached a decision, only 38 percent survived intact.

Nobody covers that part. The verdict gets a Bloomberg segment. The opinion that guts it three years later gets buried in a paragraph in Law360.

The market hears about every jackpot and none of the refunds. So the record becomes the benchmark in every inventor pitch, while the reversal never makes it into anyone's spreadsheet.

The billboard says $5.7 billion. The fine print gets filed in Washington.



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.

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Put on Your Thinking Capstone

Young inventors can learn and demonstrate the problem-solving process with these STEM projects

If you're a budding young inventor or hoping to be one and are in search of an idea, look to the top of the wall.

A capstone is a stone fixed atop something—often a wall—to denote the concluding part of an achievement. Similarly, a capstone project is the final, hands-on assignment in a STEM program where students use their theoretical knowledge to demonstrate how they can solve a specific, real-world problem.

Their capstone often takes the physical form of a working or finished prototype, a piece of software, or any number of demonstrable examples that show what they have learned. Universities also frequently conclude undergraduate and graduate programs with a capstone project.

A capstone project emphasizes independent thinking, the value of trial and error in solving a problem, the ability to meet a deadline, and being able to defend questions and possible weaknesses. It has a narrow scope backed by applicable data and solves a specific local problem.

In July on bestprojectideas.com, John Dear provided his 2026 list of more than 150 capstone project ideas for STEM students. His best ideas span 10 lists: simple builds; environmental and sustainability projects; robotics and automation; IT projects; technology projects; biomedical and health projects; biology projects; engineering projects; space and astronomy projects, and creative projects.

Best Project Ideas

Students and teachers can choose from Dear's extensive list of project ideas, which he says can be achieved in a semester with basic tools and requiring no lab access.

His top five:

- Low-cost water quality testing kit using household indicators
- Mobile app that tracks personal water and electricity usage
- Solar-powered phone charger built from repurposed materials
- Community recycling tracker with a simple web dashboard
- Line-following robot built with basic sensors and a microcontroller

Choosing your idea can be as challenging as executing it! Focus on something that is unique, achievable within a relatively short time, shows skill and creativity, and—as with any good invention—solves a real-world problem.

WHERE ARE THEY NOW?



Inventors Digest's May 2022 cover feature on Mikaila Ulmer chronicled her starting Me & the Bees lemonade at just 4 after twice being stung by a bee. Today, her all-natural lemonade, made with real honey, is available in all 50 states—with the goal of making great lemonade while helping protect bees.

Now 21, Mikaila recently graduated from Emory University College of Arts and Sciences with a Bachelor's in Economics. She shares her story worldwide through speaking engagements, workshops and panels focused on bee conservation and sustainable business. She is the author of the bestselling book, "Bee Fearless: Dream Like a Kid."

Follow the Money

"Find out if your wild idea can shift industry," implores the Department of Energy's Advanced Research Projects Agency-Energy program (ARPA-E). It provides independent inventors funding for "high-impact projects."

ARPA-E's "non-dilutive funding model enables awardees to pursue groundbreaking ideas with reduced financial risk and the preservation of equity. ARPA-E support accelerates the development of new energy technologies by providing essential resources and expert guidance."

Those interested in getting funding should visit ARPA-E eXCHANGE to review currently open funding opportunities, including those without a specific application period. *arpa-e.energy.gov*



ID Flashback

July 2021: Our cover story on the Museum of Failure, a traveling international exhibit, did more than provide negative notoriety; it discussed the museum's goal to de-stigmatize failure. "Successful inventors already know that progress is made via failure," said Dr. Samuel West, the museum's curator. He said he was inspired by the Museum of Broken Relationships, in Croatia. *inventorsdigest.com/issues*



What IS That?

This duck egg lamp by Ammonite could be a fun Christmas gift for adults or kids. Reviewers seem to love it, though some mentioned that it's too small (9.65 inches tall) to be all it's quacked up to be.

Get Busy!



With America's 250th anniversary celebration winding down, the recently opened Smithsonian Institution photo exhibit "Much Here Is Beautiful: Photography Surveys of the U . S. Bicentennial" celebrates 1970s and early 1980s America in a 225-picture spectacle. It runs through April 18 of next year. *americanart.si.edu/exhibition/bicentennial-photography-surveys*

WHAT DO YOU KNOW?

1 **True or false:** You can patent innovations to existing technologies.

2 Which former major-league pitcher patented Baseball Pitching Educational Device, which featured baseballs mounted on anchored, rotating axes so users could spin the balls in various ways?

A) Johnny Sain
B) Denny McLain
C) Bert Blyleven
D) Phil Niekro

3 Which drink received IP protection first—Kool-Aid, or Hawaiian Punch?

4 Who said this? "If things are not failing, you are not innovating enough."

A) Elon Musk
B) Thomas Edison
C) Henry Ford
D) Marie Curie



5 **True or false:** The United States Patent and Trademark Office offers a senior citizen discount for patent applicants 65 and older.

ANSWERS: 1. True—as long as the usage is novel and not obvious. 2. A. U.S. Patent No. 3,152,803, granted in October 1964, has since expired. 3. Kool-Aid was patented in 1934, Hawaiian Punch trademarked in 1938. 4. A 5. False. But you can file a "Petition to make special" with the USPTO stating that at least one named inventor is 65 years or older, supported by proof of age (e.g., birth certificate, official statement). This can expedite the patent review process.

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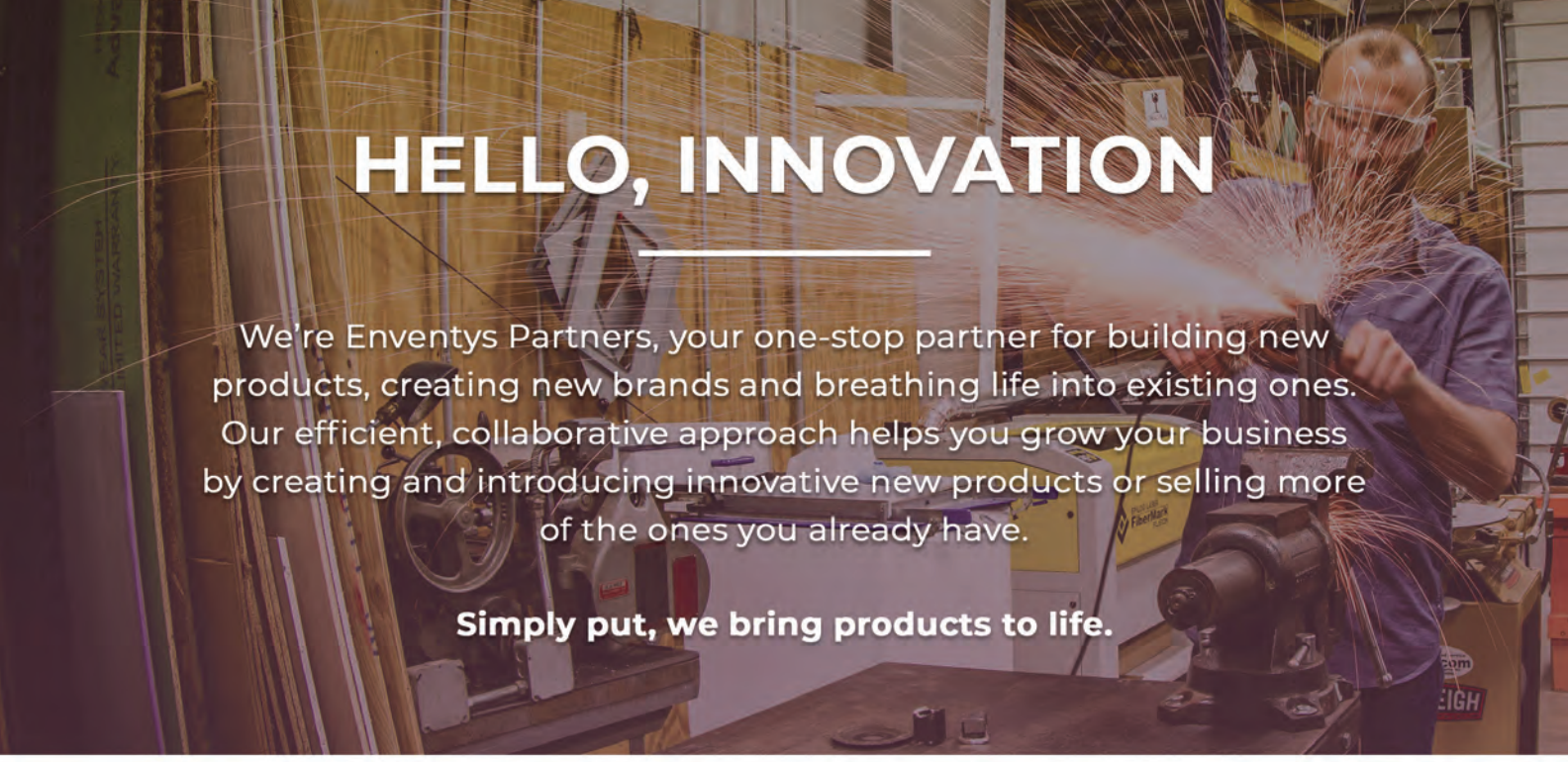
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