Information presented here should not be considered legal advice. Proper legal consultation should be obtained when necessary for your specific and unique needs.
IP Topics Covered

• Librarians’ and educators’ intellectual property (IP) customers:
  • Creators (authors or inventors)
  • Consumers (customers or users)

• Intellectual Property (IP) defined

• Basic types of IP: copyrights, patents, trademarks

• IP information literacy and ties to the curriculum or outreach of library colleagues and customers

• Patent and trademark basics including searching introduction

• Best practices and associated IP topics: opportunities to extend IP awareness and information literacy for library customers
Creators and Consumers

- Librarians’ and educators’ intellectual property (IP) customers:
  - Creators (authors or inventors)
  - Consumers (customers or users)

- Creators (owners) rely on the defensive and financial aspects of IP.

- Creators (owners) of effective trademarks and/or patents are distinctive and often the first in their field or the competitive marketplace.

- Consumer rely on the creative output for availability, as well as fair use, 17 US Code, US Copyright Law, Section 107, for when they need to reuse copyrights for educational instruction, or freedom of expression.

Images source (public domain): https://thenounproject.com/
The World Health Organization defines IP as “the overall term for property in the creation of the mind, including inventions, literary and artistic works, but also images, and designs.”
Intellectualopoly: Types of IP

• The ever popular Monopoly® board game is an example of something comprising all three primary intellectual properties:
  
  • U.S. Utility Patent 2,026,082 issued in 1935, protected the functional invention of the game, since fallen into the public domain.

  • Copyright still protects the expression of the published rules of the game and other creative expressions.

  • Registered ® federal trademarks are still active, including logos and game pieces.
“If you don’t measure it, you can’t manage it”.

<table>
<thead>
<tr>
<th>Intellectual Property Overview (Highlights)</th>
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<tr>
<td><strong>Law Source</strong></td>
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<tr>
<td>U.S. Copyright Act</td>
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<tr>
<td>Title 17 U.S. Code</td>
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<tr>
<td>Lanham Act</td>
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<td>Title 15 U.S. Code</td>
</tr>
<tr>
<td>state statutes; and common law</td>
</tr>
<tr>
<td><strong>Patent</strong></td>
</tr>
<tr>
<td>U.S. Patent Act</td>
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<tr>
<td>Title 35 U.S. Code</td>
</tr>
<tr>
<td><strong>Trade Secret</strong></td>
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<tr>
<td>State statutes</td>
</tr>
<tr>
<td>(Uniform Trade Secrecy Act); common law</td>
</tr>
</tbody>
</table>

**Subject Matter (Protected)**
- Art, writings and other forms of expression; not facts or ideas
- Words, symbols, logos, designs or slogans that identify and distinguish products or services
- Utility Patent: Inventions; Design Patent: ornamental (non-functional) designs
- Formula, device, pattern, program, technique, or process

**Protection Standard**
- Originality; authorship; fixation in tangible medium
- Distinctiveness; secondary meaning; use in commerce
- Novelty; non-obviousness; and utility (ornamentally for design patents; distinctiveness for plants)
- Commercial value; unknown or unavailable information; effort to maintain secret

**Protection Scope**
- 17 U.S. Code §106: rights of reproduction, distribution, performance, public display, and derivative works
- 15 U.S. Code §1051: rights in U.S.; likelihood of confusion; and §1125(a) false designation of origin §43(a); false description, dilution
- 35 U.S. Code §154: right to exclude others from making, using, offering for sale, or selling the Invention
- Defense against misappropriation: acquisition by improper means or disclosure without consent

**Protection Duration**
- Life of author plus 70 years
- Perpetual until abandonment or loss of distinctness or secondary meaning
- Utility/Plant: 20 years
- Design: 15 years
- Potentially protected forever until publicly disclosed

**Rights of Others**
- Fair use; compulsory licensing (music); independent creation
- Truthful communication; fair use and collateral use (commentary)
- Unless licensed, none.
- Independent discovery; reverse engineering

**Examples**
- Harry Potter books, movies and music soundtrack recordings
- Coca-Cola name, distinctive logo and trade dress of bottle shape
- IPhone mobile device, both utility and design aspects
- Coca-Cola formula and KFC secret recipe

**Source:** IP Audit – "How to" Guide, by Ian Cockburn, WebEditor, Manager Advertising & Marketing at PIPERS - Global, A Patent attorney Firm with Offices in the United Kingdom, New Zealand, Australia, Singapore and Malaysia.

IP Information Literacy (IPIL)

• ACRL defines IL as a set of abilities requiring researchers “to recognize when information is needed and have the ability to locate, evaluate, and use effectively the needed information.”

• IL standards include multiple aspects of intellectual property, including copyright and patents.

• IPIL offers ties to the curriculum and/or outreach opportunities to our library colleagues and/or customers.

• Yet little has been published which ties IP to IL.
Proactive IL = IP Awareness


• Joint suggests that a proactive information literacy curriculum (including intellectual property awareness) is the best way of enhancing students’ understanding of intellectual property issues (both creator and consumer rights’ aspects).


• Tyhurst expands on Joint’s reference by promoting the larger realm of IP awareness beyond copyright and fair use, such as including patents.

• IPIL goes beyond college students and IP specialists. It also supports other users such as school children, teenagers, and the general public. Tyhurst also targets business and entrepreneurs as prospective users.
IP Information Literacy: Ethical and Legal Ties

• Before providing IPIL, one should be aware of the Code of Ethics published by the ALA, which advises librarians to clarify their role as information providers and not as interpreters of information when assisting customers with specialized information, such as health, patents, or other legal issues.

• Information Literacy Standards are often associated with IP awareness for school and college instruction.

• Such examples include the Code of Ethics of the American Library Association, the Standards for the 21st-Century Learner of the American Association of School Librarians (AASL), and the more recently published Framework for Information Literacy for Higher Education from the Association of College & Research Libraries (ACRL), AASL Standards Framework for Learners of the AASL, and others.
ACRL Framework for Information Literacy

• ACRL published a set of six frames for information literacy in higher education:
  • Authority Is Constructed and Contextual
  • Information Creation as a Process
  • Information Has Value
  • Research as Inquiry
  • Scholarship as Conversation
  • Searching as Strategic Exploration

• Academic librarians have developed learning outcomes, tools, and resources based upon these frames. Some have used these specific four frames to convey IP information literacy concepts and skills:
  • Information Has Value – “As creators and users of information, experts understand their rights and responsibilities when participating in a community of scholarship.”
  • Research as Inquiry – “Learners...follow ethical and legal guidelines in gathering and using information.”
  • Scholarship as Conversation – “Learners...cite the contributing work of others.”
  • Searching as Strategic Exploration – Patents and patent information (covered next)
Frames tied to Patents

• The six frames tied to patents further reinforce the role of library research consultations and instruction of intellectual property information literacy.

• **Searching as Strategic Exploration**, demonstrating the intricate steps of how to search patents, fosters learners to develop their information literate abilities to:
  • Match information needs and search strategies to appropriate search tools;
  • Understand how information systems (i.e. collections of recorded information) are organized in order to access relevant information;
  • Use different types of searching language (e.g. controlled vocabulary, keywords, natural language) appropriately;
  • Manage searching processes and results effectively.

• **Information Has Value** applies to the economic value of patents to inventors and society.

• Role of patents in research and development for STEM disciplines fits well with the frames **Research as Inquiry; Scholarship as Conversation; and Information Creation as a Process**.

• Ultimately, as government documents, patents could be applied to discussion of the frame, **Authority is Constructed and Contextual**.

• For more, see Dave Zwicky, “Thoughts on Patents and Information Literacy,” *Journal of the Patent and Trademark Resource Center Association*, Volume 29, March 1, 2019, Article 1.
Copy what?

• Copyright is a form of protection provided by the laws of the United States (Title 17, U.S. Code) to the authors of “original works of authorship.”

• In simple terms...the right to copy.

Fair use is a user exception to copyright infringement in certain instances, e.g. teaching and criticism.
What may be copyrighted?

- Literary works
- Musical works and lyrics
- Dramatic works accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic, and sculptural works
- Motion pictures, audiovisual works
- Sound recordings
- Architectural works
What could a Grump Cat® teach us about IP?
Catastrophic Copyright Case

• The copyright owner of the popular cultural icon Grumpy Cat® won over $700,000 from an infringing beverage maker selling an unlicensed coffee product, which exceeded the limits of its licensing agreement with Grumpy Cat’s owner.

• A beverage maker was licensed by Grumpy Cat to sell a single product line of “Grumpy Cat Grumppucino” bottled iced coffees.

• The coffee producer later started selling other products, such as packaged Grumpy Cat Roasted Coffee and T-shirts, which went beyond the initial terms of the licensing agreement for Grumppucino bottled beverages.

• The sale of the packaged Roasted Coffee products and T-shirts by the beverage maker not only infringed on Grumpy Cat’s copyrights and trademarks, but it also breached the terms of the license agreement.

Grumpy Cat is a highly successful enterprise of an internet-famous feline’s scowling image, first posted on social media in 2012. The owners of the sourpuss sensation built an effective and robust IP strategy, capitalizing on the likeness of Grumpy Cat on T-shirts, coffee mugs, books, and calendars.
Trademark Tizzy

• There were more trademark issues when Grumpy Cat also sued the beverage maker Grenade for cybersquatting, as it obtained the internet domain grumpycat.com, using its trademark without permission.

• The lesson learned from this situation sustains the two sides of IP. The creator of an IP, should register his or her IP rights to the creation as soon as possible to be ready to guard those rights ferociously. The other side of the equation is the consumer or licensee respecting those rights.

• Not only is it essential to get permission, but also to read the fine print of any contract carefully to avoid such consequences. Just because a popular name such as Grumpy Cat is reposted on social media does not mean it is available to commercialize without permission.

Some social media posts sharing images and headlines of this news story mistakenly referred to Grumpy Cat’s patents, which do not exist. The posts should have only referred to copyrights or trademarks.
Patents & Trademarks

• PTRCs are a nationwide network of public, state, and academic libraries that are designated by the USPTO to disseminate patent and trademark information and to support the diverse IP needs of the public.

• By accessing the patent and trademark information at a PTRC, with instruction by a trained specialist, one is able to determine if someone else has already patented an invention or obtained a federal registration for a trademark on goods or services.

• There are over 80 PTRCs. These libraries are trained by the US Patent & Trademark Office to support other libraries and their patrons.
Trademarks vs. Patents

- Trademarks are words, names, phrases, or symbols which identify and distinguish the business or provider of goods, services, or ideas.
- Trademarks registered with the USPTO are marked with an encircled letter “®,” while those registered by a state government (or common law) are marked with a “TM” after the trademarked name or symbol, e.g. NKU Norse logo.
- Trademarks last forever as long as they are renewed and used in commerce.
- Patents are for inventions. Patent documents provide names of inventor/s, description of patented device or composition of matter and legal description of what’s protected (claims). Often includes name of patent assignee (owner).
- Claims are the heart of a patent; they define exclusive rights, similar to how a real estate deed defines the dimensions of property.
- Life of a patent is limited to 15-20 years depending on the type.

IMPORTANT DIFFERENCE: Unlike copyrights, federally registered trademarks or patents are subject to approval by the US Patent & Trademark Office before being granted.
Trademarks Are Not Monopolies

- Trademarks are **brand names or logos** that identify the producers of products or services in the marketplace, so that customers can find what they are looking for.
- Trademark law prevents your competitors from using a name or logo that would confuse customers to buy their product or service instead of yours.
- But a trademark is not a monopoly.
- A trademark is used in connection with a specific good or service. **Different companies can use similar marks in connection with different goods or services.**

Common Grounds for Refusing Federal ® Registration

• Likelihood of Confusion is the primary obstacle when applying for a Federal registration of a trademark.
  • Marks are confusingly similar.
  • Goods or services are related.

• X-SEED for agriculture seeds versus EXCEED for live plants might be confusing for customers of such products.

• Meanwhile, Dove® soap should not be confused with Dove® chocolates.
Strength of a mark determines its registrability and protectability:

- **Strong marks** - serve as unique identifiers of source and distinguish goods/services of one source from another
  - High probability of being registrable and protects against infringement

- **Weak marks** – more commonly used by others to describe a characteristic or quality about the product/service itself not its source
  - Low to zero probability of being registrable and/or protectable
Examples of Strong Marks

- **FANCIFUL** – Invented words
  
  ![xerox](image1) ![Microsoft](image2) ![Cisco](image3)

- **ARBITRARY** - Actual words but don’t convey any association with the goods/services
  
  ![Apple](image4) ![GAP](image5) ![BlackBerry](image6)

- **SUGGESTIVE** - Suggest a quality or an intended/desired effect of the goods/services
  
  **Ex. COPPERTONE** for suntan lotion  **EVEREADY** for batteries
Examples of Weak Marks

• **DESCRIPTIVE** - Words or designs that describe the goods or services
  
  URBANHOUZING for real estate services
  
  APPLE PIE for potpourri

* Descriptive marks are less likely granted than distinctive marks

• **GENERIC** – Common everyday names for goods or services
  
  MILK for a dairy-based beverage
  
  LAWYERS.COM for providing online databases featuring information about the field of law and legal services

* Generic marks are incapable of being source identifiers; not registrable
Additional Possible Grounds for Refusal

- Some marks when initially refused might eventually be registrable after providing evidence of a **secondary meaning (acquired distinctiveness)**
  - **Surname** i.e., MILLER LAW GROUP primarily a surname for legal services
  - **Geographic** i.e., DENVER WESTERNS for western-style shirts originating in Denver

- Some marks require consent in order to be registered
  - **Name** or **portrait** of a **living individual**

- Some marks are **completely barred** from registration
  - **False connection**
  - **Deceptive**
  - **Generic**
TESS Database Searching: Prospective Registration

When selecting a mark, try to avoid likelihood of confusion.

The USPTO will only search federally registered marks. TESS database only contains federal marks.
For directions on searching trademarks in TESS, see [https://www.uspto.gov/learning-and-resources/support-centers/patent-and-trademark-resource-centers-ptrc/resources](https://www.uspto.gov/learning-and-resources/support-centers/patent-and-trademark-resource-centers-ptrc/resources)
A patent is a property right granted by the United States government to an inventor,

“to exclude others from making, using, offering for sale, or selling the invention throughout the United States or importing the invention into the United States,”
for a limited-time, in exchange for public disclosure of the invention.
Patentability

- Inventions that are **new, useful, non-obvious**, and **accompanied by a written description disclosing how to make and use the invention** may be patented.
Three Types of Patents

- Utility
- Design
- Plant

Source: http://www.wikihow.com/Make-Money-from-Your-Invention
In order to be sure that an invention is indeed novel and non-obvious, one conducts a prior art search before filing a U.S. patent application. Many searchers start off with a preliminary prior art search of U.S. patents and published patent applications. To be as thorough as possible, a preliminary prior art search is ideally a classification search of granted U.S. patents and published U.S. patent applications conducted to determine patentability of an invention. It can be supplemented with a keyword search, though there are pitfalls from relying only on a keyword search.
What is Prior Art?

Prior art consists of information disclosed to the public including:

- U.S. Patents and published patent applications;
- Foreign Patents and published patent applications;
- Journal and magazine articles;
- Books, manuals, and catalogs;
- Websites;
- Conference proceedings;
- Scientific papers.
Which Databases to Search?

- **USPTO website**
  https://www.uspto.gov/

- This presentation will demonstrate the Seven Step Search Strategy utilizing CPC classifications as suggested by the USPTO, found at https://www.uspto.gov/learning-and-resources/support-centers/patent-and-trademark-resource-centers-ptrc/resources/seven.

- Alternate database: Espacenet
  https://worldwide.espacenet.com/
Classification

• In general, a classification system is a system of hierarchical categories used to organize like “things” by their characteristics and relationships
• Classification systems are very useful for sorting and searching large collections of information, including inventions.
Why are keywords alone not enough?

• How would you describe this object if you were to do a patent search for it? Sponge-like? Floppy? Strands? Any other words which describe it?
GENERAL SPHERICAL OBJECT WITH FLOPPY FILAMENTS TO PROMOTE SURE CAPTURE

Inventor: Scott H. Stillinger, Los Gatos, Calif.
Assignee: OddzOn Products, Campbell, Calif.
Appl. No.: 60,640
Filed: Jun. 11, 1987
Int. Cl. 4 A63B 37/14
U.S. Cl. 273/58 K; 273/428; 446/268; 446/490
Field of Search 446/490, 901, 268; 273/58 R, 58 J, 58 K, 199 R, 199 A, 415, 428; 15/244.1, 244.3

References Cited
U.S. PATENT DOCUMENTS
2,290,216 7/1942 Steinmetz et al. 15/244.1
2,521,703 9/1950 Emmitt 273/58 K
2,789,305 4/1957 Well 15/244.1

Patent Number: 4,756,529
Date of Patent: Jul. 12, 1988

4,149,723 4/1979 Simon 273/428 X
4,522,396 6/1985 Girard et al. 273/58 K

FOREIGN PATENT DOCUMENTS

Primary Examiner—Richard T. Stouffer
Attorney, Agent, or Firm—Kolisch, Hartwell & Dickinson

ABSTRACT
An amusement device which has a substantially spherical configuration, and which is formed from a large plurality of floppy, elastomeric filaments that radiate in a dense, bushy manner from a central core region. The filaments are sufficiently floppy to collapse on impact, thus to absorb enough energy to avoid any tendency to bounce. They are also sufficiently dense and floppy that they tend to quickly thread their way between the fingers of a user on contact with the hand. These features promote sure and quick capture of the device during the act of catching.
Patent Searching at USPTO website

https://www.uspto.gov/
Search Example:
improvement in umbrellas

- **Purpose:** Umbrella has a new rib design to eliminate an umbrella collapsing or inverting due to high winds.
- **Invention:** An improvement in umbrellas to eliminate need for frequent replacement of umbrellas.
- **Invention Components:** Framework with ribs, stretchers and a main frame, securing rings, mounting brackets, joint connectors, fabric connectors, fabric, linkage bar.
- **How used:** As needed in protection from the elements.
- **Other terms (in addition to above):** Parasol, sunshade, support assembly or apparatus, windproof, wind-resistant.
Accessing CPC schema using USPTO website

From the USPTO home page, click on Patents tab under Find It Fast. Select Classification. CPC classification scheme (schedules) and definitions can be searched. Use specific language for your search terms, such as **umbrella**.
From the Search Results page, click on an entry for a Class-Subclass Scheme page.
Scan the Scheme

• Since the scheme (schedule) for Class-Subclass A45B is not long, you can scan up and down the page to find a relevant classification for a wind-resistant design.

• Or Find Command: **Control+F** on PC, or **Command+F** on a Mac, to search long listings.
Best subgroup match is A45B 25/22

<p>| | |</p>
<table>
<thead>
<tr>
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</table>
| A45B 25/00 | Details of umbrellas (…)
| A45B 2025/003 | Accessories not covered by groups A45B 25/24 to A45B 25/30
| A45B 25/006 | Automatic closing devices (…)
| A45B 25/002 | Umbrella frames
| A45B 25/04 | Devices for making or repelling
| A45B 25/06 | Umbrella runners
| A45B 25/08 | Devices for fastening or locking
| A45B 25/10 | Umbrella crowns (…)
| A45B 25/106 | Movable with respect to the shaft
| A45B 25/12 | Devices for holding umbrellas closed, e.g. magnetic devices
| A45B 25/14 | Devices for opening and for closing umbrellas
| A45B 25/143 | Automatic
| A45B 25/146 | With a crank connected to a rope
| A45B 25/16 | Automatic openers, e.g. frames with spring mechanisms (…)
| A45B 25/165 | With fluid or electric actuators
| A45B 25/19 | Covers (…); Means for fastening same
| A45B 25/183 | Covers with filtering or screening means for avoiding undesired radiation
| A45B 25/186 | Umbrellas with two or more covers
| A45B 25/20 | Windows in covers
| A45B 25/22 | Devices for increasing the resistance of umbrellas to wind
| A45B 25/24 | Protective coverings for umbrellas when closed
This CPC definition is unusual in that it relies entirely on patent drawing examples to illustrate the classification. There is no word description.
Retrieve and Review Issued Patents

We identified A45B 25/22 as a relevant classification for our umbrella invention.

Now it’s time to access U.S. patents that have been issued in that category to see if someone else previously came up with that idea.

Remember, if a claimed invention has previously been publicly disclosed in “Prior Art” such as a U.S. patent, you cannot now get a patent on it yourself, because the invention will lack novelty (newness).
Run the CPC search in PatFT (Patents Full Text)

https://www.uspto.gov/
Quick Search Form

• 1. Enter the CPC classification in the Term 1 Box (important: delete the gap in middle of classification A45B 25/22).

• 2. In the Field 1 drop down box select “Current CPC Classification” (important: do not select “Current CPC Classification Class” which limits search to the Class only portion of the classification).

• 3. For Select years, use drop down to select **1790 to present [entire database]**.
# Review Issued Patents

Click on patent Title or Patent Number to access Each patent.

---

**Results of Search in US Patent Collection db for:**

- Hits 1 through 50 out of 203

## Refine Search  CPC/A45B25/22

<table>
<thead>
<tr>
<th>PAT. NO.</th>
<th>Title</th>
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<tbody>
<tr>
<td>1 10,292,468</td>
<td>Automatic opening or closing umbrella</td>
</tr>
<tr>
<td>2 10,264,851</td>
<td>Wind-proof umbrella</td>
</tr>
<tr>
<td>3 10,097,909</td>
<td>Umbrella having an anti-inversion mechanism</td>
</tr>
<tr>
<td>4 10,064,462</td>
<td>Rope guiding device and walking stick chair having the same</td>
</tr>
<tr>
<td>5 10,039,357</td>
<td>Beach umbrella anchor with an integral shovel</td>
</tr>
<tr>
<td>6 9,866,799</td>
<td>Wind-proof dual canopy system</td>
</tr>
<tr>
<td>7 9,943,145</td>
<td>Protector for rib tip of umbrella</td>
</tr>
<tr>
<td>8 9,844,250</td>
<td>Anti-turning umbrella frame</td>
</tr>
<tr>
<td>9 9,829,268</td>
<td>Wind-resistant umbrella frame structure</td>
</tr>
<tr>
<td>10 9,826,807</td>
<td>Umbrella support apparatus</td>
</tr>
<tr>
<td>11 9,788,617</td>
<td>Pull rib of wind-resistant umbrella</td>
</tr>
<tr>
<td>12 9,756,912</td>
<td>Wind resistant umbrella</td>
</tr>
<tr>
<td>13 9,756,911</td>
<td>Wheelchair having an umbrella assembly</td>
</tr>
<tr>
<td>14 9,668,554</td>
<td>Umbrella having an anti-inversion mechanism</td>
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<tr>
<td>15 9,665,333</td>
<td>Umbrella having an anti-inversion mechanism</td>
</tr>
<tr>
<td>16 9,608,926</td>
<td>Umbrella having improved shaft and rib assembly</td>
</tr>
<tr>
<td>17 9,526,396</td>
<td>Umbrella assembly</td>
</tr>
<tr>
<td>18 9,456,044</td>
<td>Reverse folding umbrella</td>
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</table>
Review and compare the claims.
Reviewing Patents Found

We have reviewed the USPTO’s recommended Seven Step Strategy. It offers the potential for a thorough preliminary patent search. Here’s a link to that guide:

We have executed four of those steps. Searchers would continue on by reviewing the front pages of the patents, flagging the most relevant ones, and reviewing those in depth, including the claims.

The scope of this presentation is merely to highlight how you would retrieve relevant patents using both keyword searching and classification searching.
What about those claims?

• “Claims mark the boundaries of the protection provided by a patent, just as a physical boundary such as a fence, marks the limits of a parcel of real property.”
  –World Intellectual Property Organization

• Each claim is a single numbered sentence located in a patent document. It identifies fundamental inventive aspects.

• Other sections in the patent document, such as specifications, merely support the claims.

• Without strong claims, a patent is useless.
Examples of Patent Claims


Inventor background video: https://vimeo.com/86737256
A Single Solid Claim

• What is claimed is:

1. A measuring device, comprising:

a bottom wall and a generally vertical and encircling side wall having a lower edge and an upper edge, said sidewall defining an upwardly opening cup with an upper end;

a spout attached integrally to said sidewall; and

a pair of continuously sloping ramps formed integrally with and radially inward in relief from said sidewall, said ramps extending from about said bottom wall generally opposite said spout toward said open upper end generally adjacent said spout, wherein said ramp is coextensive with said spout, said ramp having an upwardly directed surface and indici located on said upwardly directed surface being at least one of standard and metric units of measurement providing a readily observable indication of the volume of the contents contained within said cup.

• Indicia [inˈdiSH(ē)ə]
Oxo Angled Measuring Cup

• What would you do? How would you compete with another patent to Hoeting’s Angled Measuring Cup without infringing?
• What claims might you come up with?
• NOTE: At right, Hoeting’s comparable reference to US Patent 5,397,036, Maiwald, 1995 offers a clue.
• We were only able to locate (next slide) two newer patents that attempted to provide similar utility function and outcome without employing the same claimed method from Hoeting’s US Patent 6,263,732.

• For more about drafting claims, see https://www.ipwatchdog.com/2016/06/11/introduction-patent-claims/id=69991/
Claim highlight:...a plurality of vertically spaced apart steps disposed inside the cup with each step having a top horizontal surface marked with volumetric indicia...
Primary claim highlight:...a reference member disposed substantially in a central portion of the space formed by the sidewall, the reference member having volumetric indicia that are at least partially upwards-facing; and a receptacle capable of receiving a substance, the receptacle formed by a portion of the space between the reference member and the sidewall, wherein the volumetric indicia of the reference member indicate a volume of the substance deposited in the receptacle...
• Search assignee fields in patent databases.
• Using patents found via classification clusters locates competitors’ patents from same field.
• Determine strength of patent by number of cited references by many later patents.
• Future trends could be explored by classification cluster of patents reviewed over period of time and same classifications for applications in process.
Best Practices and Outreach

- PTRC opportunities to extend IP awareness and information literacy for your library customers:

- Other outreach opportunities include scholarly communications departments, makerspaces, inventor and entrepreneur groups, authors and musicians, STEM instruction and presentations, etc.

- Open Access Week, and World Intellectual Property Awareness Day are added examples of turn-key programs to promote IP awareness to your customers.
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Contact Information

• John Schlipp, Intellectual Property Librarian
  • schlippj1@nku.edu
    • 859.572.5723

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