

INVENTORS

THE MAGAZINE FOR IDEA PEOPLE >

DIGEST

DECEMBER 2014
Volume 30 Issue 12
\$3.95

PROTOTYPING
PERFECT PRODUCT

INVENTORZ
NETWORK
IS THERE HOPE
IN FAILING?

FIRST LEGO
MEET TEAM
FABRICKATORS

PRO BONO
THE CLAIN
CONSTRUCTION

LANDER ZONE
WHY YOU NEED
A SELL-SHEET

A DOG'S BEST FRIEND

Joseph Sporn's inventions help
people, animals *and* himself



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EDITOR'S NOTE

Christmas Traditions

I'm a self-proclaimed Christmas geek. I love everything about it and trust me it's not about the gifts. It's the mental state of mind that comes through me and around me.

I remember my first year out of college living in a tiny apartment by myself. I was making what is now considered below the poverty level and couldn't have been happier. I was watching TV on my 10 inch B&W, gazing at my tree (bush maybe) that I'd cut down with my only kitchen knife, as the one strand of lights hung around the tree twinkling off my beautiful ornaments (24 for \$1.50) – and could not have been happier.

Now I ride the Polar Express train with my beautiful wife and two boys on the Friday after Thanksgiving and cut our tree down the next morning at the tree farm in the mountains. We race down the mountain and decorate the tree with thirty to forty of our good friends. I love it.

On Christmas Eve we write letters to our loved ones that are not with us anymore and let them float away tied to balloons. We then eat the Birthday cake we made for Jesus.

I told you I was a Christmas Geek.

As I was lying in bed with my eight year old before he drifted off to sleep talking about school, life, what he had coming up, etc. He mentioned how excited his school was about the upcoming Winter Party. Winter Party? Then I was reminded that every year as Christmas approaches we have seen the growth in acceptance for non-Christian holidays.

I understand people who have different beliefs may not want to celebrate what I do or have the same emotional feeling that I have. Honestly I could care less. I do believe in the spirit of Christmas and believe everyone has it in them no matter what you think or believe. Merry Christmas doesn't mean you have to believe what I do, just believe in the spirit.

Merry Christmas to our loyal readers and I want to hear about your traditions.

Happy Inventing!



Mark R. Cantey

VP & Associate Publisher



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DIGEST

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AY HELLO TO INNOVATION

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DHANA COHEN Co-founder of The Women Inventorz Network and the newly created Inventorz(VIRTUAL)Network. Dhana knows a thing or two about great innovation, as an inventor herself she struggled with who to contact, and who truly had her best interest in mind. Luckily she stopped inventing after several products and took her background in marketing and partnered with Melinda Knight, together they have developed the right connections, education and marketing for the inventor community. The new (VIRTUAL) InventorzNetwork.com is the only platform out there in the inventor industry, think Match.com meets Angie's List for the inventor industry.



EDIE TOLCHIN, known as "The Sourcing Lady" (SM), "invented" EGT Global Trading in 1997, with a goal to link U.S. inventors with Asian manufacturers, to provide an exclusive import service for sourcing, quality control, production testing and safety issues, manufacturing, international financing, air/ocean shipping, customs clearance arrangements, and dock-to-door delivery. Website: www.egtglobaltrading.com



JEFFREY G. SHELDON, is the founding partner of Sheldon Mak & Anderson in Pasadena, where his practice focuses exclusively on intellectual property law, including prosecution, litigation, and international and domestic licensing, as well as an arbitrator and mediator. In addition to California state and federal courts, he is admitted to practice before the Ninth and Federal Circuits and the U.S. Supreme Court, and is also registered to practice before the U.S. Patent & Trademark Office.



JOHN RAU, president/CEO of Ultra-Research Inc., an Anaheim, CA-based market research firm, has over 25 years of experience conducting market research for ideas, inventions and other forms of intellectual property. In addition, he is a member of the Board of Directors of Inventors Forum, based in Orange County, CA, which is one of the largest inventor organizations in the nation. He has been a contributor to *Inventors Digest* magazine since 1998. Mr. Rau can be reached at (714) 281-0150, or ultraresch@cs.com.

Market Research

tip of the Month

by John Rau

Do you have what it takes to be a successful inventor? This is really a two-part question.

1. Do you have what it takes to be an inventor?
2. Do you have what it takes to be successful?

With regard to the first question, the noted American inventor (automotive electronic products and others) Charles F. Kettering said, "An inventor is simply a fellow who doesn't take his education too seriously." This is probably true if viewed in the context that few inventions (cited statistics suggest less than 3%) ever make it into the marketplace and make money for the inventor. Thus, why invent, the odds are against you? Well, an inventor is a "different breed of cat" as implied by Joyce Smith, Business Columnist for the Kansas City Star in her column on February 7, 2007 where she stated, "Independent inventors come up with revolutionary concepts because they aren't constrained by conventional wisdom."

So what characterizes an inventor? Good insight is provided by the Edison Innovation Foundation in its article entitled "What Characterizes Inventors Like Edison", posted on September 14, 2011 (see: <http://www.edisonmuckers.org>). They suggest that inventors are characterized by the following characteristics:

- Not easily shaken by detractors – persistent in their work
- Passionate about what they do
- Willing to go against accepted thinking
- Visionary and intuitive – must be able to see beyond what already exists
- Quantitative and analytical
- Not afraid of risk
- Tolerant of ambiguity
- Have a well-developed sense of humor
- Know when to unleash own creative spirit
- Not afraid of failure – willing to learn from it
- Can see the creative links to the arts
- Focused on the future

- See the whole problem and key parts simultaneously
- Can sell their ideas to others
- Can build teams with multi-disciplinary skills to accomplish goals
- Know how to document and protect inventive work
- Can solve problems from a multi-dimensional viewpoint

Now, given that the above characteristics give us a descriptive answer to the first question, then what does it take for the inventor to be successful? Building on these cited characteristics, the Invention Idea Company (see "Have What it Takes to be a Successful Inventor" at <http://www.inventionidea.org/success-criteria>) suggests that to be successful an inventor needs to be able to answer "Yes" to the following eight questions:

1. Do you have the courage to make mistakes and learn from them? (Recall what Thomas Edison said? "I have not failed. I've just found 10,000 ways that won't work.")
2. Are you a gambler? – Being willing to consistently roll the dice to make your dreams come true is a definite prerequisite. Be decisive. Be prepared to stake everything on the choice you ultimately make.
3. Are you willing to look at all the options available regardless of how crazy they may seem to you at the time?
4. Are you looking for opportunities instead of guarantees? When an opportunity presents itself, you must move quickly and intelligently to capitalize on it.
5. When you hear the word "no", do you often try a different approach? (As Thomas Edison said: "There's a way to do it better – find it.")
6. Are you a team player? Chances are you don't know everything about everything which means that you need to surround yourself with great people that are knowledgeable in the areas you are not.
7. Are you ready to embark upon a great adventure with a definite goal regardless of its ups and downs? Perseverance is key when it comes to success.
8. Do you believe in yourself and your idea? You must have loyalty to your goals and truly believe in your idea, that is, you must be willing to commit yourself to fully making your idea succeed.

As pointed out in the Invention Idea Company article, "If you have answered "yes" to all of the above questions, then it sounds like you have the entrepreneurial spirit needed to help turn your invention idea into a marketable reality. However, only you have the drive to determine if your invention will become a success or failure." The famous American writer Sidney Sheldon said: "Don't give up. There are too many nay-sayers out there who will try to discourage you. Don't listen to them. The only one who can make you give up is yourself."



Contact John Rau at:
ultraresch@cs.com
714.281.0150

UNDER THE RADAR

1

Clean Flame

CleanFlame is known nationwide and beyond for manufacturing the cleanest burning firelogs and firestarters on the market made from 100% recycled "waste" material. The company uses a patented full-circle process known as the CleanCycle Process™ to divert waxed cardboard boxes from going to landfills after only a single use of transporting fruits and vegetables to the grocery store. Without adding anything at all, the company produces the cleanest burning products that go right back to store shelves around the country! CleanFlame products produce 86% less creosote and 50% more with almost no smoke or even scent. A single CleanFlame firelog will burn for up to 3 hours.

www.cleanflame.com



NEVALEAK

2



The NEVALEAK grease fitting is a totally new type of grease fitting and grease coupler. The NEVALEAK grease fitting seals by using a unique equal pressure system, the grease enters the side of the grease nipple not the top. The grease coupler has no moving parts this makes ultra reliable. The grease fitting is fitted with quality nitrile o rings this allows for very high pressure sealing up to 10,000 psi. The NEVALEAK grease coupler will never jam onto the grease fitting as there are no jaws in the grease coupler. Because

the grease coupler is jaw less it can move on and off the grease fitting thousands of times with virtually no wear.

<http://www.nevaleak.com>

3

TofuXpress

The TofuXpress Gourmet Food and Tofu Press is the result of solving a problem Marie Kraft had in the kitchen. The TofuXPress is an innovative kitchen tool that makes preparation of tofu easier and more versatile and also works with home-made cheeses, veggies, and more. TofuXpress presses moisture from tofu so that its texture is improved and its flavor can be easily morphed. It's also great for pressing liquid out of other foods such as sliced eggplant, thawed chopped spinach, tomatoes, cabbage, macrobiotic salads, home-made cheeses, and in thickening your own yogurt to greek-style. The TofuXpress is made of FDA approved thermoplastic and stainless steel, and is built to last. It is 100% made in the USA. This little gadget has improved the cooking lives of Vegetarians, Flexitarians, and Foodie's by making easy healthy recipes.

<http://tofupress.com/>

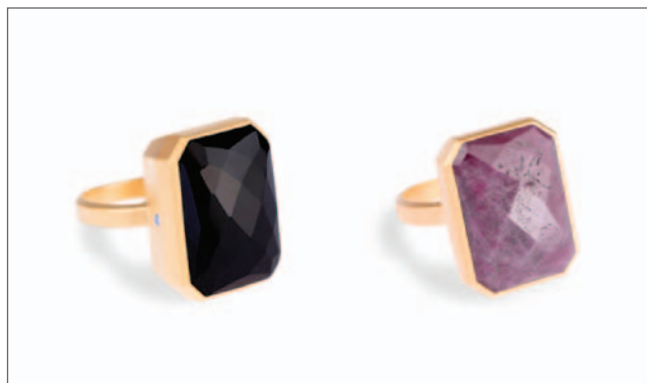


UNDER THE RADAR

4 Ringly Brings Smart Jewelry to Woman

The first wearable tech being marketed solely to women, the Ringly smartring will vibrate to alert the wearer to a call or text. The ring's notification-alert vibrations can be customized to signal who is sending the message, and a small stone on the side of the ring will light up in a different color depending upon what kind of alert has been received. Users can choose between an array of stones as the large focal piece, and band is made of gold-plated brass, which should allow the ring to complement most fashions.

https://ringly.com/?utm_source=AdWords&utm_medium=CPC



Artificial Blood Could be a Universal Donor

5



By drawing upon the body's own defenses for help, researchers have created an artificial blood substitute that could provide some relief for transfusion patients in developing countries. Many of the people who need blood transfusions live in developing countries, where the blood supply is limited and donated blood is often below accepted requirements. In response to this need, a team from the University of Essex is developing an alternative that can be stored for two years at room temperature and can serve as a

universal blood replacement, regardless of the patient's blood type.

<http://www.gizmag.com/artificial-blood-substitute-haem02/32465/>

6 Smart Fabric Sensor Solutions Provide 3D Maps of Data

BeBop Sensors' BeBop Wearable Smart Fabric Sensor is the first and only ultra thin wearable smart fabric sensor that measures all aspects of physicality, including bend, location, motion, rotation, angle, and torque. Employing BeBop's patented proprietary Monolithic Fabric Sensor Technology, BeBop fabric sensors continuously provide real-time reporting on force, x/y location, bend, twist, size, stretch and motion for markets, including clothing and protective wear, shoes, healthcare devices, athletic equipment, automotive, robotics, aerospace, gaming, biometrics, prosthetics, recycling monitors and appliance markets. Unlike other wearable sensors on the market today that only measure physiology (EKG, EMG), electrical conductivity or breathing, BeBop measures actual physicality to sense and display 3D maps of data.

www.bebopsensors.com



2 *Critical Steps to getting your NEW PRODUCT "out there"*

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UNDER THE RADAR

7

The Petalite Flux

This portable battery is a small pocket sized external power source, which invigorates all brands of mobile phone with a much needed recharge - only requiring a single charge of 15 minutes to house a complete day's charge! Built to completely banish a flat battery to the confinement of the dark-ages, the Petalite Flux comes with a universal USB out attachment to ensure maximum compatibility. Research & Development engineers at Petalite HQ have, effectively, micro-engineered the supercharge technology found in electric cars, so that it may be small enough to fit within your pocket or handbag making it a truly mobile mains electricity outlet!

<http://www.petalite.co.uk/>



UNDER THE RADAR

Vibrasee Whiskers Give Bikers Some Room



As part of a bio-mimicry challenge, a student team has created the Vibrisee, a set of 'whiskers' for bikes that gives riders a novel way to create their own bike lanes. The Vibrisee was designed to encourage motorists to think twice before trying to cut too close to the biker. Once the reflective whiskers have been installed on the front of the bike, they can be triggered to extend via a button on the handlebars. This extension helps to narrow the gap of any vehicle considering passing too closely, making them more aware of their proximity to the biker. The whiskers can also be extended from only one side, whereupon they will start flashing to signal a turn.

<http://www.psfk.com/2014/06/personal-bike-lane-device.html>

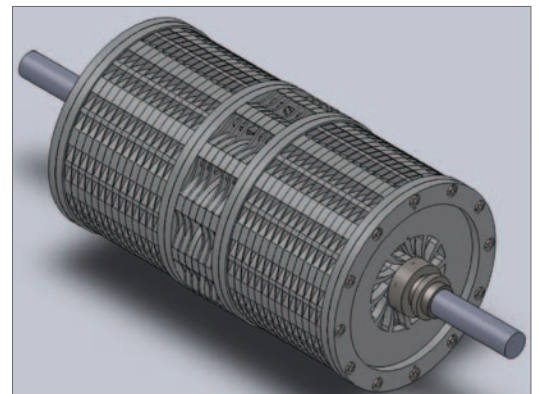
8

9

ACE Engine - No Lubricants!

The Axial Combustion Engine, ("ACE") for short, is a heat engine that consists of a rotor, with a rotor shaft, and a casing. The casing houses the Air manifold that routes the compressed air from the compressor to the engine cavities, the fuel injectors, supplying fuel to the engine cavities, the spark plugs, to fire each cavity, and the exhaust manifold that routes the exhaust gases out of the engine. The only moving part is the rotor and its attached shaft. "ACE" does not use lubricants or coolants, is cooled by the continuous air circulating in the compressor. "ACE" can be mounted at any position. The prototype is made of aluminum, which is light and easy to work with. But it could be manufactured out of any other metal. The "ACE" engine will burn gasoline, jet fuel, natural gas or any fuel that will ignite by spark."

<http://www.dukeengines.com>



UNDER THE RADAR

10 Carbon Nanotubes Harvest Water from the Air

A group of Rice University researchers have figured out how to do that: with forests of specially designed carbon nanotubes. The researchers started by looking at beetles. In the desert, the *Stenocara* beetle survives by using its wings, which stretch and capture water molecules from morning fog. After the water is collected, the beetle drinks the water and lives another day. The Rice team decided to create a forest of nanotubes to do the same thing. The top of the nanotubes attracts water from the air. The bottom of the nanotube repels water. The combination traps water inside each tube for later extraction. The best part? This process doesn't require any energy at all.

<http://www.dvice.com/2014-6-12/scientists-create-nanotubes-suck-water-air>



Vessyl Seamlessly Monitors What You Drink

11



The Vessyl joins the ranks of health and food monitors by automatically tracking not just how often you drink, but also what you drink. The Vessyl is equipped with an LED display that will activate when the cup is tilted for a drink. Sensors in the cup will identify the type of drink, as well as its amount of calories, proteins, fat, sugar and caffeine, and then display that data in an easy-to-read format on the LED display. When paired with the companion app, the Vessyl

will transfer the data via Bluetooth to a smartphone, allowing you to keep track of your fluid intake over time. The app can also be personalized to display certain details, such as how much caffeine you have had today.

<https://www.myvessyl.com/design>

12 SnapRays Guidelight Lights the Night While Leaving the Outlets Free

The SnapRays Guidelight quickly turns any outlet into a nightlight while leaving the outlets themselves free for other devices. Developed by SnapPower, the SnapRays Guidelight is equipped with three LEDs and is designed to replace the standard outlet cover. It draws its power without wires or batteries via the "Power Extractors" on its back side. These Power Extractors fit inside the electrical box and around the outlet receptacle, where they make contact with the screw terminals on the outlet's sides to draw

power from the receptacle without needing to be hardwired to the outlet. The SnapRays Guidelight is also equipped with a light sensor for automatic illumination when the room is dark.

<http://www.snappower.com/?gclid=CKjowO-DqMICFZPm7AodcVkJAvA>



UNDER THE RADAR

13

The Sleeve Lets Teachers Lock Doors from the Inside

Developed by a group of teachers, the Sleeve makes it easy to quickly lock a classroom door from the inside.



Created by teacher Daniel Nietzel along with a group of colleagues, the Sleeve is a response to the disturbing rise in school shootings and a potential solution to the lack of a way to lock a classroom door from the inside. The simple device consists of a steel piece that attaches to the top hinge of the door from the inside to prevent the door from being opened. The Sleeve is being marketed directly to teachers, whom Nietzel envisions carrying it a purse or storing it in a drawer for quick use while still keeping it out of sight of the class.

<http://www.fastcompany.com/3032251/fast-feed/this-elementary-school-teacher-designed-the-sleeve-a-contraption-to-lock-out-school>

Ekocycle Printer Recycles Plastic Bottles

14



Re-think and re-use your plastic bottles with the Ekocycle Cube 3D printer, a small 3D printer that allows users to print using post-consumer

plastic to create a range of designs. Developed by 3D Systems, the Ekocycle printer was created with support from Coca-Cola and will.i.am. The device features touchscreen controls and a pleasing aesthetic, and prints using the EKOCYCLE Filament Cartridge, which contains filaments made up of 25 percent of post-consumer recycled materials. Each cartridge contains about three PET bottles' worth of plastics, and the printer comes with designs for simple devices such as rings or phone cases.

<http://www.engadget.com/2014/06/17/ekocycle-cube/>

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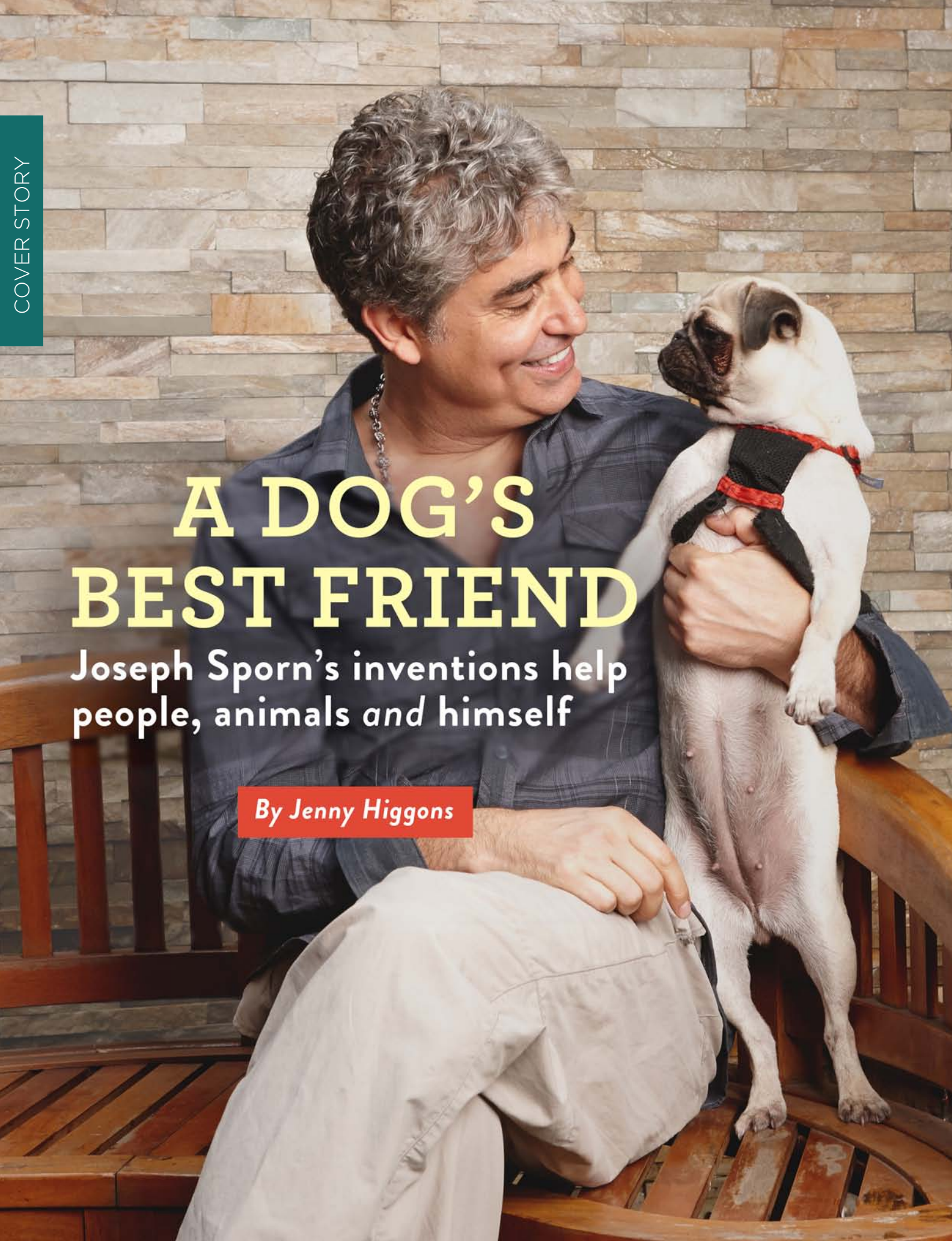
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UNDER THE RADAR

A DOG'S BEST FRIEND

Joseph Sporn's inventions help people, animals *and* himself

By Jenny Higgs



Inventor, designer and entrepreneur Joseph S. Sporn does his best creative work while in bed. That's because many of the ideas for his numerous inventions come to him while he's asleep. In fact, you could say that The Sporn Company, which is worth more than \$15 million, was literally built on dreams.

Sporn, who's the owner and president, envisions concepts two or three times per month while "stacking Zs" and then creates them while awake. "I see them already made, with actual moving parts," he says from his design studio in a converted brownstone on New York City's Upper West Side. "Part of me knows I'm dreaming, but if it's a deep dream, the other part doesn't even know I'm dreaming." Right after he wakes up, he writes notes about or draws the designs of his dreams. "And then I make what I saw. I have a visual of it in front of me."

Much of The Sporn Company's success stems from, Sporn says, its being the world's No. 1 manufacturer of dog-training and dog-control products, including the first harnesses ever recommended by the ASPCA. Sporn founded his corporation in 1999, after he designed and marketed the Sporn Training Halter and the Sporn No-Pull Mesh Harness, which are patented dog-training devices that have helped more than 10 million dog owners around the world gain control over even their most rambunctious canine companions. He has utility patents on a range of canine-restraint products.

Even Martha Stewart hankered to sell some of Sporn's pet merchandise. The domestic diva now licenses his products and has a range of dog-control harnesses. They're branded Martha Stewart by Sporn, with "Invented and designed by Joseph Sporn" on the packaging. Meanwhile, the venerable Toys "R" Us sells two Sporn products under its Toys "R" Us For Pets packaging. In October 2014, the Kong brand awarded The Sporn Company the contract to design, produce and manufacture Kong products for all PetSmarts. This is the highest tier of quality products PetSmart offers.

HARNESSING THE POWER

All of Sporn's training and restraining

devices use The Sporn Effect, a safe and humane control method. The company's halters and harnesses stop dogs from pulling by exerting pressure under their forelegs instead of their tracheas and larynxes. The restraints tighten underneath the front legs, which hinders the dogs from tugging. Because The Sporn Effect is patented, no one else can market an under-arm pull-control device.

"My No-Pull Harness is probably one of the most widely used tools in dog-training schools," says Sporn, who grew up in Brooklyn and lives in Manhattan with his wife and their three children. "It's my best-selling product; many people who couldn't manage their dogs are now able to."

Sporn's most recent training tool hit the market in May 2014. His No-Jump Harness was commissioned by PetSmart and is sold under Top Paw by Sporn, in PetSmart stores and on its website. When a dog leaps up, the Harness hinders his movement and conditions him from behaviors such as bounding onto people, beds, couches, etc. When not used as a training tool, the Harness' straps are easily detached and placed in a pouch in the front, leaving just a regular leash harness. Unlike a choke or prong collar, The No-Jump Harness exerts no pressure on a canine's larynx or trachea—the kind of pressure that can be extremely harmful or even fatal.

More than 10 million of these products have been sold in PetSmart, Petco (under the Petco label), and Walmarts in the U.S. and Canada (under the Sporn brand) as the featured brand of choice for training and pull-control. The Sporn Company's U.K. distribution organization, Company of Animals, supplies more pull-control harnesses and training harnesses in England than any British company that sells similar products.

As the largest specialty pet retailer of services and solutions for the lifetime needs of pets, PetSmart operates 1,289 stores in the United States, Canada and Puerto Rico. Petco is a leading pet specialty retailer that operates more than 1,300 Petco locations across the



All Photos by Eric Kellen-Garcia.

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U.S., Mexico and Puerto Rico. Each week, more than 245 million customers and members visit 11,000 Walmart stores under 71 banners in 27 countries and e-commerce websites in 10 countries. In fact, Walmart recently made a written commitment to have a Sporn brand block in all of their stores, making Joseph Sporn the first and only inventor of pet products to have this distinction in that store's history.

FISHY SITUATIONS

Joseph Sporn has dreamed up fun products for reptiles and fish as well. In 2013, PetSmart's largest features were products—totaling about 100—produced and designed by Sporn under an exclusive license from National Geographic. The most ingenious and sophisticated of those creations were backgrounds for fish and reptile aquariums.

Sporn used ground-breaking technology to craft a complete diorama (a process in which a photograph of a life-size location or object is made to look like a photograph of a miniature scale model) using lenticular backgrounds of three-dimensional printings of iconic National Geographic images (Mayan ruins, deserts, coral reefs, a rainforest) sold at PetSmart.

For example, a fish aquarium's diver wreck or a reptile aquarium's cave appears in 3D. The design includes substrates, which lie on the bottom of the aquariums and match the background. Sporn's custom-made ornaments—such as soldiers, dinosaurs, rock formations, plants and divers—in the tank's gravel match the National Geo background, producing action and dimension in the diorama.

"We make an entire diorama based on a background, so it's interactive," he says. "This multidimensional viewing experience is new in the pet industry and will transform the way people look at aquariums." Sporn didn't invent lenticulars, but The Sporn Company did. Working through trial and error, it put together the printing technology so it can be seen double-sided in an aquarium. "No one else has done that. It's more for the benefit



of the people than the fish. We just had to try to find ways to take the double-sided backgrounds adhere to and be seamless and waterproof."

Sporn even came up with a product aimed at insects. His patented safety tongs let humans pick up crickets without crushing their fragile legs before being fed to reptiles. Granted, the tongs are for the little guys as they're being led to their demises, but at least they won't suffer if they don't get eaten right away.

THE HUMAN CONDITION

Sporn's products aren't limited to canine, piscine and reptilian creatures. He's also thought up inventions for humans, such as a patented bra for women called The Perfect You®; a hand mitt for cleaning; and The Sporn Assist swimming harness for children.

"The Perfect You® is based on a dream I had two years ago of a mechanical harness made of moving straps," he recalls. "I saw the bodiless bra working and in 3D." Straps on the bra's side and top let a woman give her bust variable appearances by creating cleavage and lift, so she can decide how to present herself



at an given moment. The sizes span from small to large. "We did extensive testing with models of different ages and sizes, and they gave us their resounding approval. It's the most difficult invention I've worked on to date."

Sporn recently got a utility patent on it, "and if it sells," he predicts, "there will be a big stink in the bra industry, because big companies don't want me to compete with them, especially when they see I have mainstream manufacturing and distribution capabilities." Each bra will cost \$16 or \$18.

The hand mitt shoots steam out of the fingertips, allowing easy cleaning access to nooks, crannies and crevices. The steam emanates from a back pack filled with water and a cleaning solution.

The Sporn Assist is a hands-on swimming safety harness, not just a floatation device, that lets children learn to swim with confidence because they're physically attached to an adult via the harness. It instills a sense of safety for both child and adult. Sporn is waiting for the utility patent.

A DOG'S LIFE

Sporn is also hard at work devising, at the request of PetSmart, The Sporn Car Safety Harness for dogs. "The harnesses out there now are functional to a point," Sporn declares, "but only about two or three of them passed crash tests that were performed by The Center for Pet Safety." The Center is a registered 501(c)3 research and consumer advocacy organization dedicated to companion animal and consumer safety. "Most of the harnesses on the market today won't keep a dog

positioned in its seat upon impact; some of the harnesses break apart to some degree or completely. But with my design, the strapping absorbs the impact all over the dog's body, which might very well save their lives."

Sporn conceived the car harness during a dream, but not while he was in bed. "I was outside looking at a plant and got a visual daydream of a shape like a five-pointed lily pad. I then drew it on paper and saw that the five points meet at the junction on the chest and back. Nylon gets threaded through each point, so the dog's weight is evenly absorbed during a crash.

ANIMAL ATTRACTION

Sporn is no newcomer to the pet industry. In 1986, after attending New York University, Ithaca College and Cornell University, and earning a B.A. in linguistics, he knew he wanted to work with animals. So he got a job as an animal hospital vet tech and became a certified animal groomer. His true ambition, though, was to become a veterinarian, but he knew that his struggles with the required courses in advanced statistics and math would likely nix his chances of being accepted into vet school.

Sporn's first major invention—or "service," if you will—hit the scene a year later, in 1987, when he came up with Yuppie Puppy Pet Care Center, day care for dogs owned by upscale Manhattan residents. The Center was swamped with clients from the first day that Sporn posted flyers around the city that said, "Let your dog play while you are away! Tuesday night is movie night at Yuppie Puppy!" "I don't know if I was the first person to have thought of it," he says, "but I was the first person who carried it out in public."

With day care for dogs an anomaly in the U.S. at the time, the advent of Yuppie Puppy was covered by The New York Times, numerous national magazines, as well as television's CNN, Good Day New York and 20/20. Sporn also appeared on many TV talk shows.

After 25 years of serving thousands of Manhattan's most discerning clients—"it was

very, very hard work," he remembers—Sporn put Yuppie Puppy on hold to concentrate on creating products for pets, mainly dogs. "I'll go back to it eventually, but with all of this pet-products business coming in, that's what's calling me now."

With the founding of Yuppie Puppy Pet Products, Inc., in 2001, Sporn has invented dozens of training products, toys and treats for dogs. "If I can make a dog's life better, then I'm a better man. If I can make a dog's life happier, then I'm happy. As young as I am, as old as I become, my single purpose will be to provide for dogs." Sporn's love of dogs was ignited by his relationship with Penny, an Airedale and his first dog when he was a child. "The neighborhood I grew up in was rough, and she was my best friend."

IN THE BEGINNING

Sporn has been thinking up inventions for more than 30 years. His initial brainstorm for an invention percolated during college years.

"My first idea was for a cold tester," he remembers. A what?

"While sitting in the classrooms, I noticed that kids who had the sniffles and sucked the mucous and its germs back into their noses started coming down with colds. Meanwhile, the kids who blew the mucous and germs into tissues right away didn't get colds. Even though it was a predictable sequence of events, people weren't aware that it's best to blow out that mucous when it first shows up. My idea was to get samples of those first drips using a cotton swab and do a kind of a litmus test. If the sample turned into a color indicative of a cold, the sniffers will then know to take precautions to try to prevent the sniffles from turning into something worse."

That concept never came to fruition, but it did lead him to his eventual career path.

ON THE HORIZON

Though Sporn has already created dozens of various items, inventing toys and training tools for pooches is his focus, and he's not done yet. Other inventions swirl in his head. For example, there's what he calls "the

anesthetic needle."

It's a syringe whose exterior surface is coated with a local anesthetic that numbs the inside of a vein so the patient experiences no discomfort when the needle is removed. "To be able to make that process pain-free would be a definite plus," says Sporn. He'll employ the same process when creating urethral catheters for children and adults.

Then there's his match-making idea, which isn't even close to reaching the drawing boards but intriguing nonetheless. Based on the theory that people's romantic attractions to each other lie not only in their appearances but also their biological and chemical compatibility, Sporn wants to create a data bank that holds humans' chemical makeups, with the result being that people can be matched with their perfect mate, or at least narrow down the possibilities, based on their chemical attractions.

Sporn says that this match-making notion came from all of the time he's spent working with dogs and observing their canine pack behavior. "I noticed that certain dogs naturally gravitate towards each other after having just met," he explains. "They cuddle with each other and form symbiotic relationships that are partly based on chemical reactions in their bodies; they fit into each other like puzzles." He then wondered what factors drew animals to each other and how wonderful it would be if he could apply compatibility chemicals to relationships—platonic or romantic—between humans. What magnetic force, so to speak, makes humans' platonic and romantic relationships bloom?

"I've thought about it a lot over the years," he says, "and no one has done the research yet, but the chemistry of humans' attraction and repulsion to each other is fascinating; it goes hand in hand with being attracted to looks."

So what motivates Sporn to create all of this stuff? "I'm driven by seeing objects that want to be made, and that are products that would help and improve the lives of others as well as my own. I like caring for living things. Inventing things whose core elements make people's lives better gives me purpose in life, and I feel a responsibility to make them. I'm lucky that they work and that a lot of people want to buy them. And inventing is fun!"

protoTYPING

By Jeremy Losaw

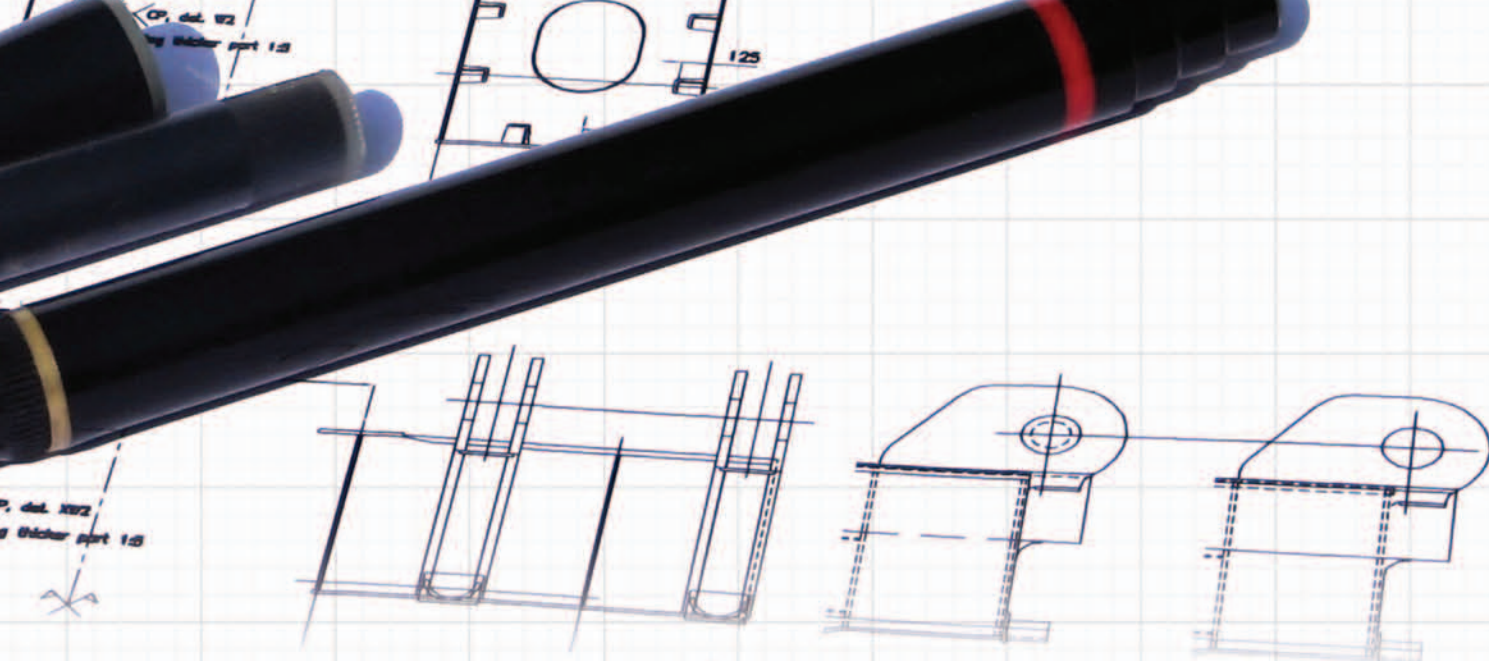
A 'Perfect' Product Idea

Some inventors strive to come up with good ideas, while others strive to find the perfect idea. Inventor Brandon Dierker has a perfect idea, and it is called the "Collar Perfect". The Charlotte, NC resident has come up with a small format ironing device to help men and women do spot ironing of shirts, pants and skirts. He has teamed up with the Edison Nation design team to help develop the product idea and after just a few months of design and development, is on the verge of taking his perfect idea to market.

Like many entrepreneurs and inventors, Brandon got his product idea from a struggle identified in his daily life. He has a demanding 9-5 job and deals with clients on a day-to-day basis. He needs to look fresh for meetings and he found that his shirts were not holding their crisp collar lines after a few wash cycles. After years of going to meetings with floppy collars and wavy plackets he decided to do something about it. He wanted to create a small iron that would warm up quickly and could be used to do touchup work on shirts and pants



whether he was on a business trip or starting his day from home. After doing some research he found that some people were using commercial hair straighteners to iron their collars. He tried this method and it was helpful, but he found that the geometry of the device and the heat levels did not suit ironing clothing. He made some sketches of



how to improve the iron to suit clothing and brought his idea, and wife's hair straightener, to the EN shop to help him bring his vision to life.

When the EN design team met with Brandon and heard the idea, we knew it was going to be a great project. Brandon had an immense enthusiasm for the idea and the market for the device seemed really large and underserved. After hearing all of his research and prototyping work, two things were apparent. The first was that using heat to iron clothes is a well-established technology and we knew we would have plenty of existing products to use as inspiration. The second is that there was plenty of creative latitude to house the heating technology into a platform that would add value to the idea.

At the beginning of the project, the EN design team split up into two groups. The industrial designers set off to explore how to exploit the form of the device to effectively harness the idea, and the engineers delved into the nuts and bolts of the heating technologies. We looked at the existing market for hair straighteners, irons, and mini irons and bought about 10 different products. The designers used them to assess things like weight and ergonomics. When the designers were done, the engineers measured the temperature of each iron and disassembled each one to evaluate the mechanisms and electronics housed in each unit.



Disassembly of a commercially available hair straightener

Once we had a baseline of the existing product, the real task of designing it could begin. The design group made a group of foam form models which explored different sizes and shapes to effectively iron the different areas of shirts and skirts. There were long and skinny versions, short and fat versions, and different tip geometries like



Early foam form model showing the hinging mechanism

wedges and paddles. These simple models were used to faux iron everyone's shirts in the office. It became clear that it was easy enough to get a good shape to iron collars and between buttons, but we had no way to do any flat ironing. Then one of the industrial designers made a model with hinged tips that could be used similarly to a hair straightener to do collars, but would also fold out flat to iron on large surfaces. This made the product from a potentially niche laundry product, to a laundry solution. The EN team was excited by the breakthrough and when presented to Brandon, he loved it too and decided that he wanted the product to use that technology.

The next step was to make a concept model of the device. This step was necessary to make sure that we could incorporate the electronics, buttons, heaters and hinges in the form factor that we wanted the product to have. We made some quick CAD models of a rough product shape and printed them 1:1 on a paper printer. Then we used those prints to carve the shape out of machinable foam to get the right dimensions. Then we hollowed out the shape to make room for some electronics that we ripped out of a hair straightener and made some faux heat plates on the Omax waterjet. Then we added some hinges and we had a crude 3D non-working prototype of what the product could be. This gave us a good baseline to know that it was big enough to house all of the elements. It also gave Brandon a tool to share with confidants for feedback and approach investors to fund further development.



The concept model of the Collar Perfect



Alpha prototype build

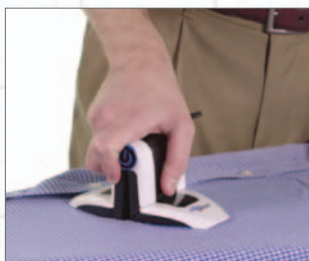
Now that we had a great concept for the product and a good idea of how all of the components would be packaged, it was time to design a proper alpha prototype. The design team came up with a modern looking "high tech white" form for the product, and the engineering team used the sketches to start creating the CAD model for the product. Kurt Jordan, the electrical engineer, designed the circuit board

and fed the shape of the board back to the lead mechanical designer, Patrick Bailey. Patrick designed the components, integrated a nifty locking hinge for the flat iron function, and integrated all of the components into the design. The plastic parts were 3D printed, the heating plates were borrowed from a hair straightener and heat plates were cut and welded together from sheets of aluminum. Our prototyping guru, Chris Gabriel, gave it a professional paint job, and we presented it to Brandon.



Collar Perfect alpha prototype in flat iron mode.

Like any alpha prototype, it had a few issues. The LEDs for the heat settings are not bright enough, the main spring is not stiff enough, and there are improvements to be made to the way the parts all fit together. However, it was a great first shot at a fully



featured product, and most importantly it was a great learning tool to take into the next steps of the development.

With the help of the Edison Nation team, Brandon is well on his way to getting the Collar Perfect on the market. There is still another round of prototyping and sourcing work ahead, and like any startup, funding is key to getting the product to the finish line. The Collar Perfect has now launched a Kickstarter campaign where you can view the video and support it if you like it.

Hidden in plain sight is a great way to describe many innovations, and the Collar Perfect fits perfectly into this category. Brandon had a problem in his life that kept popping up and he had the drive to go out and find a solution that works great and has a huge potential market. While there are plenty of challenges ahead, with the help of the EN team, we expect the Collar Perfect to be a great success.



Visit Jeremy @
<http://blog.edisonnation.com/category/prototyping/>

International Housewares Show 2015

Inventors who want to test the waters of interest with manufacturers and retailers without a heavy financial investment find a safe harbor with the Inventors Corner Pavilion at the International Home + Housewares Show held annually in Chicago. The Show is owned and operated on by the not-for-profit International Housewares Association (IHA).

Created more than a decade ago as a way to showcase innovation and newness in the industry, the Inventors Corner has grown to be a premier destination point at the Show for buyers, news media and exhibitors. Beginning with just a dozen inventors and their creations, the Inventors Corner now features 60 companies spanning the breadth of Show categories from tabletop and kitchen products to general merchandise and pet supplies to health and beauty and home hardware. Many buyers make this pavilion their first stop at the Show.

In addition to the industry exposure, Inventors Corner exhibitors receive a free product evaluation during the "Pitch to the Pros" panels in the Inventors Revue, an educational destination adjacent to the Corner. The Inventors Revue features industry experts offering advice on product development, packaging, licensing, marketing and other issues interspersed with the professional review panels all Show days. The "Pitch to the Pros" panels include executives from the direct response industry, catalog buyers, international retail buyers and the news media. Post-Show, inventors may have their product featured on IHA's website, www.housewares.org and promoted in IHA communications to members.

Another opportunity for Inventors Corner exhibitors this year is "The Big Pitch with Kevin Harrington." All Show exhibitors will be invited to submit their new products for a chance to pitch them to Kevin Harrington of "Shark Tank" fame and be included in an infomercial features the best new products from the Show.

Throughout the years, several inventors have found success for their products because of their participation in the Inventors Corner and others have gone on to take exhibit space on their own in their appropriate Show category.

Can we mention a few companies from last year?

Success for Inventors Corner exhibitors may also come in the form of media coverage of the Show. For example, producers from the Food Network program "Invention Hunters" attend and have selected inventors from the pavilion for their show, including the BuBi Bottle. The program works with housewares supplier and Show exhibitor, Lifetime Brands, Inc., to bring kitchen tools and accessories to market.

The 2015 International Home + Housewares Show will be held March 7-10 at Chicago's McCormick Place. Booths are still available in the Inventors Corner Pavilion. Inventors interested in exhibiting should contact Ginny Costello of IHA at gcostello@housewares.org or Stephanie James, Inventors Corner Pavilion Coordinator, at inventorscorner2014@gmail.com. For more information about the Show, please visit www.housewares.org

What You Need to Know!

The International Home + Housewares Show is the world's largest marketplace of housewares and home goods. With more than 2,100 suppliers from around the globe, the Show is the one event you need to attend to find the unique and distinctive products to make your business successful.

Show Hours:

Saturday, March 7 – 10 a.m. to 5:30 p.m.

Sunday & Monday, March 8 - 9 – 8:30 a.m. – 5:30 p.m.

Tuesday, March 10 – 8:30 a.m. – 3 p.m.

A Power Hour from 5:30-6:30 p.m. on Saturday through Monday offers exhibitors and buyers an opportunity to extend their meetings for an additional hour after the 5:30 Show close. Appointments are encouraged.

Special displays, events and highlights this year include:

Hall of Global Innovation, Lakeside Center: Located in the Level 3 lobby, the Hall features these exhibits: Pantone ColorWatch, Going Green sustainability display, Global Innovator Awards (gia), IHA Student Design Competition and IHA Innovation Awards display.

IHA Innovation Awards: Exhibitors' latest creations and cutting-edge innovations receive recognition in the annual IHA Innovation Awards for new products. Finalists are spotlighted in the New Product Showcases located in the Buyers Club in each building. Winners will be announced at 4:30 p.m. Saturday, March 7 in Room E350.

Innovation Theater: Located in Room E350, theater presentations begin on Saturday morning and go through Tuesday afternoon. Speakers will share their in-depth knowledge of important issues such as the crucial role of design, social media and other industry metrics.

2015 Buyer Reception: Monday, March 9, 5:30 – 7:30 p.m., Vista Ballroom/Room S406A and open to all Show buyer attendees—both U.S. based and international. Hosted by the International Business Council (IBC).

Show Mobile App: Download the free app from the iTunes Store, Google Play or Blackberry App World. You can search for exhibitors by name, categories or products; link from an exhibitor's profile to their location on the Show floor; learn about Show events, scroll through the Innovation Theater sessions or obtain a list of celebrity chefs appearing in the Cooking Theater.

Show Enhancements:

New Exhibitor Preview! – Buyers and news media can start their Show early with a visit to the preview from 8:30 – 10 a.m. on Saturday morning before the Show opens. Take advantage of this opportunity to see new products from 60 first-time exhibitors. The New Exhibitor Preview! is conveniently located at the Show's South Building entrance in room S100.

Discover Design: See more than 100 exhibitors of the latest in high design from Europe and around the world. Make your first stop the Discover Design Gallery to view all the innovative entries in this invitation-only section of exhibitors. Learn more at <http://www.housewares.org/show/discoverdesign.aspx>

Cooking Theater: Celebrity chefs will demonstrate their cooking techniques in presentations each Show day. Stop by and see your favorites.

Specialty Retailer Consulting: Specialty and independent retailers can sign up for free, one-on-one 45 minute consulting sessions during the Show beginning on Saturday morning and running through Tuesday. The sessions offer individual advice on important business topics so you can bring your questions and challenges and get ideas for solutions.

Consulting topics include:

- Best public relations programs for your business.
- Understanding the ICLOUD.
- Conceptualizing ideas into a profitable business
- Getting noticed in a mobile, customer-centric retail world.
- Solving the problem of acquiring new business while retaining repeat business.
- Loyalty programs.
- Engaging customers in and out of the store.

The sessions are free to Show attendees but you must sign up in advance at www.housewares.org/show/attend/spretcons.aspx

Show Seminars: All programs will be held in S100/Grand Ballroom, South Building



Innovation Divaz Melinda Knight & Dhana Cohen from the Women Inventorz Network

Dhana Cohen is the co-founder of www.inventorznetwork.com the only connection platform in the inventor industry. From Media to Pitch sessions, to Industry Experts and Buyers, Dhana & Melinda have created an amazing network for all to get involved in!

Is There Hope from Failing? One successful Inventor says yes.

As an inventor his entire life, Akos Jankura knows a bit about the bumps in the road of inventing. He's now a successful entrepreneur with his own radio show My Cool Inventions and he now has the wisdom to lend support to inventors starting out.

Early on as an inventor his biggest frustrations, like many of us, is that others didn't have the same enthusiasm. Friends and family rarely have the same passion about your product and probably never will. Remember you are the only one that will ever have that excitement, so taking your passion and determination and use that as your fuel. The blood, sweat and tears are what sets the successors from the ones that fail. And failing can be of incredible value too!

For Akos hearing those nay-sayers was a driving force to prove his product(s) had staying power. In fact, it made him work harder to prove them all wrong. With



Akos Jankura



his S20 Laundry Sheets his product "made it" to HSN, yet you may not believe the story and how it unfolded...

Every rep and company that saw this unique and effective alternative to laundry detergent praised his idea and promised to get it to the top of the Home Shopping world. With these promises came a huge decision for Akos. Many inventors fall for the traps of promises and will spend money they don't have, or put in a marketing plan or budget.

Something in him knew he had to stick to his belief and say "no." Akos asked himself "why should I have to pay if these Shopping Networks really want my product?" His intuition served him well. Akos has had a long successful career building products into brands and becoming his own personality on TV and radio. All without paying upfront.

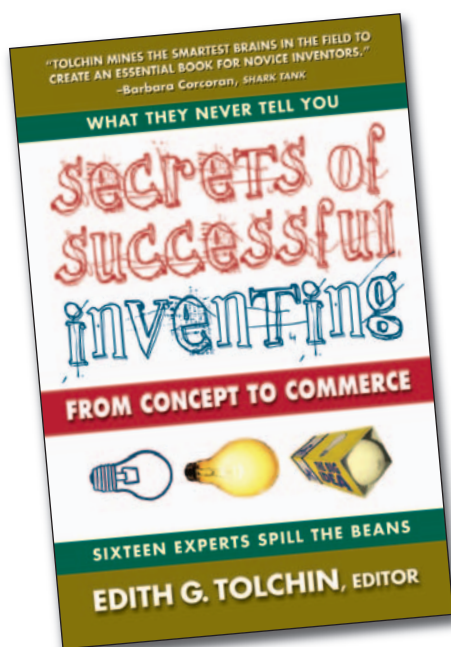
Failing as an inventor is probably more the norm than not, and failing at different stages is where one should take note. Is it determining the price of your product without taking into consideration the costs of doing business with retailers? There are many factors which retailers need to have in place before doing business with inventors. Such as; EDI (Electronic data interchange), fulfillment, packaging and liability insurance just to name a few. These are areas of extreme importance in determining your cost from wholesale to retail margins. Making the 250% mark up margins are a vertige from the old days. Failures in calculating your cost of doing business and the assumption of profits is where many inventors fail.

So how do you take this concept of failing, whether it be from the nay-sayers, the business insiders taking upfront money with promises of gold or even the margin game and assuming your profit. Research and educate yourself to take your dream off the "fail" shelf and bring it back to life with a bit of hope.

Just as the adult in us would say, "if I only knew yesterday, what I know today, I would have been a wiser teen!" Learn from your mistakes and create that next great invention!



Contact Dhana @
www.inventorznetwork.com



THE SECRETS OF SUCCESSFUL INVENTING REVEALED!

NEW FROM SQUARE ONE PUBLISHERS

Guided by the sure hand of editor Edith Tolchin, 16 of the most successful experts in the field of inventing offer invaluable advice and insight to would-be inventors everywhere

Ms. Tolchin has created an all-in-one guide that addresses the many critical issues that beginning inventors need to consider. From prototyping to patenting, from licensing to marketing, each expert gives clear and practical advice to help inventors reach their goals. The book presents information in a logical sequence that will allow the fledgling inventor to navigate the waters of product development. By following the steps offered and by heeding the words of these seasoned professionals, the reader will be better able to avoid pitfalls and find success at journey's end.

Normally, novice inventors spend thousands of dollars attending lectures and workshops that they hope will prepare them for the challenges that lie ahead. In *Secrets of Successful Inventing*, Edith Tolchin provides a useful resource that will empower you to take your idea to the next level.

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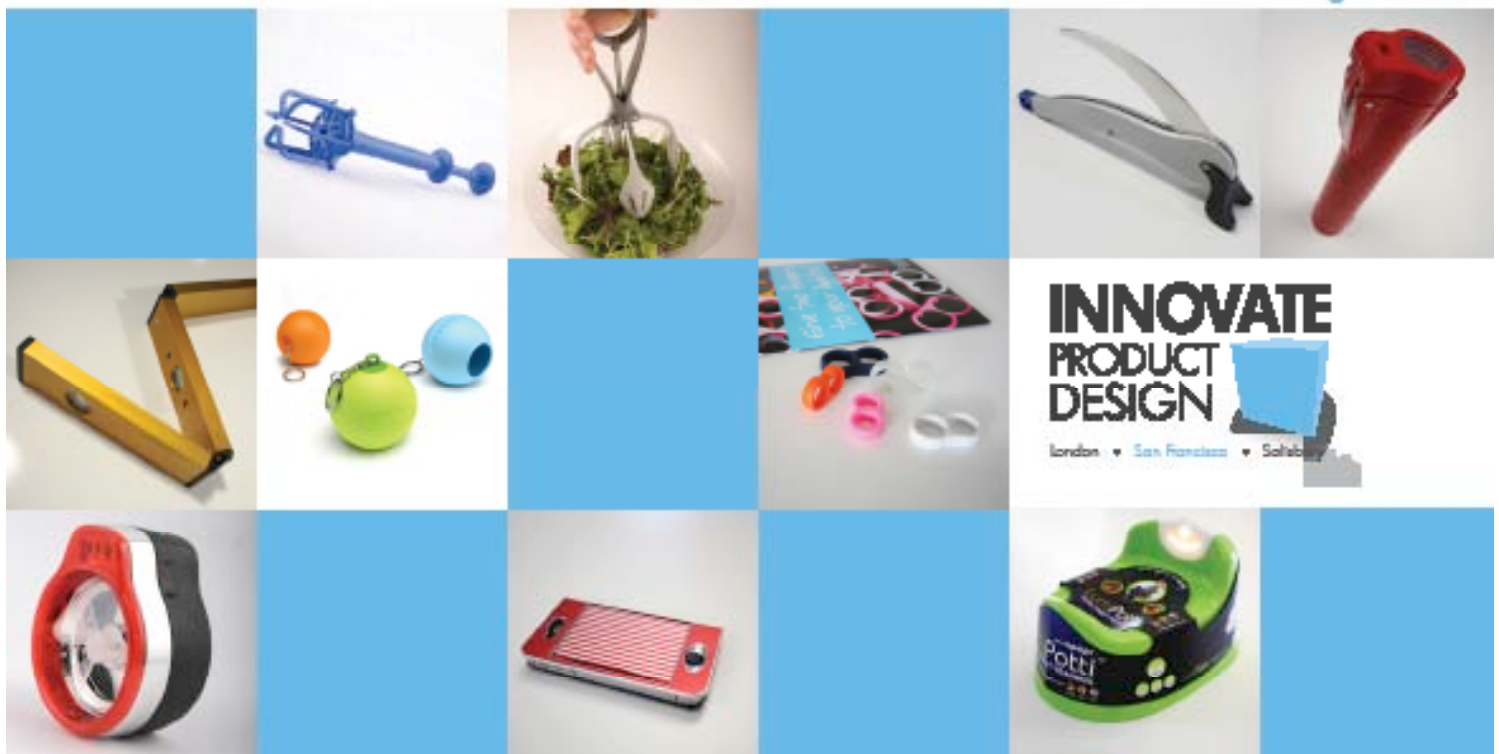
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TEAM FABRICKATORS



Edison Nation is pleased to partner again with FIRST Lego League for their annual Global Innovation Award. Ten teams from across the country were selected as semi-finalists in this year's *Nature's Fury* Contest. This month we're spotlighting the Team Fabrickators from Pennsylvania.

Our invention is an electronic measuring device that measures water depth with a water-pressure sensor that uses printed technology. It would be permanently installed in areas that are prone to flooding, and will transmit the data to cell phones and the Internet.



ID: Who is your favorite inventor and why?

Our favorite inventors are Leonardo da Vinci, Nikola Tesla, and Thomas Edison. da Vinci was ahead of his time and made a great diversity of inventions; Tesla laid the groundwork for all kinds of electricity products we use today; and Edison patented over 1,000 technologies, many of which we use to today!

ID: What inspired you about this year's Nature's Fury challenge?

Natural disasters affect so many people every year and every time they do we desperately want to help. We were able to speak with a local meteorologist who expressed great concern about flooding and after experiencing firsthand the damage that flooding could cause while visiting the DNCR at the Delaware Canal, we committed ourselves to finding a way to help. We learned a lot about emergency preparation from the American Red Cross and our local 911 center and from there we were able to develop our idea.

ID: Tell Inventors Digest about your team...how did you all come together?

Our team is made up of 2 girls and 5 boys, ages 9-13, and we all knew each other from school. Our parents had all heard about FLL and after some research wanted to take our mutual passions for science, Legos, and building new things to create a team, which we officially formed in 2012. We had so much fun during the "Senior Solutions" challenge that most of us decided to participate in "Nature's Fury", adding a few new team members along the way.

ID: Did you encounter any problems or obstacles during the Nature's Fury challenge?

Our biggest challenge was merging a diverse array of personalities into one cohesive team. We had trouble picking one disaster to work on and then how to approach the problem. There were so many ideas that we couldn't agree on what to do all the time. As we got going, however, we found a way to stay focused and work together on what needed to get done. We had some technology glitches here and there, but in the end we were able to put together a project we could all be proud of.

ID: How did the team problem solve together to invent, and what has it taught you?

The most important part for us was figuring out how to get everyone's voice heard and then how to get everyone involved in the work. We listened to everyone's ideas and discussed them and after that we assigned tasks to team members based on individual strengths and specialties. Working with one another on this project has definitely

shown us the importance of teamwork as we could not have created what we did by ourselves. Through a variety of team building activities and challenges throughout the year, we were able to fully work as a group on one collective goal.

ID: How does it make you feel to create something new?

It feels great! Being able to help people in a natural disaster with an early warning system that no one has ever created is something we all are very proud of. It is an electronic measuring device that measures water depth with a water-pressure sensor that uses printed technology. It would be permanently installed in areas that are prone to flooding, and will transmit the data to cell phones and the Internet. County control centers would use a network of our devices, installed in various locations along creeks, streams, and roads to get a detailed map of floodwater height, as well as the rate of rising/falling water levels around the county. From there, the center could then send emergency responders to evacuate citizens, close roads, and electronically send public service announcements all in an efficient and timely manner. Historical data of flooding will also be recorded to better understand how flooding patterns constantly change with factors such as erosion and land-use changes.

ID: What do you all want to be when you grow up?

We want to be engineers, a future game designer, an architect, a professional golfer, a computer programmer, and a chemical engineer.

ID: If you win the Global Innovation Award, what's next for the team?

We hope to work with Edison Nation to see if our product is original, viable and marketable. We would like to continue our collaboration with PA DCNR to develop, make, and install our device around the Delaware River Basin and other areas prone to flooding.

ID: What advice or words of wisdom would you give other FLL innovators?

There are no dumb ideas so keep on going! Don't be afraid to think outside the box. Teamwork is the key!

ID: What do you think is the most important invention of your lifetime?

We think the most important inventions of our lifetime are: 1. Google, as it revolutionized the information age and because it's international, currently used by 70 different countries; 2. Wireless Internet, as it allows people to do so much more; 3. Netflix because you can stream movies instantly!

Will the Inventor of the Handheld Cash Register Ever Cash-In?

By: Aaron S. Lukas, Ph.D., Esq.

The law of unintended consequences has been a heavy burden on patent enforcement over the last Go to any grocery store, gas station, department store, or even taxi cab and chances are, if you pay with plastic, you'll swipe your card on a point-of-sale ("POS") device. These devices are now ubiquitous, and have enabled a dramatic expansion in the use of credit and debit cards. However, twenty years ago the handful of companies that manufacture these devices made up a nascent industry. While these companies could see where the future might lead, the limited computing power and bandwidth available at that time made their widespread adoption anything but a sure thing. These companies needed shrewd programmers to invent ways to make it easy and cost effective for banks and retailers to adopt their technology.

In the early 1990's, Ian Ogilvy was one of the leading experts in the world on the development and testing of software for POS devices. Born and educated in Australia, at that time, Mr. Ogilvy was a consultant for POS manufacturers in London, Paris, Hong Kong, and the United States, as they attempted to develop products having greater speed and reliability.

One of the major problems that confronted the manufacturers of POS devices was that the software for each device was custom made. That is, software for one manufacturer's device would not work on a competitor's device. And in many cases, software that worked on a first device from a manufacturer would not work on other devices from that same manufacturer. As a result, every time a customer (usually a bank) wanted to modify the functionality of a device, the software had to be rewritten, tested, and verified. This meant that even the smallest of changes could take weeks or months to implement.

At some point, Mr. Ogilvy realized that new product development would be significantly more efficient and less expensive if the software operation was separated from the hardware of the POS device. He did this using a specialized virtual machine that contained, among other things, separate function and message processors. This invention allowed a single software program to run on different POS devices. And it allowed a programmer to implement a single change in the software that could be applied across different devices, which dramatically decreased development time and costs.

Based on this idea, Mr. Ogilvy and a partner founded a company they named CardSoft. The company filed its patent application in March of 1997, which resulted in two U.S. patents—Nos. 6,934,945 and 7,302,683, which issued in 2005 and 2007, respectively. Unfortunately, in the wake of the dot-com bust, and before all of its patents issued, CardSoft went out of business. After the last of CardSoft's patents issued, CardSoft's Assignment for the Benefit of Creditors (ABC) filed lawsuits in 2008 against POS device manufacturers VeriFone, Ingenico, and Hypercom, several of which Mr. Ogilvy consulted for 20 years earlier. In 2012, a jury in the Eastern District of Texas returned a damages verdict of \$15.4 million against VeriFone. VeriFone appealed, and on appeal its main argument was that the district court judge misinterpreted the claims of the patents. Last month the Federal Circuit, which has been the sole court of appeals for all patent cases since 1982, agreed with VeriFone's argument and vacated the damages award.

The Question of Claim Construction

The story of CardSoft is not an anomaly. Indeed, the Federal Circuit at present reverses claim constructions by the lower courts in about 1 of every 4 cases that go to trial. This is largely due to the fact that the Federal Circuit grants no deference to a lower court's interpretation of patent claims. Instead, the Federal Circuit undertakes a de novo review of a district court's interpretation of the claim terms, which has been the law since 1998. The de novo standard of review for claim construction was affirmed by the Federal Circuit in 2014. The United States Supreme Court mandated that the interpretation of patent claims is a question of law that is reserved entirely for the court, not a jury. Conversely, the

appellate courts must give due regard to factual findings made by a court (or jury), which may not be set aside unless clearly erroneous, which is prescribed by Rule 52 of the Federal Rules of Civil Procedure. Not surprisingly, the losing side in most patent cases will focus its appeal on issues that involve a question of law, such as claim construction, which the Federal Circuit reviews *de novo*.

The unstated goal behind *de novo* review of claim construction is to ensure that uniform principles of claim interpretation are applied across the district courts. However, more than *de novo* review, it was a Federal Circuit case from 2005 (Phillips v. AWH) that has provided the clear guidance that district court judges needed in order to interpret patent claims. Indeed, prior to Phillips, the Federal Circuit's rate of reversal of claim construction on appeal was approaching 60%. As noted above, since 2005, although the rate of reversal for claim construction has decreased significantly, it is still around 25%.

Under the standard outlined in Phillips, patent claims are to be interpreted through the lens of a person of ordinary skill in the art, and the most important consideration is the words of the claims themselves—if the claims are clear on their face, then a judge may simply say that the terms of the claims have their ordinary and customary meaning. Also important to claim interpretation is the specification and prosecution history of the patent—the proper definition of a claim term is one that a person of ordinary skill in the art can ascertain from the patent and filings with the Patent Office.

A judge may also consider evidence outside of the patent, such as technical dictionaries and treatises, and in some cases expert testimony, but these materials are only to be considered when the definition of a claim term is unclear after reviewing the patent itself and the filings at the Patent Office. This reluctance to consider evidence outside the record before the Patent Office is due to concern over the reliability of this outside evidence as compared to the patent itself; the fact that this evidence was not a part of the patent and was instead created for the purpose of litigation; and the problem that outside materials can be virtually endless in scope.

Thus, as the law currently stands, district court judges have a clear framework for interpreting claims that proscribes the information that can be considered, and the order in which it shall be considered.

Is *de novo* Review a Good Thing?

When the Federal Circuit was created in 1982, Congress's goal was to provide nationwide uniformity in patent law, and to make patent litigation more predictable. This in turn followed the Constitutional mandate for the patent system—to promote the progress of science and the useful arts—by ensuring that inventors are rewarded for their ingenuity, and likewise, by ensuring that those who design-around another's patent are rewarded for their hard work and respect for others' property rights. Both patent owners and accused infringers have a need for predictability and stability in the rules that govern patent litigation.

Arguably, *de novo* appellate review of claim construction adds uncertainty to patent litigation and discourages parties from settling cases because accused infringers may remain confident that they can prevail on appeal.

When the Federal Circuit instituted *de novo* review of claim construction, one question was whether deference should be given to a district court's factual findings that underlie its interpretation of a patent's claims. That is, the ultimate issue of claim interpretation would be subject to *de novo* review on appeal, but deference would be afforded to any factual findings made in support of a district judge's ultimate interpretation of a patent's claims. The Federal Circuit rejected this approach, purportedly relying on the Supreme Court's opinion in *Markman v. Westview* that claim construction is a purely legal issue. The Supreme Court recently heard oral arguments in a case that will resolve this very issue in the coming months.

Teva v. Sandoz and the Question of Deference

Just two days before the Federal Circuit's opinion issued in *CardSoft*, the Supreme Court heard oral arguments in *Teva v. Sandoz*, Case No. 13-854. The question presented to the Court was whether a district court's factual finding in support of its construction of a patent claim term may be reviewed *de novo*, as the Federal Circuit requires (and as the panel explicitly did in this case), or only for clear error, as Rule 52(a) requires.

The patent at issue covered Teva's drug, Copaxone® (glatiramer acetate for injection), which is approved for the treatment of multiple sclerosis and had sales in 2013 of more than \$3.5 billion. The district court found that Teva's patent was valid and infringed, and the accused infringer appealed, challenging the district court's interpretation of the claims. At issue was the claim term "average molecular weight." In construing this term, the district court judge relied in part on an expert declaration, which stated that this term was readily understood in the art at the time the patents were filed. The Federal Circuit rejected this interpretation, and found that the claim was invalid as indefinite because the claims failed to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

By granting Teva's petition for review, the Supreme Court is reviving an issue that has lied dormant for 16 years. While it would be purely speculative to guess how the Supreme Court will decide this question, if the Court requires any deference to findings of fact, then it should come as no surprise when patent owners, accused infringers, and judges adapt their behavior accordingly.

First, prior to filing suit patent owners will be encouraged to take a hard look at the strengths and weaknesses of their claims, and file suit in a district court that meets their needs. Owners of patents with ambiguous claim terms are likely to file suit in districts whose local rules grant wider latitude for expert testimony as a part of claim construction, such as New Jersey and Nevada. Conversely, owners of patents that include clear definitions of claim terms will be encouraged to litigate in district courts that take a skeptical view towards expert declarations and testimony, such as Delaware and the Eastern District of Texas.

Second, as permitted by the court, both patent owners and accused infringers will be strongly encouraged to submit, whenever possible, expert declarations and testimony in support of their proposed claim constructions.

Third, and finally, judges will be encouraged to make explicit in their claim construction rulings the factual findings that underlie their interpretation of a patent's claims.

Conclusions & Tips For Inventors

Regardless of whether the Supreme Court maintains the status quo, or grants deference to district court findings of fact supporting claim construction, the message from the Federal Circuit and the Supreme Court over the past several years cannot be clearer: inventors must strive for clarity in describing and claiming their inventions. As a result, inventors should be encouraged to work even more closely with patent attorneys to ensure that their patent claims clearly describe their invention. Further, patent drafters should steer clear from jargon and technical terms whenever possible, and even then, each and every claim term should be clearly defined in the specification. Finally, careful drafting of claims with varying scope can assist to clarify the scope and breadth of the independent claims. More to the point, as the CardSoft case makes clear, a lack of clarity in a patent's claims can be fatal, and can jeopardize years of hard work, perseverance, and substantial investment. Patent litigation is always uncertain, and inventors can remove some of that uncertainty by ensuring that their patent claims can be clearly understood.

Dr. Lukas is a registered patent attorney in the Washington, D.C. office of Cozen O'Connor, where he counsels clients in patent litigation, patent procurement, patent licensing, and due diligence. A particular focus of his practice is district court litigation related to patents related to pharmaceuticals and semiconductors. Prior to entering the law, he earned a doctorate in chemistry at Northwestern University's International Institute for Nanotechnology.



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So why are inventors so cuckoo for Quirky?

One of the newest, and youngest inventor-friendly businesses (founder Ben Kaufman was born in 1986,) Quirky was created with the goal of helping inventors fulfill their dreams. Our contributing editor, Edie G. Tolchin, interviewed a busy Ben Kaufman, by way of his kind assistant Tiffany Markofsky, with the goal of demystifying this unique, new, and quirky Quirky!

Edie G. Tolchin (EGT): Tell us about your background, education and your childhood – where are you from?

Ben Kaufman (BK): I grew up in Long Island, New York. I always had an entrepreneurial spirit but was a very bad student. Before Quirky, I had mophie, which I started in high school in the back of math class. I had a product idea and forced my parents to remortgage their house to allow me to try to execute that idea. I realized how hard it was to build consumer products. I was successful getting that out and launching the company mophie, but through the process realized how difficult it was and that most inventions are left up to luck and circumstance. Inventing is the most important thing in the world and for it to be left up to luck just didn't feel right. I wanted to create a platform where ideas were pushed out into the world because they were great, not because they came from someone who was lucky.

EGT: Do you have any inventions? Do you hold any patents?

BK: When I was in high school, I designed my first product called Song Sling. I was trying to listen to my iPod Shuffle in math class without my teacher noticing. I went home after class one day and crafted this prototype out of ribbon and lanyard. This was the beginning of mophie. From there, I created an entire line of iPod cases under the mophie brand.

EGT: Where did the idea for Quirky come from? Do you have any partners?

BK: I was on the subway one day and saw a woman wearing Song Sling – the product I designed – and had this sort of epiphany. I made that! It was the best feeling in the world. I knew in that moment that I wasn't unique in having the idea – everyone has ideas – but I was unique in the circumstances that came about to allow me to take that product from concept to reality. I wanted to make the invention process accessible so other people could experience that feeling. I created Quirky to help inventors see their products come to life.

EGT: When did you open up Quirky?

BK: We launched Quirky in 2009.

EGT: What does Quirky do? Do you have a mission statement?

BK: We make inventions accessible. To take ideas from pipe dream to consumer product, our in-house team of designers and engineers collaborate with our online community on nearly every aspect of development. Anyone can make his or her mark by submitting a problem-solving idea or weighing in on others. And when a product is sold, we share the revenue with every community member that had an impact.

EGT: Has funding for Quirky ever been an issue? Have you ever used crowdfunding?

BK: We've had several funding rounds and have raised about \$175M in total.

EGT: How can readers of Inventors Digest work with, or join Quirky? What



is the process? What are the fees involved?

BK: Anyone can join-- you just have to go to quirky.com to sign up and start inventing. There's no fee, and your idea can be simply that – an idea. If you have a prototype, great, but we don't require anything more than a written description of the problem you're trying to solve and how you intend to solve it.

EGT: Did you face any challenges along your journey? Any obstacles?

BK: I face challenges every day. Bringing one single product to market is not easy. That's why we exist. We bring new products to market each week. I think that generally people underestimate the entire process: everything from design, getting a patent, manufacturing, retail sales, distribution, to marketing, among many other things. Inventing is hard. We are here to make it easy for you

EGT: Have you learned any lessons from these challenges?

BK: Don't be afraid to fail. Just keep doing it.

EGT: Since most of our readers are novice inventors, can you share any words of wisdom with them?

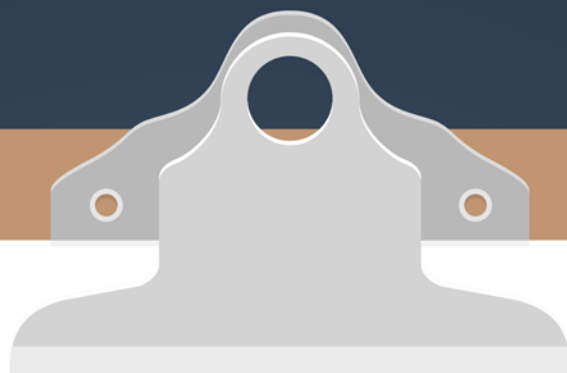
BK: The best ideas in the world are sitting inside people's heads. Get yours out there and do something with them!

About Ben Kaufman:

Ben Kaufman—Breaker, Maker, Founder and CEO of Quirky—makes invention accessible. At 18, he founded his first company, mophie, and learned just how difficult it is to bring one single product to market. In 2009, Ben launched Quirky to break down the barriers to invention and allow creative people all over the world to invent together. He's helped hundreds of everyday inventors bring their product ideas to life and forged partnerships with the world's largest retailers to sell those products. Today, Ben and Quirky continue to redefine the way the world thinks about product development and invention.

Contact info: Web: www.quirky.com, e-mail: questions@quirky.com, phone: 1-866-5Quirky (1-866-578-4759)





STEP 01:

THE SELL-SHEET

BY JACK LANDER



The sell-sheet is beneficial in first-draft form before you've applied for your patent, or built your prototype – in fact before you've spent a dime on any form of preparation. And the sell-sheet is essential in final form when your invention is ready to submit to market channels or potential licensees. The sell-sheet is the vital link between the physical definition of your invention, and the reasons that the ultimate consumer will pay money to own it.

Uses for the sell-sheet:

Whether you plan to license or produce and market your invention, you need to understand why someone ultimately will buy it. Writing down these reasons at the start of your venture helps you maintain the critical focus that improves your design and therefore improves your patent and your invention's value. Others who will gain insight from your sell-sheet are:

- Patent searchers and your patent agent or patent attorney
- Product designers, drafters and prototypers
- Potential money investors and strategic partners
- Mall survey prospects
- Focus groups
- Friends and family, and their expanded network
- Web site designers
- Packaging designers
- Publicity and advertising-copy writers
- Catalog and chain-store buyers
- Potential licensees.

Common to all of these is the need to fully communicate why your invention is useful—that is, how it benefits the ultimate customer. For example, a professional product designer should understand your inventions' benefits in order to even begin the design. A patent searcher is aided by the benefit language for his or her key-word search. A patent attorney or patent agent must demonstrate your

innovations' usefulness in your patent application. Potential investors and strategic partners, whether friends, family, or strangers, must be able to visualize the ultimate consumer paying money for the product.

However, of these several uses for your sell-sheet there is one that trumps the others in form and function: the catalog sell-sheet. Today, when we consider catalogs as a sales channel, we are also getting a catalog on-line as well as the paper version.

Designing the catalog sell-sheet:

The catalog sell-sheet should be used as the model of format for all of the sell-sheets' other uses. The reason is simple: Most transactions with catalogs are accomplished by snail-mail or e-mail. Face-to-face meetings and phones calls are usually unnecessary. Thus, you must present the essential information – the benefits and features – clearly in an attractive and brief printed form. If you accomplish this with your catalog sell-sheet, you have pretty much accomplished it for all of the other sell-sheet uses.

Start designing your sell-sheet by listing all of the reasons the ultimate user will buy your product. Don't think of it as an invention; imagine it as a fully developed product. If your hope is to license, you have to convince your prospective licensees that the product your invention evolves into will sell. The best way to do this is to urge your reader to see the product through the eyes of the eventual user. If you plan to produce and market, even on a small scale, you'll need a sell-sheet for many uses. It's the counterpart to your employment résumé.

Now, convert your list of reasons why the ultimate user will want your product into brief benefit statements. For example, the reason a woman will buy the BraBall® (see www.braballs.com) is to prevent damage to her padded or underwire bra if washed in a machine. To avoid this damage, she has always hand-washed her expensive bras. (Kieu Phan, the inventor of the BraBall®, was one of my clients years ago.)

Converting these sentences to brief benefit statements we have:

- Eliminates hand washing.
- Saves hours per week.
- Preserves your padded bra's flattering contour.
- Prevents the under-wire from puncturing the fabric.
- Pays for itself in just a few washings.

As inventors, we naturally concern ourselves with features. That's how we think. But features don't sell anything. Benefits sell. For example, the inner form of the BraBall® prevents the bra from shifting around and bunching up. The inner form is specially formed to fit the most heavily padded bras. The inventor might want to share how the shape of the inner form was developed by trial and error, etc. But the user couldn't care less; she wants to know what its benefits are for her – why she should buy it. Not only are the features of scant interest to the user, but if placed first in the sell-sheet they are a distraction from the powerful benefits statements that convince her to read on and to buy.

Remember AIDA:

Not the opera, AIDA is an acronym for the time-honored advertising and direct-selling formula:

- Atract attention
- arouse Interest
- create Desire
- call to Action (also: show how to Acquire)

Not even a novice sales person would ask a browsing customer, "Would you like to buy a BraBall?" Convincing people to buy something, especially when done on paper, must be approached much more subtly. You start by attracting attention with a photo – preferably showing the product in action – plus a powerful tagline (headline). Then attempt to summarize the main benefit in a brief topic sentence or sentence fragment.

Create several such headlines, and think about them for a few days before deciding which is best.

For example, "Machine wash your bras and preserve their flattering contour." Or, "Save hours each week by safely machine-washing your bras in BraBall®." Or, "Never hand-wash your bras again." I'd pick the second headline because it includes two major benefits: saving time, and safety – that is, avoidance of ruining the bra. Now, you have a photo and a headline with which to attract attention. Next, you must arouse interest. The photo and headline grab the reader for a few seconds and you must immediately draw the reader into the benefits by positioning these brief statements directly after the headline.

Assuming that you have gained your reader's interest, but that your reader is only partly convinced – maybe has a few questions – you now create desire by presenting details that support the benefits. Here, you can mention features and use longer sentences. For example, say that you are now expanding on, "Prevents the under-wire from puncturing the fabric." You might write: The patented shape of the inner form locks your expensive bra securely in place, preventing stress on the under-wire. No more bent wires or punctured fabric."

The object is not merely to fill "white space" with words, but to reply convincingly to your customers' concerns about being attractive, saving time, avoiding waste and saving money. Again, I emphasize that this is about your customer's needs and wants, never about your personal pride; reserve that for family and friends.

Assuming you've followed the formula, now you must tell your reader how to acquire your product. This can be as simple as the statement, "for more information contact ____" Or, you can leave a blank rectangular block various labels of rubber stamping.. This enables you to direct your family, friends, and network to your web site for direct purchases, but omits the existence of your web site for sell-sheets that you submit to catalogs or chain-store buyers. After all, you're a competitor.

Price and discounts should never be printed on your sell-sheet. These belong in either a separate price sheet or on your label. Early on, you probably won't be sure of your price and you'll need the

—flexibility of the supplement. The catalog will set its price. All you tell them is their cost from you, and you do this after you receive a response to your first letter and sell-sheet. (The catalog will send you a detailed questionnaire.)

Format:

Your layout forms itself from the AIDA formula.
See my sketch of the well-organized sell-sheet.

Conclusion:

The sell-sheet should be created very early in the development of your invention. (To you, it's an invention – your baby – and you may call yourself an inventor. To everyone outside of your circle it's a product, and you are a new-product developer, never an inventor.) And remember, your sell-sheet is directed to the ultimate customer. That is, if you are selling through catalogs, you don't direct your pitch

to the catalog. The catalog buyer wants to know why its customers will want to buy your product.

Whether you aim to license or produce, the sell-sheet is the universal document for explaining your product's benefits. Design it using the AIDA formula. At least at first use color copying, not printing, because your sell-sheet will evolve. And remember, the sell-sheet is not a brag sheet about you; it's a benefits sheet about your product aimed at your prospective end customer.

HEADLINE DEFINES PRODUCT, AND BRAGS ITS MAIN BENEFIT	
ACTION PHOTO OR VIRTUAL PHOTO	<ul style="list-style-type: none"> BENEFIT #2 BENEFIT #3 BENEFIT #4 BENEFIT #5, ETC.
DEFINE PHOTO HERE IF TOO LONG FOR HEADLINE	
WHAT SOME OF OUR USERS SAY:	
TESTIMONIAL #1	ENDORSEMENT FROM PRESTIGIOUS PERSON
TESTIMONIAL #2	ENDORSEMENT FROM PRESTIGIOUS PERSON
TESTIMONIAL #3	
DESCRIPTION OF FEATURES, AND HOW THEY RESULT IN BENEFITS.	
SECOND PHOTO IF ANOTHER VIEW HELPS TO EXPLAIN THE PRODUCT.	
SPECIFICATIONS (SIZE, WEIGHT, WATTAGE, ETC. IF HELPFUL. IF DIAGRAM IS NEEDED, PLACE HERE IF SMALL, OR USE BACK OF SHEET.	
COMPANY NAME AND CONTACT INFORMATION	LEAVE THIS AREA BLANK FOR DEALER INFORMATION ETC.



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