



TENNESSEE INVENTORS ASSOCIATION

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KNOXVILLE, TENNESSEE 37939-1225

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FEBRUARY MEETING HIGHLIGHTS

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CONDENSED--- CALL FOR FULL VERSION

With introductions of visitors and new members it was interesting to discover the wide variety of reasons that bring folks to our meetings. Some revealed while being introduced that they had come from numerous locations. Their reasons were just as varied. For instance some were looking for marketing information. In one case the visitor indicated the desire to locate a source for metal molds needed to produce the finished product of his invention. Yet another participant was looking for guidance to advance her ideas for pet products. And as might be expected one visitor was simply looking for information about patent law.

We have often admitted that no one visit would produce all the answers being sought. We might be proud that over a period of time, and with each involvement, many questions begin to be cleared.

With the introduction of our speaker, Attorney Michael McKee of Knoxville we were advised that his qualifications as a patent attorney were notable and fitting of his experience with design patents. He has been practicing in the Knoxville area since 1988. It might be noted that McKee is an accomplished artist and that he had some of his work on display that can be purchased at area art shows.

The thrust of McKee's presentation helped to point out the difference between a utility patent and a design patent. Design patents protect the way a device "looks" as apposed to that of a utility patent date delineates chiefly how an apparatus might "function" and be made. Clearly, a case of two different concepts.

Mr. McKee brought to mind that the PTO would cease to provide copies of reference of rejection. He also reminded us that design patents are good for only fourteen years making it somewhat shorter than that enjoyed by utility patents.

In discussing the relative cost of the two basic patents and the preparation of them it became obvious that design patents are less expensive but do not provide the same degree of protection.

Our speaker, in discussing fees and the continuance of patents, indicated that maintenance fees also must be kept tract of. The USPTO does not send out reminders at the 3-½, 7 ½, and 11-½ year time marks that fees are due. The inventor is responsible and must make payments or face abandonment. Restoration is possible but is very expensive because of penalties that occur

Among other important subjects covered in today's presentation was that of scams by invention submission companies. Such activity has been going on for a long period and unscrupulous operators in particular have victimized many new inventors. Some are known by government agencies but they change names and move about to avoid detection. Mr. McKee sited the Tennessee Code Annotated that is meant to thwart those so engaged. He specifically referred to TCA 47-25-1201-1222. *(See more about this code on page 2****

The code sets forth certain conditions required of inventions assistance companies that if observed makes it more difficult for them to hoodwink unsuspecting prospects. Their advertising and methods are regulated by the state of Tennessee to keep them in check. It may be that the rules set within the code are not being fully observed. It will serve well to obtain a copy of the codes mentioned and be ready if the scammers ever confront you.

John Dabbs was quick to note and thank our speaker for being the first in his memory to bring attention to the Tennessee Code referred to. He was sure that many new inventors would benefit by being more aware of the protection it provides.

NEXT MEETING MARCH 20, 2004

Igor Alexeff will be updating his plasma antenna project. The company he is working with has already received many thousands of dollars in government funding. A surprising development however has popped up and you might well want to hear about it. He is also preparing to discuss Tesla's antenna and has suggested that there will be an "electrifying demonstration".

As time will allow we plan to have a session on the background of TIA Your success stories will be welcome and we hope to be able to discuss "pre-patent application procedures"

SOME NEWS

It has been reported that the House bill eliminating diversion of patent fees has been passed on a vote of 379-28. There are other ramifications to the bill too numerous to report here. Go to Google use keyword "H.R. 1561 click on Congress.Org- (Issues and legislation) be sure to view the whole site including the 8 amendments. Thanks to our February speaker, Attorney Michael Mckee, a special awareness of the Tennessee codes governing the activities of invention submissions companies came to the surface.

Important portions of the legislation are excerpted here but it is advisable for inventors to secure the entire set of those protecting rules. Copies are available at major libraries and on the Internet. A hard copy will soon be available in our lending library.

*****FROM TAC 47-25-1204**

In the first oral communication with a customer or in the first written response to an inquiry by a customer, other than an oral communication or written response, the primary purpose of which is to arrange an appointment with the invention developer for presentation of invention development services, the invention developer shall cause the following disclosures to be made to each customer:

(1) A statement of the fee charged, if known, or a statement of the approximate range of fees charged; a statement that a portion of the fee charged will be paid as a commission or other similar payment if, in fact, it is intended to be so paid, to a person inducing, directly or indirectly, a customer to contract for the services of the invention developer; and a statement of the approximate portion of the fee charged, if any, that will be expended for services relating to patent matters;

(B) The number of customers who have received, by virtue of the invention developer's performance of invention development services, an amount of money in excess of the amount of money paid by such customers to the invention developer; and

2004 dues were payable on January 1, 2004 are you current?

Send material for the newsletter to Virgil W. Davis 865-981-2927
TIA telephone number: 865-981-2927

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