



Session 7 - Product Design Patents and Intellectual Property

Professor Karl T. Ulrich
Vice Dean of Entrepreneurship & Innovation

@ktulrich | ktulrich.com | ulrich@wharton.upenn.edu



2.4 oz. Whole Grain WowButter & Jelly EZ Jammer Sandwich-Mfr# 607

EZ Jammers, Schools

Toasted WowButter soy spread with grape jelly, sandwiched between two whole grain bread slices. (No crust).



4.6 oz. Whole Grain WowButter & Jelly EZ Jammer Sandwich-Mfr# 608

EZ Jammers, Schools

Toasted WowButter soy spread with grape jelly, sandwiched between two whole grain bread slices. (With crust).

KEEP FROZEN

®

THAW & EAT!

- ✓ Great anytime, anywhere
- ✓ Breakfast, lunch or snack!

SMUCKER'S[®] Uncrustables[®]

PEANUT BUTTER & GRAPE
JELLY SANDWICH

4 Soft Bread
Sandwiches 4-2 OZ (58g) SANDWICHES - NET WT 8 OZ (232g)



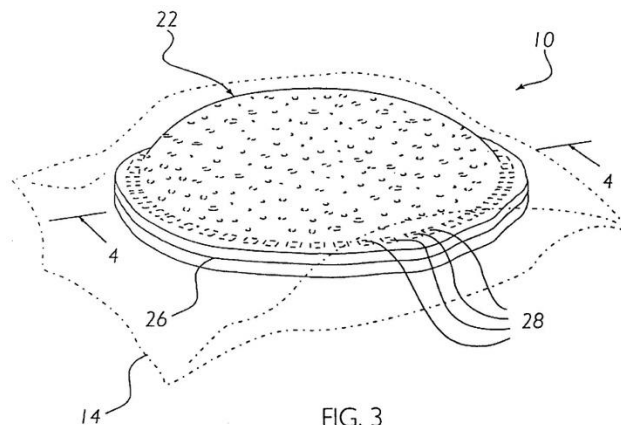
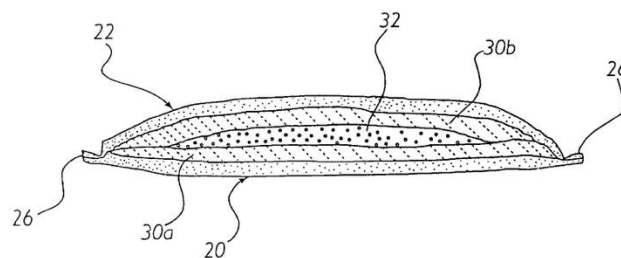


FIG. 3



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We claim:

1. A sealed crustless sandwich, comprising:

a first bread layer having a first perimeter surface coplanar to a contact surface;

at least one filling of an edible food juxtaposed to said contact surface;

a second bread layer juxtaposed to said at least one filling opposite of said first bread layer, wherein said second bread layer includes a second perimeter surface similar to said first perimeter surface;

a crimped edge directly between said first perimeter surface and said second perimeter surface for sealing said at least one filling between said first bread layer and said second bread layer;

wherein a crust portion of said first bread layer and said second bread layer has been removed.

2. The sealed crustless sandwich of claim 1, wherein said crimped edge includes a plurality of spaced apart depressions for increasing a bond of said crimped edge.

3. The sealed crustless sandwich of claim 2, wherein said crimped edge is a finite distance from said at least one filling for increasing said bond.

4. The sealed crustless sandwich of claim 3, wherein said at least one filling comprises:

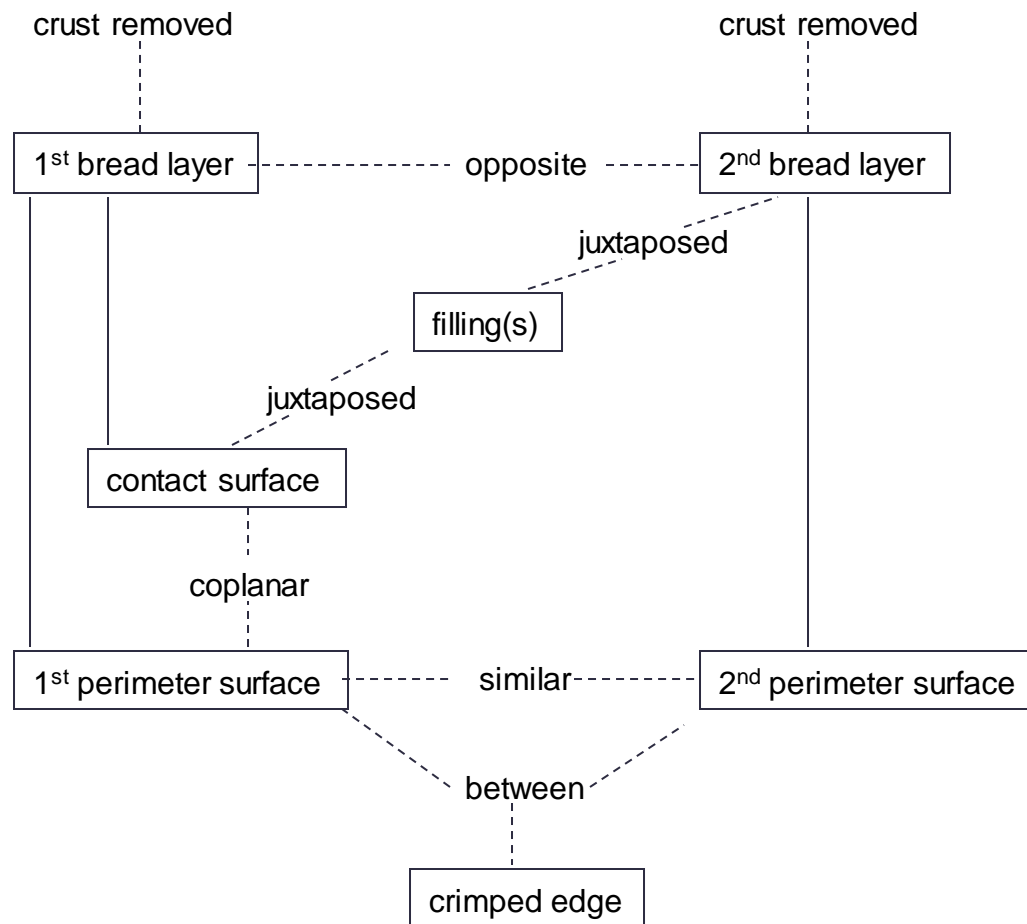
a first filling;

a second filling;

a third filling; and

wherein said second filling is completely surrounded by said first filling and said third filling for preventing said second filling from engaging said first bread layer and said second bread layer.

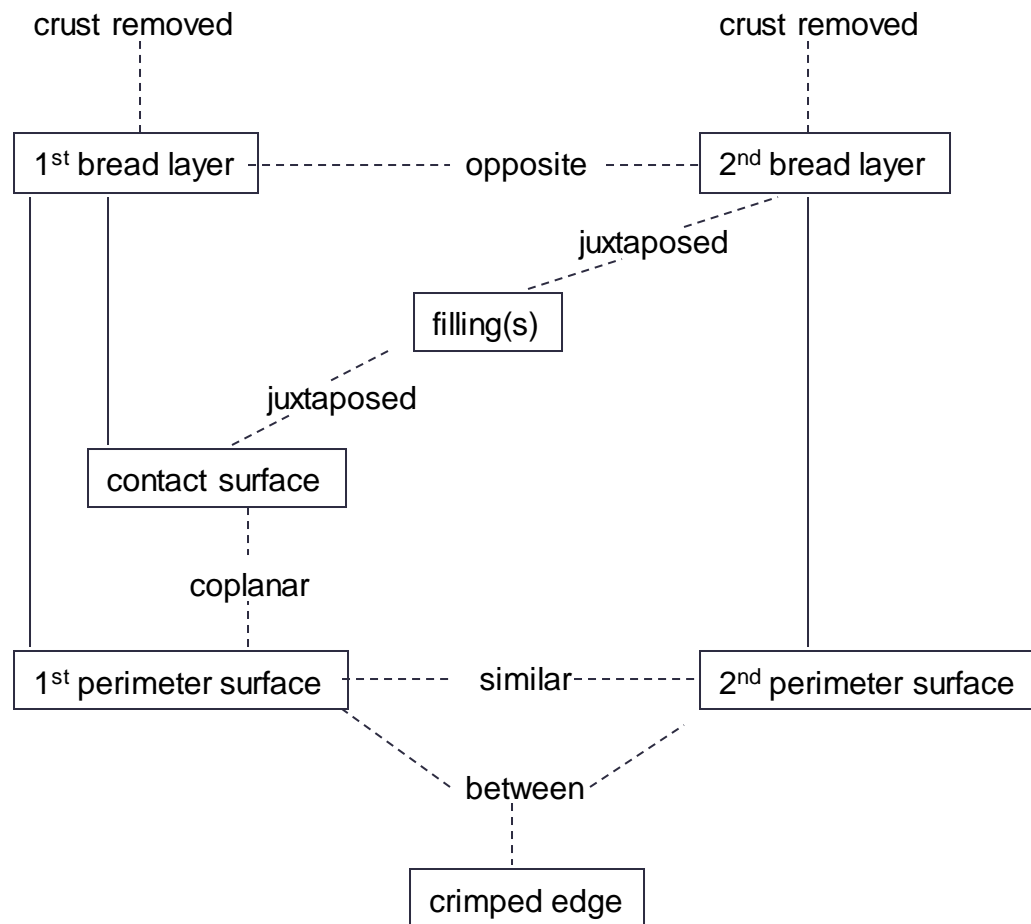
Claim 1:



Design a “PB&J sandwich”
that does not infringe
Claim 1...



Claim 1:




The Pampered Chef, Ltd. - Microsoft Internet Explorer

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Address http://www.pamperedchef.com/our_products/catalog/product.jsp?productId=33&categoryCode=CE Go Links

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Cutting Edge: Cut-N-Seal®

#1195 \$8.75

A new twist on pocket sandwiches and tarts! Place your favorite filling between two layers of dough or bread, then cut and seal. 3 1/2 inches.


 ▶ Click for guarantee information.



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- Apple Peeler/Corer/Slicer
- Apple Peeler/Corer/Slicer Stand
- Apple Wedger
- Avocado Peeler
- Bar Board
- Carving Set
- Cheese Knife
- Chef's Knife with Sharpening Case
- Citrus Peeler
- Cook's Corer®
- Creative Cutters Set
- Crinkle Cutter
- **Cut-N-Seal®**
- Cutting Board
- Deluxe Cheese Grater
- Egg Slicer Plus®
- Food Chopper
- Grapefruit Knife
- Hold 'N Slice®
- Julienne Peeler
- Kitchen Shears
- Large Grooved Cutting Board
- Lemon Zester/Scorer
- Paring Knife with Sharpening Case
- Pizza Cutter
- Quikut Paring Knife
- Serrated Bread Knife
- Smooth-Edge Can Opener
- Steak Knife Set
- The Corer™
- The Grate Container™
- Ultimate Slice & Grate
- Utility Knife with Sharpening Case
- V-Shaped Cutter
- Vegetable Peeler

Product images and prices reflect our US product line only. They may vary outside the US.

Claim 1 of the Amazon.com 1-click patent:

A method of placing an order for an item comprising:

under control of a client system,

displaying information identifying the item; and

in response to only a single action being performed, sending a request to order the item along with an identifier of a purchaser of the item to a server system;

under control of a single-action ordering component of the server system,

receiving the request;

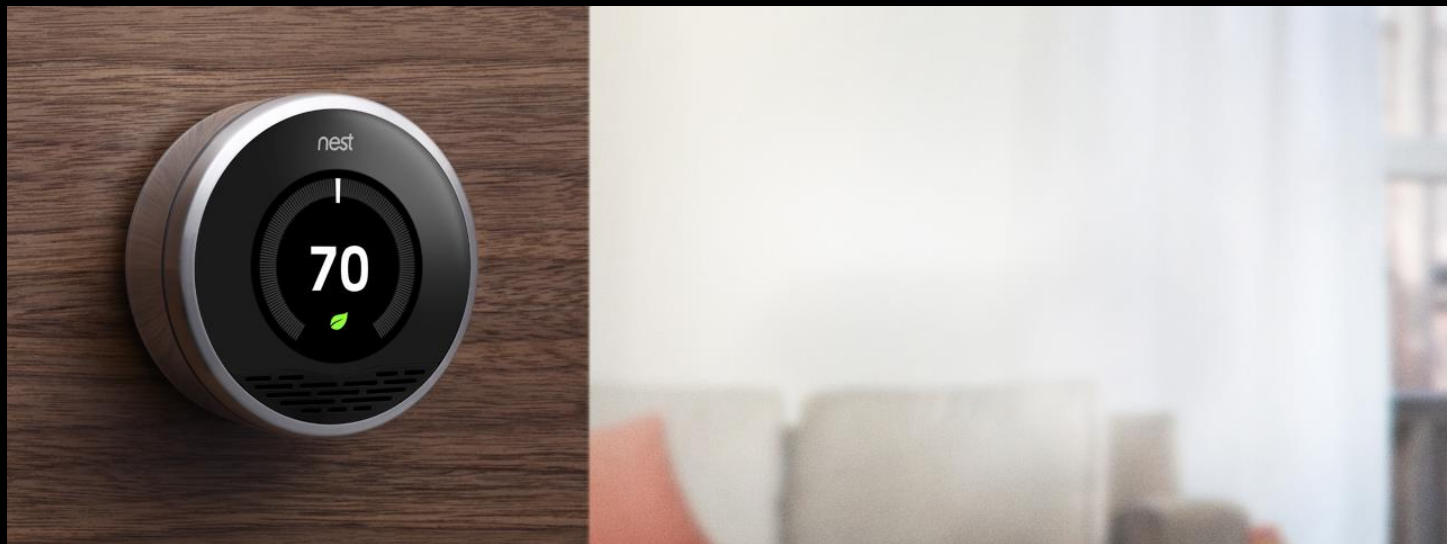
retrieving additional information previously stored for the purchaser identified by the identifier in the received request; and

generating an order to purchase the requested item for the purchaser identified by the identifier in the received request using the retrieved additional information; and

fulfilling the generated order to complete purchase of the item

whereby the item is ordered without using a shopping cart ordering model.









Honeywell Patent 7,584,899

22. An HVAC controller comprising:

a controller housing having a front face with a central region;

a liquid crystal display disposed in the central region displaying an operating parameter of the HVAC controller; and

a rotatable interface member extending around the central region of the controller housing, the rotatable interface member being rotatable relative to the central region,

wherein rotation of the rotatable interface member can be used to adjust the operating parameter that is displayed on the liquid crystal display.





IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS,
MARSHALL DIVISION

APPLICA CONSUMER PRODUCTS, INC., §

Plaintiff, §

v. §

LUCKY LITTER LLC, §

Defendant. §

CIVIL ACTION NO. ____

JURY TRIAL REQUESTED

COMPLAINT

Plaintiff, Applica Consumer Products, Inc. ("Applica"), hereby demands a jury trial

<http://www.scoopfree.com/>

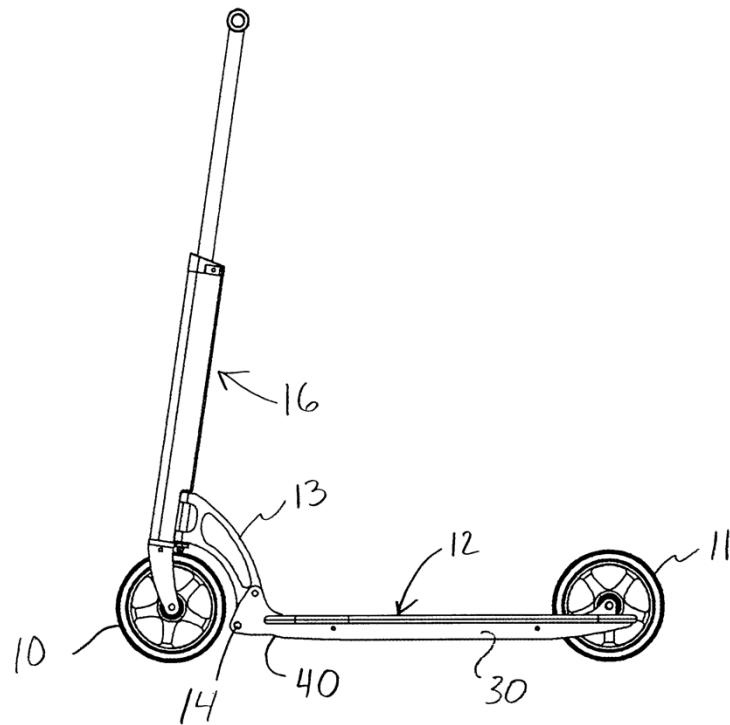


Figure 5



Patents are Fundamental and Likely Valid

- Aggressively file patents in any significant market.
- Sue all infringers. (Unless you also likely infringe a big rival – in which case *détente*.)



Big Company
(can spend 10-100mm USD in legal fees)

Small Company
(can spend 10-100k USD in legal fees)

- Patents likely critical in financing, acquisition, and when/if company gets big.
- Preserve global patent rights as long as possible.
- Only take on David-and-Goliath fights if you are very confident of validity and infringement, and of fundamental quality.



Patents are Weak (most common)

- File patents in biggest markets.
- *Détente* w.r.t. big companies with large patent portfolios.
- Sue knock-offs with weak patent portfolios to make them invest in innovation or quit.
- If evil, bully small companies (without legal merit).



- File in one or two biggest markets.
- Minimize legal expense.
- Sue only the weakest companies with the most blatant knock-offs – hopefully encouraging them to go away without litigation.



Learning More

David Pressman. 2016. *Patent it Yourself*. Nolo Press. ([Amazon](#))

Salsa Items

When Patents Attack– Parts 1 and 2. This American Life ([radio/podcast](#)).

John Seabrook. “The Flash of Genius.” [The New Yorker](#). January 11, 1993. Article about inventor of delay wiper and fight against auto industry. Also 2008 [movie](#). (Netflix)

Print the Legend. Subplot in documentary about 3D printing about suit by Stratysys against FormLabs (Netflix)

Colt vs. Wesson. 2015. [National Geographic – American Genius Series](#) – S1.E6. Somewhat romanticized and very US-centric dramatization of creation of the revolver pistol. Some dramatic patent-related events. (Netflix)