

# Introducción a la Propiedad Intelectual y Patentes para Ingenieros

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USPTO Reg. No. 58300

# Temas

- ¿Que es la Propiedad Intelectual?
- ¿Cuales son los tipos de Propiedades Intelectuales?
- ¿Tipos de protección?
- Conclusión

# ¿Que es la propiedad Intelectual?(IP)

- Forma de propiedad que protege la creatividad en el mercado.
  - Prohíbe a otros el uso in-autorizado de productos y/o servicios.
  - Obtener protección de IP en EEUU solo provee protección dentro de EEUU

# Tipos de IP

- Marcas Registradas (Trademarks)
  - Logos
- Derechos de Autor (Copyright)
  - Libros, etc.
- Secretos Industriales
  - Coca Cola
- Patentes

# ¿Que es una Patente?

- Un documento escrito que delinea los derechos de propiedad otorgados a una invención.
- Otorgada por el gobierno Federal, provee un "monopolio" sobre la invención de hasta 20 años.
- "Monopolio" que prohíbe a otros hacer, usar o vender la invención dentro del mercado de EEUU.



US00098887A

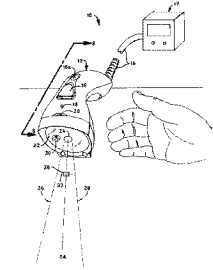
**United States Patent** [19] **Patent Number:** **6,098,887**  
**Figarella et al.** [45] **Date of Patent:** **Aug. 8, 2000**

[54] **OPTICAL FOCUSING DEVICE AND METHOD** 5,347,121 9/1994 Rosteen ..... 250/235  
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[73] Assignee: **Robotic Vision Systems, Inc.**, Canton, Mass. *Primary Examiner*—Thien M. Lu  
 [57] **ABSTRACT**

[21] Appl. No.: **09/152,229**  
 [22] Filed: **Sep. 11, 1998**  
 [51] Int. Cl.<sup>7</sup> ..... **B06N 07/10**  
 [52] U.S. Cl. .... **235/472.01; 235/462.22**  
 [58] **Field of Search** ..... 235/462.01, 462.22, 235/462.11, 462.09, 462.1, 462.23, 462.24, 462.25, 462.32, 462.36, 462.35, 462.41, 472.01

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23 Claims, 20 Drawing Sheets

# Importancia de una Patente

- Dueños pueden llevar a la corte y detener a otros de lucrarse por sus invenciones.
- Fabricar/producir no es requisito
  - Además el dueño puede:
    - Alquilar (License) o
    - Vender la patente
- Infringir derechos de otros puede costar hasta triple daños

# ¿Que es Patentable?

- Una invención es considerable patentable por el USPTO si es:
  - Estatuario: Hecho por la humanidad. Procesos (incl. programas), maquinas, artículos de mfr. o composiciones materiales.
  - Nuevo: Posee un aspecto físico novedoso, una combinación de aspectos físicos anteriores, y/o un uso novedoso de un articulo existente.
  - Util: Debe tener un uso practico en la sociedad.
  - No es Obvia: Su concepsualización es original y creativa

# ¿Que NO es Patentable?

- Fechas, fechas, fechas:
  - Esta prohibido el patentar una invención que ha sido;
    - ofrecida a la venta,
    - usada públicamente o
    - publicada,con mas de un año de anterioridad.
- Formulas matemáticas, leyes de la naturaleza, cosas que ocurren naturalmente.
- Cosas que ya alguien invento o hizo.
- La combinación obvia de dos invenciones anteriores.



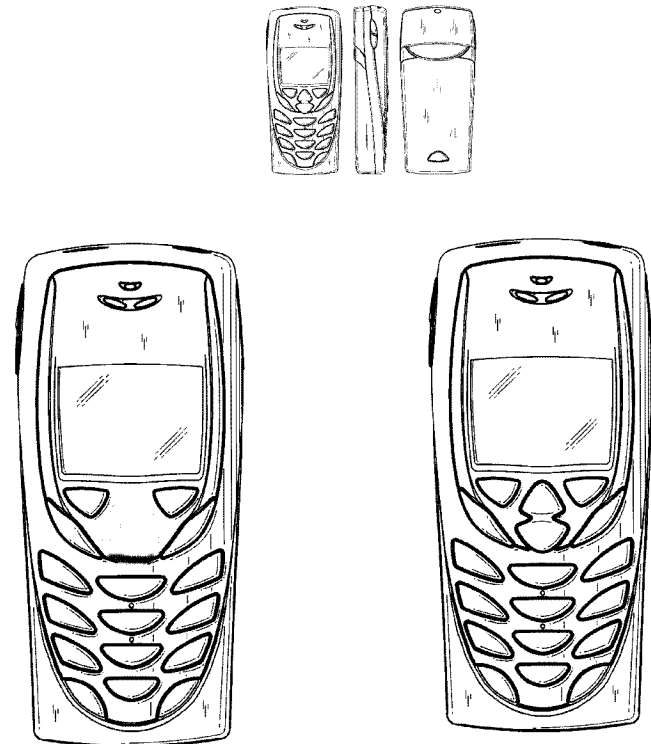
# Tipos de Patentes

- Plantas
- Diseño
  - Exactamente lo descrito en un dibujo
  - Valor limitado
- Utilitarias (Utility)
  - Provisional (opcional)
  - No-Provisional



(12) United States Design Patent (30) Patent No.: US D461,174 S  
 Ruohonen (45) Date of Patent: Aug. 6, 2002

(54) HANDSET  
 (75) Inventor: Matti Juhani Ruohonen, Thibod (Fr)  
 (73) Assignee: Nokia Mobile Phones Ltd., Espoo (Fr)  
 (\*) Term: 14 Years  
 (21) Appl. No.: 29746,569  
 (22) Filed: Aug. 10, 2001  
 (30) Foreign Application Priority Data  
 Mar. 2, 2001 (Fr) M-20010143  
 (51) LOC. (7) CL.: 14-03  
 (52) C.S. CL.: D14/238  
 (58) Field of Search: D14/237, 138, D14/218, 147-148, 247-248, 144, 341-347, 379-433, 401-433, 434, 428, 01-02, 04, 420, 01-02, 04, 440, 355-558-575, 90  
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 1 Claim, 6 Drawing Sheets



# Tipos ...

- Utilitarias (Utility)
  - Provisional
    - Mas Barata...
    - Dura 12 meses
    - No es evaluada por USPTO
    - No tiene Reinvidicaciones (claims)
    - Permite estampar "Patent Pending" en el producto

# Tipos ...

- Utilitarias (Utility)
  - No-Provisional (Non-Provisional)
    - Valida por 20 años desde que se aplica por ella
    - Reinvidicaciones (Claims) son examinadas

# Proceso para obtener una Patente Utilitaria (Non-Provisional)

- Búsqueda de patentes/solicitudes similares (paso opcional).
  - Preparación de una solicitud que contenga:
    - Especificación (descripción habilitadora)
    - Dibujos
    - Reinvidicacion (Claims)
- Someter a USPTO para evaluación (de 1 a 5 años de espera, dependiendo el área de la invención)
- Revisiones a las demandas basadas en lo que el examinador en USPTO descubra como arte existente (Prior Art)
  - Una vez sea aprobada;
    - Pagar cuota de expedición
    - Pagar cuotas de mantenimiento

# Partes

- Especificación

- Dibujos/Diagramas

- Reinvidicaciones (Claims)

## UNITED STATES PATENT OFFICE.

DON JUAN RAMOS, OF PORTO RICO, ASSIGNOR TO JAMES C. GALLABER, OF PHILADELPHIA, PA., AND WM. F. TIRADO, OF PONCE, PORTO RICO.

IMPROVEMENT IN PROCESSES FOR THE MANUFACTURE OF SUGAR.

Specification forming part of Letters Patent No. 9,087, dated June 29, 1852.

To all whom it may concern:

Be it known that I, DON JUAN RAMOS, a native of the Island of Porto Rico, and subject of Her Majesty the Queen of Spain, (assignor to James C. Gallaber, a native of the city of Philadelphia, State of Pennsylvania, and Consul of the United States of America at the port of Ponce, Island of Porto Rico, and William F. Tirado, a native of the town and merchant of the port of Ponce, in the Island of Porto Rico,) have invented and discovered certain new and useful Improvements in the Process of Manufacturing Muscovado or Raw Sugar from the Sugar-Cane, by which the quality is im-

proved, and the quantity increased. My invention is stopped with a plug. After the strike is thrown into it the plug is taken out and the sirup allowed to pass off by a canal into the cooler. In order to prevent the passage of the froth which sometimes forms on the surface into the cooler, a small rake or scraper is used to hold it back. After the sirup has run off into the cooler the froth is gathered up and thrown back into the receiving-pun. Under each cooler I build a close wall in order to retain some heat under the cooler, leaving only a space open on one side through which to introduce under the cooler a small canal by which the molasses is drawn off. Each cooler

Pat. No.: 9,087

Issue: 6/29/1852

Inv. Juan Ramos, Ponce PR

Pat. No.: 60,477

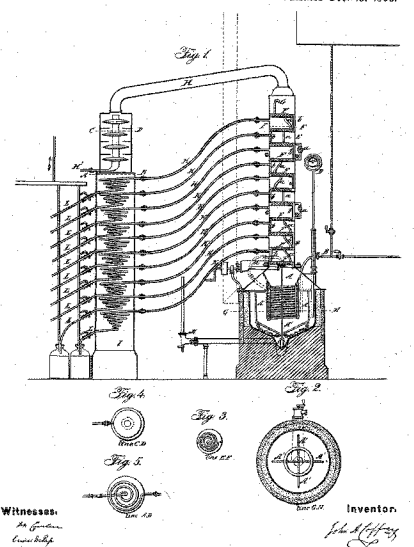
Issue: 12/18/1859

Inv. John Coffey, London, UK

J. A. COFFEY,  
Alcohol Still.

No. 60,477.

Patented Dec. 18, 1856.



be carried on in the ordinary mode.

What I claim as my own invention and discovery, and desire to secure by Letters Patent, is—

1. The use of the juice of the plantain-stalk and quicklime combined, substantially in the manner and for the purpose described, for defecating the cane-juice.

2. The application of a fresh strike of concentrated sirup from the battery to the molasses first drained off, for the purpose of crystallizing the sugar yet remaining in the molasses.

In testimony whereof I have hereunto signed my name, before two subscribing witnesses, at Ponce, Porto Rico, the 6th day of May, 1852.

JUAN RAMOS.

Witnesses:

G. LOHRE,  
RAM CORTADA.

# Partes (cont.)

## UNITED STATES PATENT OFFICE.

JOEL STEVENS AND H. J. RUGGLES, OF WEST POULTNEY, VERMONT.

### DAIRY-STOVE.

Specification of Letters Patent No. 8,472, dated October 28, 1851.

*To all whom it may concern:*

Be it known that we, JOEL STEVENS and H. J. RUGGLES, of West Poultney, in the State of Vermont, have invented certain new and useful improvements in the Dairy Stove or Heater, and that the following is a full, clear, and exact description of the principle or character which distinguishes them from

a cover thereto, and leaving a space the whole breadth for a smoke and heat flue, when so used; the sides of this water-pan (f) should be about six inches, more or less high; a small portion of the bottom plate of said pan being allowed to project beyond its rim at the end opposite the fire box for forming an opening (g) to attach the smoke

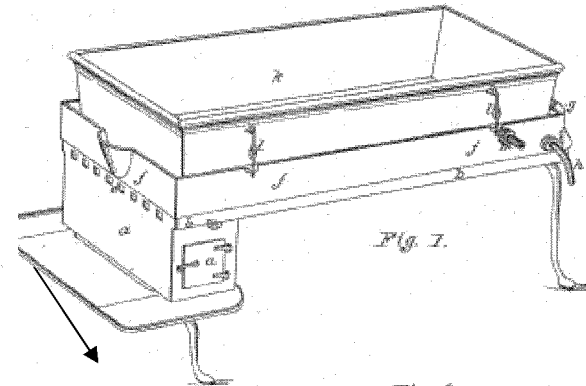


Fig. 1.

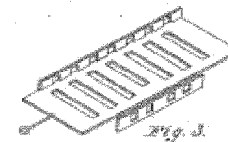


Fig. 2.

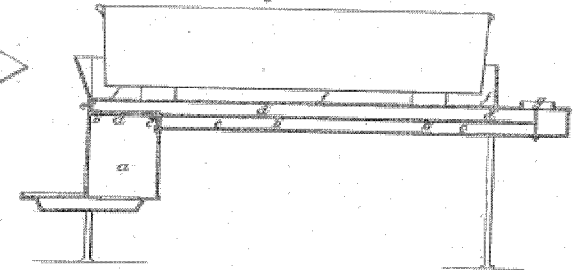


Fig. 3.

Pat. No.: 8,472

Issue: 10/28/1851

Inv. Stevens, W. Poultney,  
VT

apparatus and its mode of construction, what we claim therein and desire to secure by Letters Patent, is—

1. The arrangement of the flues and valves in combination with a water-pan and fire box, substantially in the manner and for the purposes set forth.
2. The construction of flues and valves as

herein specifically mentioned for the purposes described.

JOEL STEVENS,  
H. J. RUGGLES.

Witness:  
N. ARDEN,  
W. D. BARNES.

# Especificacion

- Describe con suficiente detalle el invento (en combinacion con los dibujos/diagramas)

SPECIFICATION forming part of Letters Patent No. 689,671, dated December 24, 1901.

Application filed June 13, 1901. Serial No. 84,410. (No model.)

*To all whom it may concern:*

Be it known that I, FELIX PEREZ HERMIDA, a citizen of Cuba, and a resident of San Juan, Porto Rico, have invented a new and Improved Cigarette-Cutter, of which the following is a full, clear, and exact description.

This invention relates to improvements in machines for cutting cigarettes from the long lengths received from the cigarette-forming machine; and the object is to provide a cutter so constructed as to travel with the movement of the cigarette length leading from the forming-machine, thus making a straight cut without danger of tearing the paper.

I will describe a cigarette-cutter embodying my invention and then point out the novel features in the appended claims.

Reference is to be had to the accompanying drawings, forming a part of this specification, in which similar characters of reference indicate corresponding parts in all the figures.

Figure 1 is a plan view of a cigarette-cutter embodying my invention. Fig. 2 is a front elevation thereof, and Fig. 3 is a section on the line *x x* of Fig. 2.

Referring to the drawings, 1 designates the bed-plate of the machine, upon which a carriage 2 is mounted to slide. Supported by an arm 3, extended upward from the carriage, is a tube 4 for receiving the cigarette from the forming-machine, and also a discharge-tube 5. The tube 4 is made funnel-shaped or flaring at the end, so as to insure the entrance of the cigarette. Also mounted on the carriage is a cutting-disk 6. This cutting-disk, as here shown, has bearings in uprights 7, attached to a slide-plate 8, adjustable on a block 9, supported on a rock-shaft 10, having bearings in brackets 11, attached to the carriage. The cutting-disk is adjustable toward and from the tubes 4 and 5 by means of a screw 12, engaging in a downwardly-extended portion 13 of the plate 8 and passing through a tapped opening in the block 9. From the block 9 a plate 14 extends rearward, and has an upwardly-extended portion 15, designed to be engaged by a cam 16, mounted on a main shaft 17. The part of the cam 16 designed to engage with the portion 15 of the rearwardly-extended plate is made in the form of a roller 18. This may be made of

hardened steel, so that the wear will be very slight.

On the main shaft 17 is a driving-pulley 19, and on the end of said shaft is a bevel-gear 20, meshing with a gear-wheel 21 on a counter-shaft 22, and on the forward end of this counter-shaft is a crank-disk 23, to the crank-pin of which is connected one end of a pitman 24. The other end of the pitman is connected to the carriage 2. From a post 25 on the block 9 a spring 26 extends to a connection with the post 27, extended upward from the base of the machine.

In operation as the formed cigarette length is fed from the forming-machine into the tube 4 the carriage carrying the cutter will be moved toward the forming-machine by means of the pitman 24. When the full length of the cigarette has been fed into the cutting-machine, the cam 16 will cause a rocking of the block 9 to move the cutter into engagement with the cigarette and cut through the same, the cutting-disk being kept in rotation by means of a band engaging with a pulley 28 on the shaft 29 of the cutter. While thus cutting the cigarette the cutting-disk will be moved with the carriage away from the forming-machine and at the same rate of speed that the cigarette is fed from the forming-machine. After cutting through the cigarette the spring 26 will return the cutter to its rearward position.

Pat. No.: 689,671

Issue: 12/24/1901

Inv. Felix Hermida, San Juan, PR

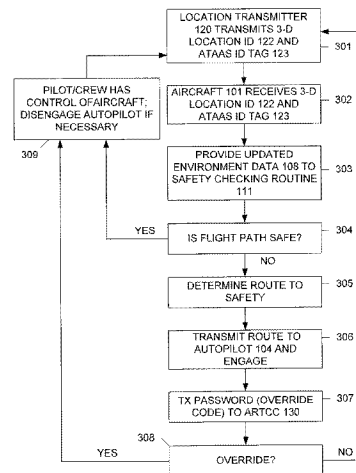
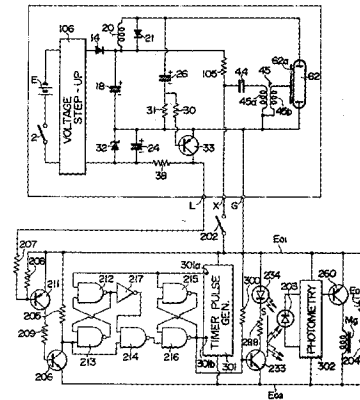
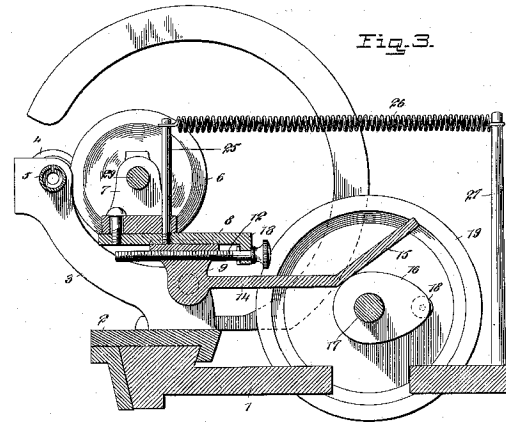
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# Dibujos/Diagramas

- Complementan la especificacion
- Areas de interes numeradas
- Estilo especifico
- Muy importantes, "una imagen vale 1,000 palabras..."



```

4049 }
4050
4051 shape = atoi(argv [1] );
4052 iter = atoi(argv [2] );
4053
4054 /* below code will be in GSL init one time */
4055 for(j = 0; j < 2048; j += 2) /* init the y elements */
4056   ys[j] = j >> 1;
4057   ys[j+1] = j >> 1;
4058 }
4059
4060 if ((shape >= 4) && (shape <= 7)) { /* read in the poly */
4061   inlines = atoi(argv[3]);
4062   ymin = 4000;
4063   ymax = 0;
4064
4065   for (i = 0; i < inlines; i++) {
4066     inx[i] = atoi(argv[4 + 2*i]);
4067     iny[i] = atoi(argv[5 + 2*i]);
4068     if (iny[i] > ymax) ymax = iny[i];
4069     if (iny[i] < ymin) ymin = iny[i];
4070   }
4071   printf("\n ymin = %d ymax = %d\n", ymin, ymax);
4072   /* my own copy of the points so I'll add 2 points for gsl.c */
  
```



# Reclamaciones (Claims)

- Independiente o Dependiente
- Corazon de la patente
- Define especificamente los derechos del inventor
- Enmarcada por la especificacion/dibujos
- Palabras, palabras, palabras
- Para infringir, tiene uno que hacer TODO EXACTAMENTE como esta en la reclamacion

Having described my invention, what I claim, and desire to secure by Letters Patent is as follows:

1. A system of telegraphy in which the receiver is set in vibration by the employment of undulatory currents of electricity, substantially as set forth.

2. The combination, substantially as set forth, of a permanent magnet or other body capable of inductive action, with a closed circuit, so that the vibration of the one shall occasion electrical undulations in the other, or in itself, and this I claim, whether the permanent magnet be set in vibration in the neighborhood of the conducting-wire form:

ing the circuit, or whether the conducting-wire be set in vibration in the neighborhood of the permanent magnet, or whether the conducting-wire and the permanent magnet both simultaneously be set in vibration in each other's neighborhood.

3. The method of producing undulations in a continuous voltaic current by the vibration or motion of bodies capable of inductive action, or by the vibration or motion of the conducting-wire itself, in the neighborhood of such bodies, as set forth.

4. The method of producing undulations in a continuous voltaic circuit by gradually increasing and diminishing the resistance of the

circuit, or by gradually increasing and diminishing the power of the battery, as set forth.

5. The method of, and apparatus for, transmitting vocal or other sounds telegraphically, as herein described, by causing electrical undulations, similar in form to the vibrations of the air accompanying the said vocal or other sound, substantially as set forth.

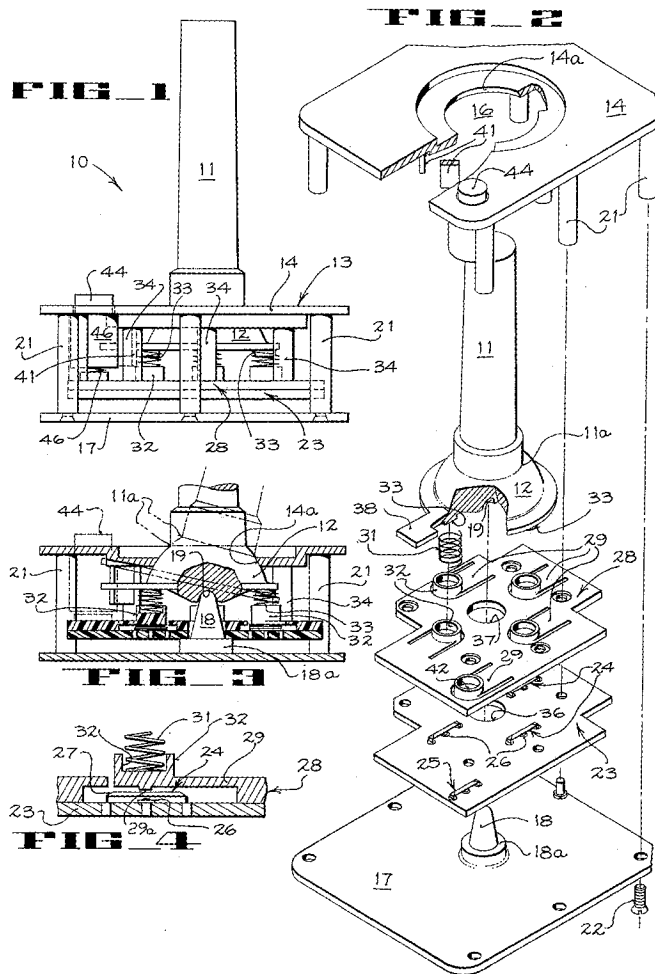
In testimony whereof I have hereunto signed my name this 20th day of January, A. D. 1876.

ALEX. GRAHAM BELL.

Witnesses:

THOMAS E. BARRY,  
P. D. RICHARDS.

# Cont.



1. A controller assembly for generating switch closures in response to X-Y manual movements, said assembly comprising an elongate handle, means supporting said handle for movement in an arc in directions radially of the axis of said handle...
2. A controller assembly according to claim 1 comprising means forming fixed stops for arresting movement of said handle in all directions, said stops being disposed to arrest movement of said handle prior to fully compressing said spring means.

**United States Patent** [14]

[11] 4,387,297

Swartz et al.

[21] Jan. 7, 1983

[54] **PORTABLE LASER SCANNING SYSTEM AND SCANNING METHODS**

[57] **Inventors:** Jerome Swartz, Southampton, Edward Barkan, South Amherst, Melroy A. Harmon, The Hills, all of N.Y.

[57] **Assignee:** Symbol Technologies, Inc., Hauppauge, N.Y.

[54] **Appl. No.:** 338,768

[52] **Filed:** Feb. 28, 1983

[51] **Int. Cl.:** G06K 07/34

[52] **U.S. Cl.:** 235-462; 235-467; 235-471; 235-484

[56] **Field of Search:** 235/462, 471, 467, 470; 240/146.3 BY, 146.3 F, 146.3 G, 146.3 H, 146.3 J, 146.3 K, 235/468

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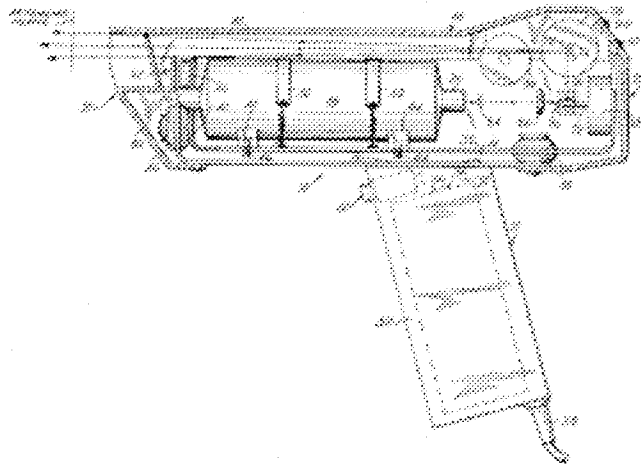
2151405 1/1978 Brit. Pat. Off. of Great Britain 235-462

**Primary Examiner:** Donald E. Yudin  
**Assistant Examiner:** Kenneth A. Kivertson,  
Dorothy A. Cohen

**ABSTRACT**

An entirely self-portable laser scanning system for reading bar code symbols includes a light-weight and well-balanced laser scanning head. The laser source, power supply component, optics, scanning elements, sensor circuit, and signal processing circuitry are specially designed for minimal size and weight and contain such that they can all be contained in the head. The head can be manually operated or hand-held. The housing for the head can be provided with a handle grip, or can be gun-shaped. High-speed oscillating scanning means and/or piezo-actuated scanning means are used as scanning elements. A trigger initiates repetitive scanning of each object bearing a symbol, and an indicator indicates when the scanning of that particular object has been terminated. A body harness supports the scanning system against gravity. A non-bulky, easily-adjustable saddle interconnects the head to the body harness. Methods of scanning the symbol and of operating the system are also disclosed.

66 Claims, 30 Drawing Figures



1. In a laser scanning system for reading bar code symbols, a light-weight easy-to-manipulate laser scanning head normally supportable only by a user throughout the reading of the symbols, comprising:
  - (a) a housing having wall portions bounding an outlet port and bounding an interior space whose volume measures less than a value which is on the order of 100 cubic inches;
  - (b) a light source mounted in the interior space of the housing for generating a laser light beam;
  - (c) miniature optic means mounted in the interior space of the housing for directing the laser light beam along a light path through the outlet port and towards a bar code symbol which is located exteriorly of the housing by a distance sufficient to permit the user to conveniently register the laser light beam on the symbol by sighting the symbol along a direct line of sight which does not pass through the housing;
  - (d) miniature scanning means mounted in the light path and in the interior space of the housing for cyclically sweeping the laser light beam across the bar code symbol for reflection therefrom;
  - (e) miniature sensor means mounted in the interior space of the housing for detecting the intensity of light reflected from the bar code symbol, and for generating an electrical signal indicative of the detected intensity of the reflected light;
  - (f) miniature signal processing means mounted in the interior space of the housing for processing the electrical signal to generate therefrom data descriptive of the bar code symbol;
  - (g) all of said light source, optic means, sensor means and signal processing means together with said housing comprising the light-weight laser scanning head whose total weight measures less than a value which is on the order of two pounds;
  - (h) handle means for normally supporting the light-weight laser scanning head in non-contacting relationship with the symbol during reading thereof; and
  - (i) manually actuatable trigger means on the housing for initiating reading of the symbol each time the trigger means is manually actuated by the user.

2. The laser scanning head as defined in claim 1, wherein the housing is generally gun-shaped and the handle means has a handle portion of a size dimensioned to be gripped by the hand of a user, and a barrel portion connected to the handle portion.

© 2007-2008 Luis Figarella **Pat. No.:** 4,387,297

**Matrix Patent Agency**

**www.mxpatent.com**

**Issue date:** 6/7/83

**Inv. Swartz et al, Hauppauge NY**

# Herramientas para buscar

- USPTO
  - [www.uspto.gov](http://www.uspto.gov)
  - Biblioteca Regional
- Google
  - [www.google.com/patents](http://www.google.com/patents)
- Free Patents Online (EEUU, UE, Japon)
  - <http://www.freepatentsonline.com/>

# Patente Internacional

- Simple... ...NO EXISTE!
- Ciudadanos de EEUU tienen que radicar primero en EEUU
- Existe una Oficina de Patentes Europeas (EPO).
  - Convención de París/Tratado de Cooperación de Patentes (PCT)
  - Permite una solicitud uniforme
- Examinan: EEUU, EPO, Japón, Korea
- Basada en "Primero en radicar"
- No existe el año de uso, venta, pub.
- No existen Patentes sobre programas (software), ni sobre procesos de negocios.

# Para obtener una patente o mas información...

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- USPTO Reg. # 58300
- Matrix Patent Agency
- 603.557.8420 (V)      253.484.9824 (F)
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