

Introducción a la Propiedad Intelectual y Patentes para Ingenieros

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USPTO Reg. No. 58300

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Temas

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

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¿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

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Tipos de IP

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

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¿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

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¿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.

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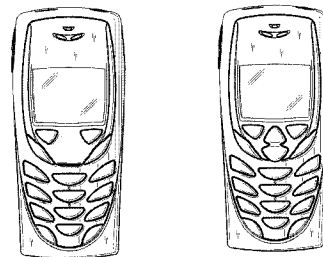
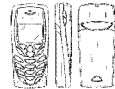
Tipos de Patentes

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

United States Design Patent U.S. Patent No. D5,944,714 A
 Number Date of Patent: Aug. 4, 2003

100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150.

151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200.



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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

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Tipos ...

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

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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

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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.
 Appellate No. 13, 1801. Serial No. 84,410. (15 words)

To all whom it may concern:
 Be it known that FELIX PEREZ HERMIDA, a citizen of Cuba, and a resident of San Juan, Ponce River, have invented a new and improved Cigarette-Cutter, of which the following is a full, clear, and exact description. This invention relates to improvement 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 leader from the forming-machine, thus making a straight cut without danger of tearing the paper.

I will describe in 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 a-a 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 reaching the cigarette from the forming-machine, and also a discharge-table 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 2 is a cutting-disk 6. This cutting-disk, as here shown, has bearings in uprights 7, attached to slide-plates 8, adjustable on a block 9, supported on a track-plate 10, having bearing-jugs 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, intended 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

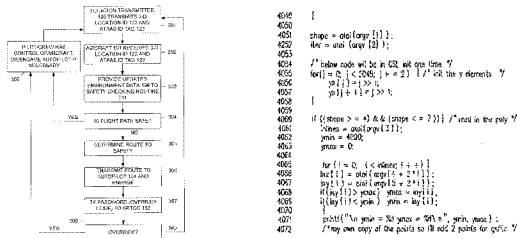
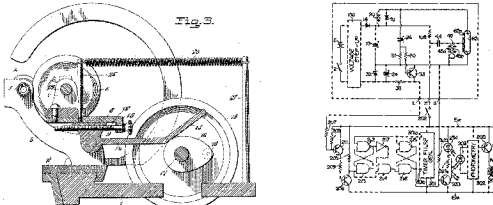
hardened steel, so that the wear will be very slight. On the main shaft 17 is a driving-pulley 19, and on the end of said shaft is a level-gear 20, meshing with a gear-wheel 21 on a counter-shaft 22, and on the forward end of this counter-shaft is a crank-disk 23, to the crank-arms of which is connected 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 forward 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 the cutting of 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..."



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Pat. No.: 5,710,578
 Issue: 1/20/1998
 Inv. Gary Bozsgard, Austin, TX

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 26th day of January, A. D. 1876.

ALEX. GRAHAM BELL.

Witnesses:
THOMAS E. HARRY,
P. D. RICHARDS.

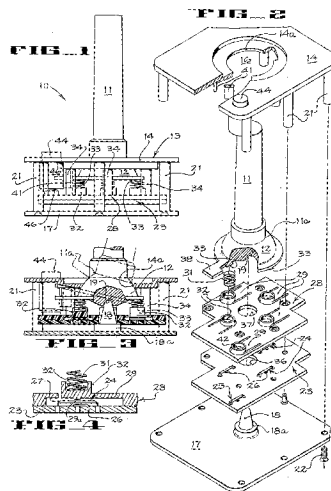
Pat. No.: 174,465

Issue date: Mar 7, 1876

Inv. Alexander Graham Bell

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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.

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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.

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Para obtener una patente o mas información...

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