



# Protecting Technology

An Online Continuing Education Course for Engineers

**Course Number: BS-3012**

**Credit: 3 Hours / 3 PDH / 3 CPD**

# Protecting Technology

**For Professional Engineers in all technical disciplines**

**Professional Development Course Materials  
3.0 PDH credits**

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**[www.RochesterPatents.com](http://www.RochesterPatents.com)**

## **IN THIS PROFESSIONAL DEVELOPMENT COURSE, YOU WILL:**

- Learn about corporate intellectual property protection programs
- Learn to identify potentially patentable Assets
- Learn about considerations in determining whether to patent or maintain technology as a trade secret
- Learn what a patent will and won't do for you
- Learn about inventor's record-keeping
- Learn about corporate security considerations in maintaining trade secrets
- Learn about important bars to patentability
- Learn about key aspects of patent ownership for the employer
- Learn about the use of confidentiality agreements
- Learn about patent ownership, licensing and assignments

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## INTRODUCTION

Technology is a key asset to most businesses. The know-how to produce a product or a service in a manner that sets the company apart from its competitors is a proprietary advantage that must be protected for continued success. Know-how is often the result of a significant expenditure of corporate resources and the benefit of experience through trial and error. Businesses also have “technology” in the form of customer lists, suppliers, identification of skilled employees and consultants, marketing and distribution channels. This information allows them to be competitively positioned in the marketplace.

In this course, you will learn how to protect the technology that you develop. If you own your own company or work in management, you will learn how to protect the technology developed by employees and consultants. This course will cover basic corporate intellectual property programs, the use of confidentiality agreements, considerations in determining whether to patent or maintain technology as a trade secret, protection of trade secrets and proper record keeping for inventors. This course will also discuss key concepts about patents including how to identify potentially patentable assets, bars to obtaining patent protection and key aspects about patent ownership and exploitation.

## INTELLECTUAL PROPERTY PROTECTION PROGRAMS

Most large companies have well-defined programs for protecting technology. In the employment process, we expect to see detailed company policies, employment agreements outlining certain responsibilities and a complex security program. After all, the corporate attorneys and human resource gurus have to justify their existence, right?

Many smaller companies don't have these fancy trappings. The perception of a friendly and casual work environment takes precedence. Perhaps they don't have a large budget for lawyers and personnel managers. Perhaps the small one-man shop grew before anyone really noticed. The scenarios are endless.

The lawyers don't mind a bit. The stories often end in their office, and well, litigation earns them a rather nice living. The first meeting usually ends with something like, “but no one ever told me. I would have...” Well, we are here today to tell you a bit of what you “should have asked.”

Technology happens at an unpredictable rate and in unpredictable ways. Many times engineers stumble upon something new without realizing its utility, its value or its potential. Engineers are always improving, creating, fixing problems, and designing the next state of the art widget or software. It may be months or even years before anyone realizes what they have. It may be months or even years until

resources are available to develop or incorporate a technology into existing products.

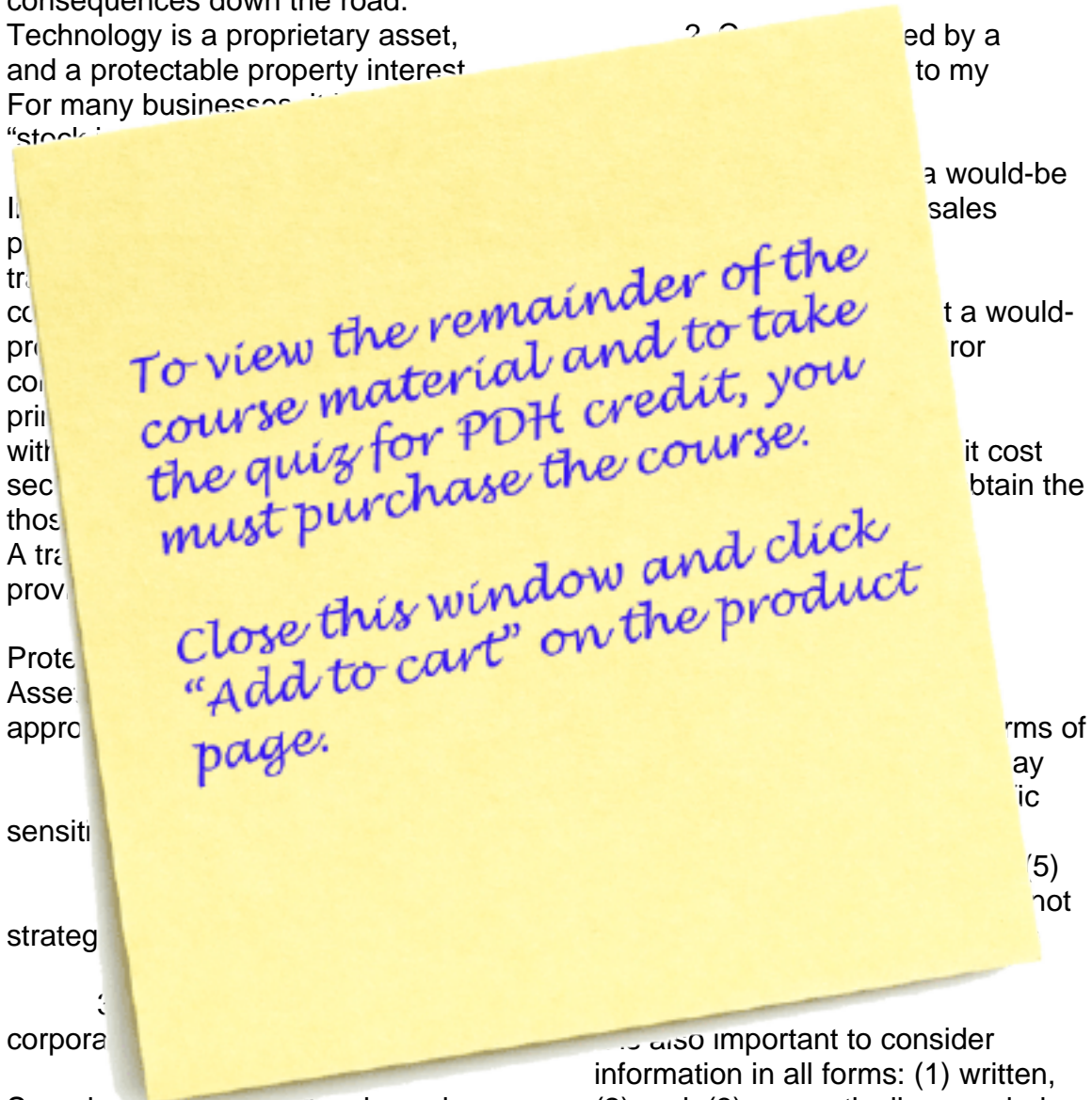
Failing to protect technology at its inception may have financially and technologically detrimental consequences down the road.

Technology is a proprietary asset, and a protectable property interest

For many businesses, technology is a "stock in trade"

The key inquiry is to look at the consequence of the information's release. If the information were disclosed,

1. Could it be commercially harmful to my business?



Sounds simple, huh? So where do you start? Well, first you have to identify commercially sensitive information that requires protection.

### **IDENTIFYING COMMERCIALY SENSITIVE INFORMATION**

It is also important to consider information in all forms: (1) written, (2) oral, (3) magnetically recorded (computer readable), (4) graphic (photos, diagrams, plans, blueprints), (5) computer programs, and/or (6) reproductions/copies/ duplicates.