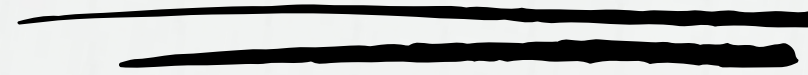
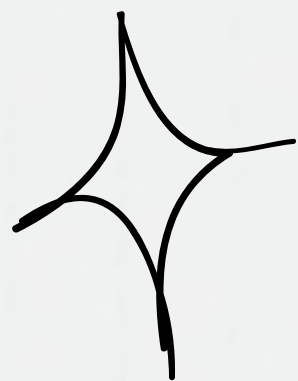




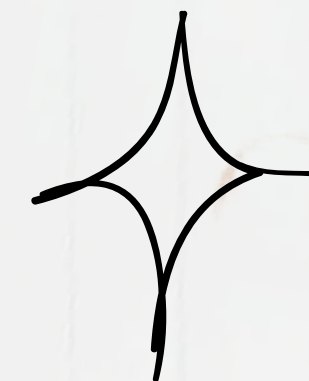
How to Study ~~the~~ THE AUDIENCE



by Özlem Çorapçioğlu
24 October 2024



Agenda



1

• MEET THE TEAM

4

• THE SCRIPT

2

• WORKING NOTES

5

• YOUR IDEAS & CHALLENGES

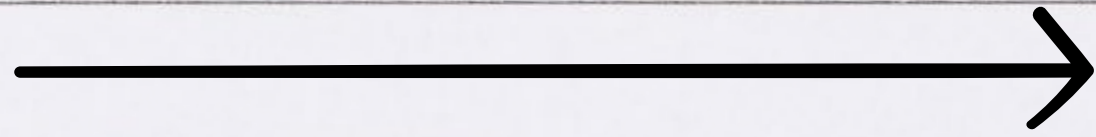
3

• INTERACTIVITY

6

• Q&A

About me



Dr. to be

Researcher at QMPRI

Former qLegal extern

Former Project Coordinator for the

Future of Law Programme





About the Audience

Law is boring. We don't understand what patent is.

Patent Law Workshop Running Notes

Audience: Design Innovation and Creative Engineering School DICE

<https://www.qmul.ac.uk/undergraduate/coursefinder/courses/2024/design-innovation-and-creative-engineering/>




- They are skilled in Maths and/or Physics.
- Have a creative qualification.
- Have an engineering design module.
- Their careers: graduates are well placed to work on products for the medical, sports, transportation and service industries, as well as consumer items. Some find work at start-ups, or set up their own businesses in manufacturing or consultancy.

How is it applicable to us?

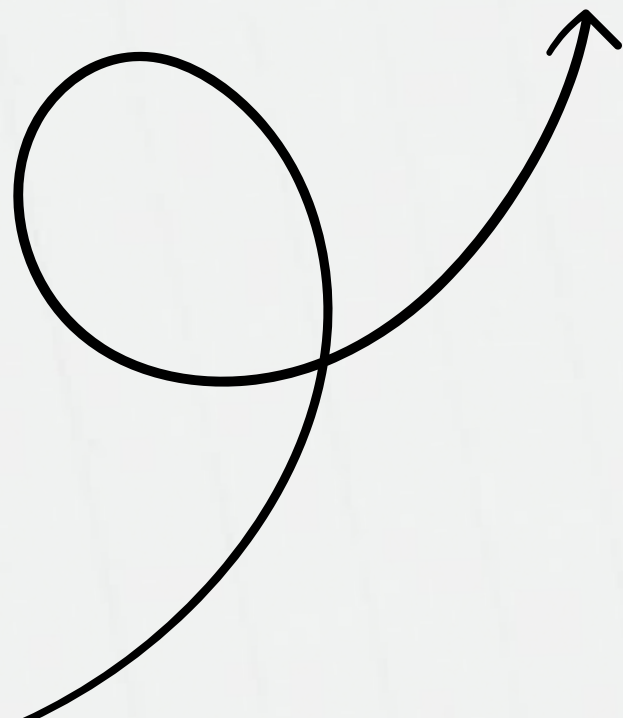
What is the difference between the design rights and patents?

What is the process when we start working and want to protect our design?



Let's see how we started 
the workshop

and test the interactivity...





qLegal
The small print for BIG IDEAS

Patent Law Workshop

Ayşenur Erdem & Özlem Çorapçioğlu

28 March 2024

Welcome to Patent Law

Meet the Team and

our Mystery Item



Let's look at the [patent](#)

United States Patent [19]
Forage et al.

[11] **Patent Number:** 4,832,968
[45] **Date of Patent:** May 23, 1989

[54] **BEVERAGE PACKAGE AND A METHOD OF PACKAGING A BEVERAGE CONTAINING GAS IN SOLUTION**

[75] **Inventors:** Alan J. Forage, Seer Green, Great Britain; William J. Byrne, Mount Merrion, Ireland

[73] **Assignee:** Arthur Guinness Son & Company Limited, Dublin, Ireland

[21] **Appl. No.:** 916,656

[22] **Filed:** Oct. 8, 1986

[30] **Foreign Application Priority Data**
Nov. 29, 1985 [GB] United Kingdom 8529441

[51] **Int. Cl.⁴** B65D 85/72

[52] **U.S. Cl.** 426/112; 426/115; 426/124; 426/131; 426/394; 426/398; 426/407; 53/79; 53/127

[58] **Field of Search** 426/112, 115, 124, 131, 426/316, 474, 477, 394, 398; 53/79, 127

[56] **References Cited**

U.S. PATENT DOCUMENTS			
3,085,714	4/1963	Lighter	
3,513,886	5/1970	Easter et al.	426/115
4,147,808	4/1979	Liepa et al.	426/477
4,186,215	1/1980	Buchel	426/477 X
4,399,158	8/1983	Bardsley et al.	426/124 X
4,518,082	5/1985	Ye	426/124 X
4,693,902	9/1987	Richmond et al.	426/521

FOREIGN PATENT DOCUMENTS

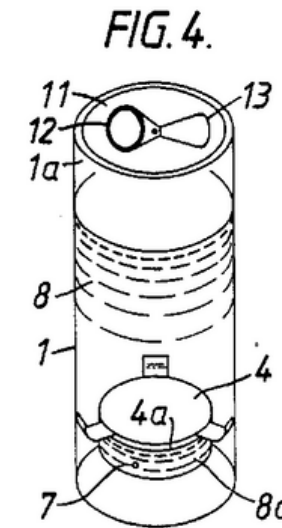
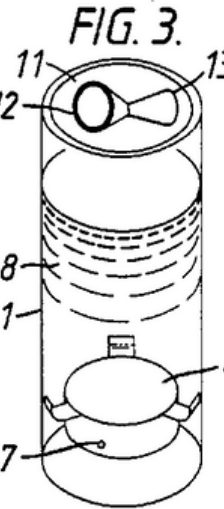
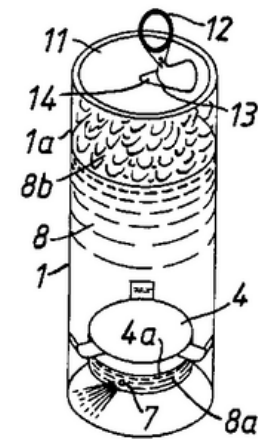
1266351 3/1972 United Kingdom
1588624 4/1981 United Kingdom

Primary Examiner—Barry S. Richman
Assistant Examiner—Timothy M. McMahon

[57] **ABSTRACT**

A beverage package and a method of packaging a beverage having gas (preferably at least one of carbon dioxide and inert (nitrogen gases) in solution) has a non-resealable container 1 within which is located a hollow pod 4 having a restricted aperture 7 in a side wall. The container is charged with the beverage 8 and sealed. Beverage from the main chamber of the container enters the pod 4 (shown at 8a) by way of the aperture 7 to provide headspaces 1a in the container and 4a in the pod 4. Gas within the headspaces 1a and 4a is at greater than atmospheric pressure. Preferably the beverage is drawn into the hollow pod by subjecting the package to a heating and cooling cycle. Upon opening the container 1 by draw ring/region 13, the headspace 1a is vented to atmosphere and the pressure differential resulting from the pressure in the pod headspace 4a causes gas/beverage to be ejected from the pod (by way of the aperture 7) into the beverage 8. Said ejection causes gas to be evolved from solution in the beverage in the main container chamber to form a head of froth on the beverage. The pod 4 is preferably formed by blow moulding and located as a press fit within the container 1 which latter is preferably a can, carton or bottle.

35 Claims, 2 Drawing Sheets



U.S. Patent May 23, 1989 Sheet 2 of 2 **4,832,968**

HOW A WIDGET WORKS

- 1 A small nitrogen-filled capsule (widget) that has a tiny hole in it is placed in the beer just before the can is sealed
- 2 Beer pressurised with CO₂ forces the nitrogen to stay in the widget
- 3 When the can is opened the pressure drops and the widget releases nitrogen into the beer, which agitates the brew and forces it to release dissolved CO₂, creating a head on top of the beer



What is Intellectual Property?

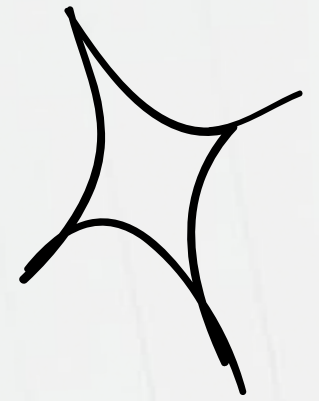
Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

- **TRADE MARKS:** A trademark is a mark that distinguishes your business from those of other traders.
- **COPYRIGHTS:** Copyright is a type of intellectual property that protects original works of authorship as soon as an author fixes the work in a tangible form of expression.

PATENTS

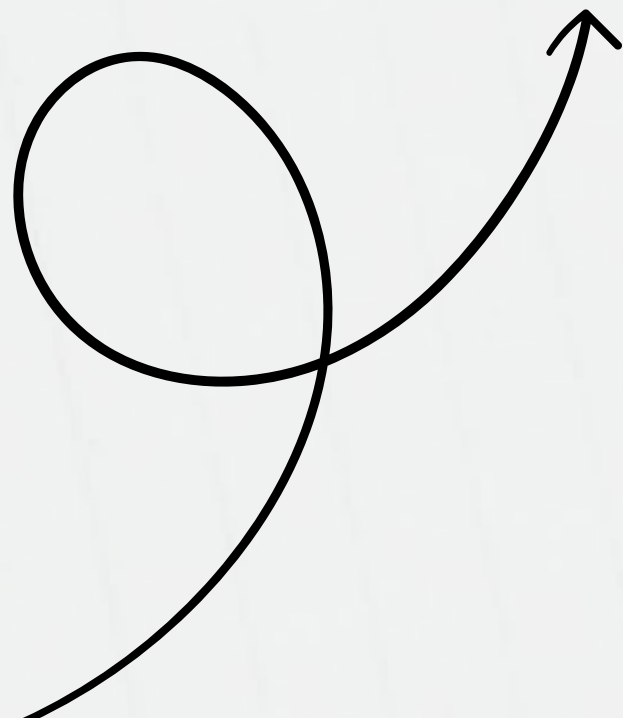
® DESIGN RIGHTS





Ask yourself

How can you incorporate the client's questions to the workshop?
How might you make the workshop more relatable to the audience?
What is the purpose of the workshop?
Why is the audience there?



Our Structure – What to Expect

1. What?

What is a patent? What can be patented, what cannot?

2. Why?

Why do engineers/companies apply for a patent?

3. When?

When can you apply for a patent? What are the requirements?

4. Who?

Who can apply for a patent? Who owns it? Do you need help?

5. How?

How do you apply for a patent? What is the process? How much

6. So what?

does it cost?

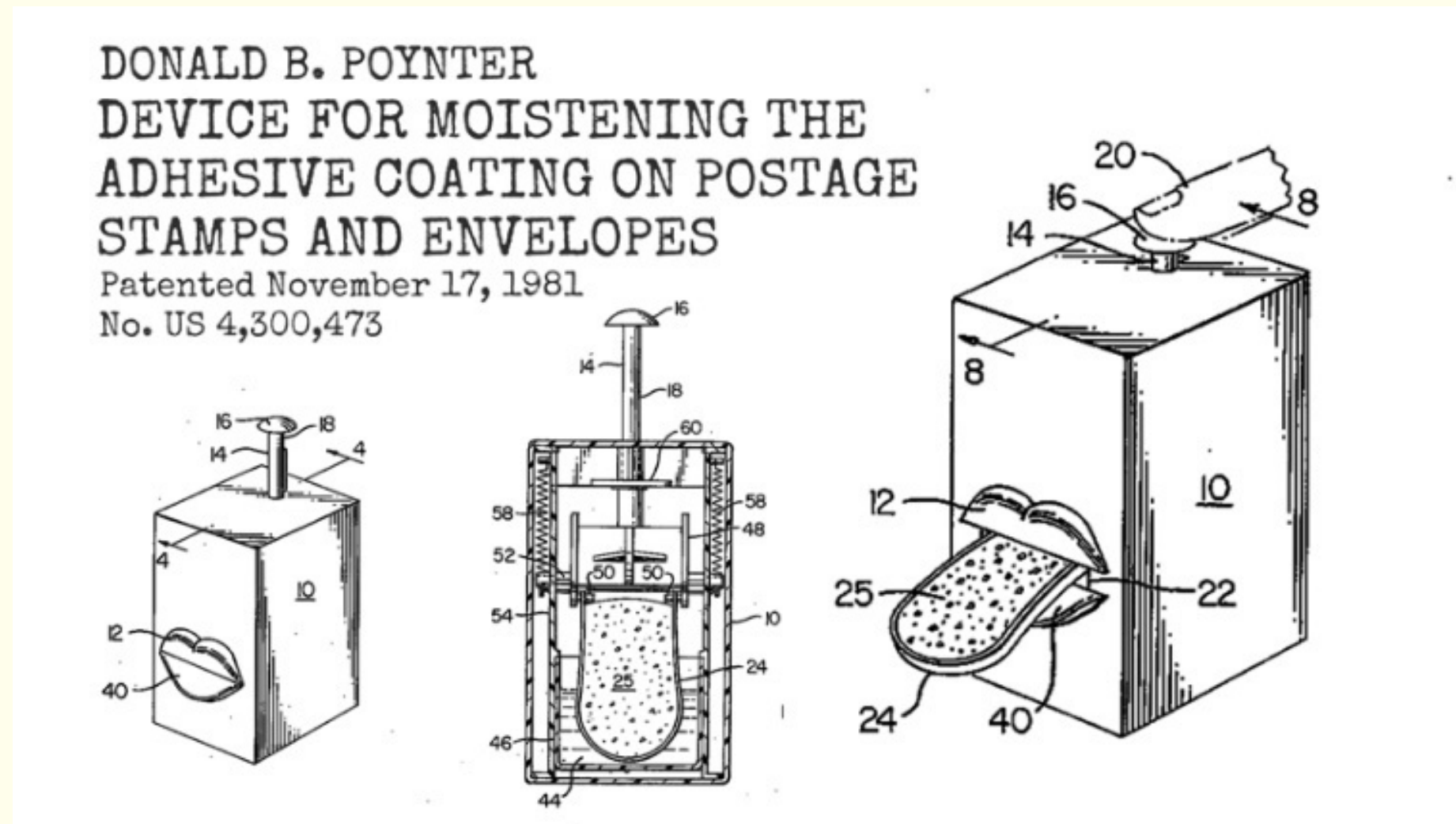
You applied for a patent, what do you need to do now?

7. Then what?

You are granted a patent, then what? How to make money?

WIPO's Patent Picks

Device for Moistening the Adhesive Coating on Postage Stamps and Envelopes (1981)

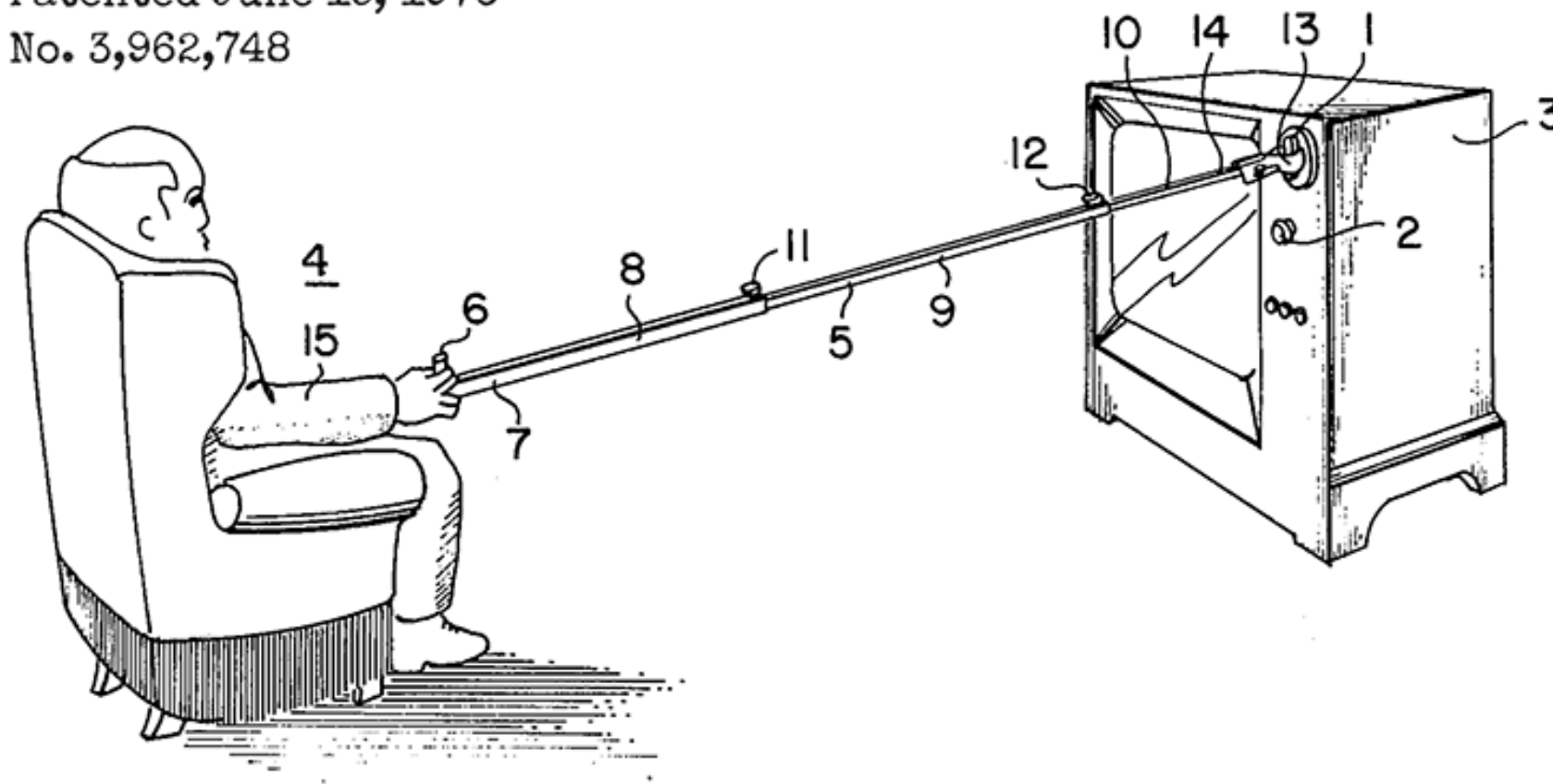


Do you like sending handwritten letters but dislike the taste of envelope and postage stamp glue? In 1981, Donald B. Poynter patented a solution: “an apparatus for moistening the adhesive coating on a postage stamp, envelope or the like”. The device features a plunger that lifts “an absorbant applicator from the liquid and passes the applicator through an opening in the side of the enclosure”. And, of course, function meets form for this device: “the applicator may be in the form of a human tongue and the closure may be in the form of a human lip”. Now that’s a clever hack!

WIPO's Patent Picks TV Control Device (1976)

CHRIS T. MICHAELS
TV CONTROL DEVICE

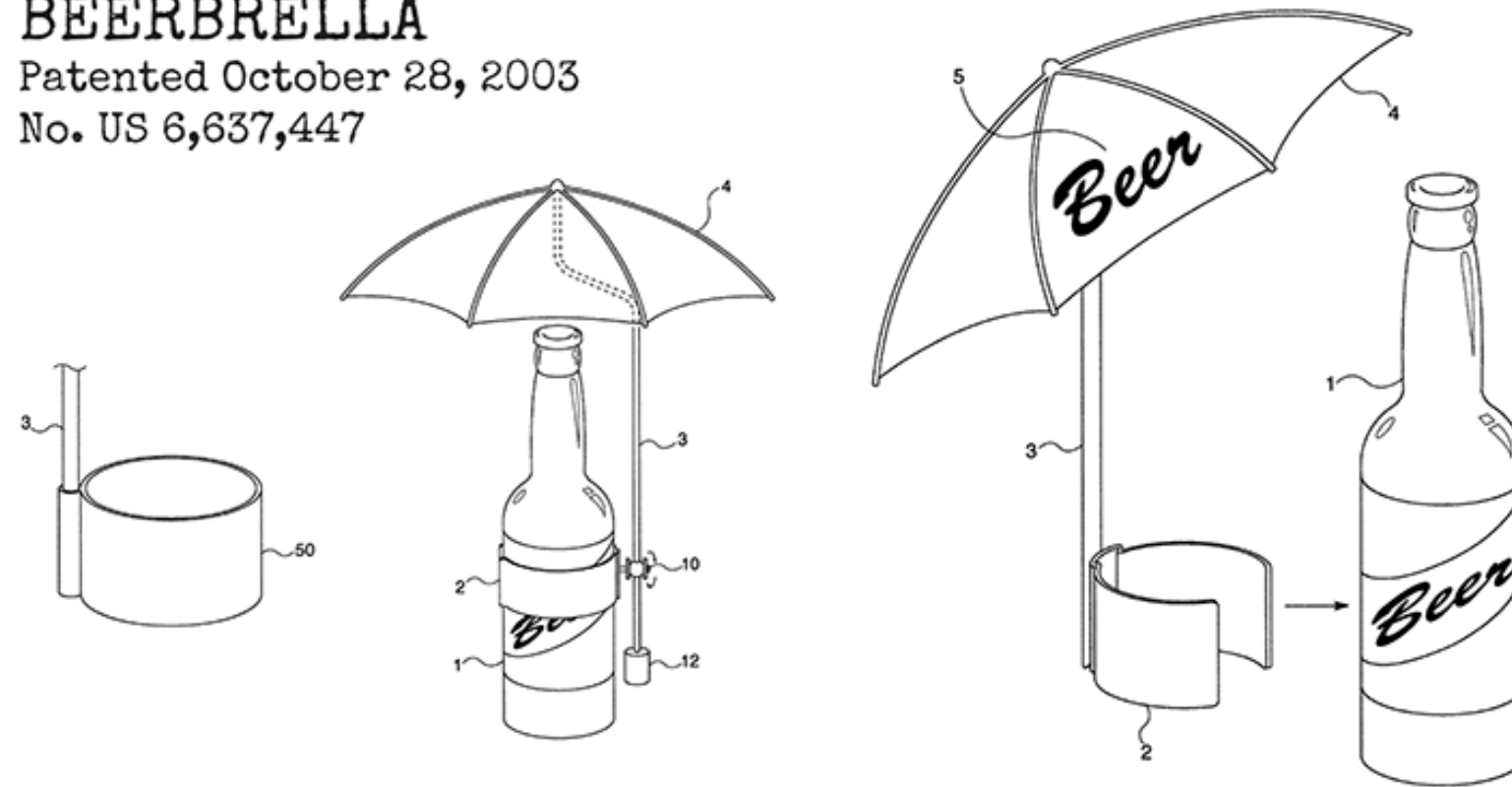
Patented June 15, 1976
No. 3,962,748



This TV control device, patented by Chris Michaels in 1976, allows you to change channels, adjust volume and more from the comfort of your sofa. Resembling a pool cue, the rod is of “variable adjustable length” and “considerably less expensive than its electrical and electronic counterparts, and functions efficiently” – the patent explains. And it’s for sure easier to find than a misplaced classic remote control.

WIPO's Patent Picks Beerbrella (2003)

MASON SCHOTT MCMULLIN; ROBERT PLATT BELL;
MARK ANDREW SEE
BEERBRELLA
Patented October 28, 2003
No. US 6,637,447



Nothing is worse than a lukewarm beer (or soft drink) on a hot summer day – or any day for that matter. And who said umbrellas are only for humans? Inventors Mason Schott McMullin, Robert Bell and Mark Andrew See obviously agreed, patenting a unique beverage accessory. Their invention features a small umbrella “which may be removably attached to a beverage container in order to shade the beverage container from the direct rays of the sun”. Practical and stylish!

Novelty



Beware Who You Talk To...



✦ How to test the interac ✦

Solicitor review

Include the interactivity exercise to your script before sending a draft to qLegal and to the solicitor!

- How to land the exercise
- How to ask the questions
- How to answer the questions

Dress rehearsal

Try it with your colleagues, with your friends, with Eliza or rehearse it by yourself!

Our Workshop Script

Ozlem:

-Guinness bottle opening-

The workshop will begin with a Guinness bottle opening which is our patent professor's lecture opening. It starts with showing the bottle to the audience saying that:

We introduced ourselves and now we want to introduce our mystery item (bring the bottle out of the case). This is as you see a beer bottle but there is something significant and unique about it that it is patented. Could you please make a guess and try to find the patented part of this bottle?

(After students guessed, we move on to the answer and show the widget) I did a little experiment last night. Warning: Don't try at home! And took out our little answer for you. This is a widget ball. (Then we will explain the following description briefly and show the patent saying:_) Now, we introduced ourselves and our mystery friend, let's see the patent.

Further Information about the Guinness Bottle

How they describe their widget- <https://www.guinness.com/en-gb/our-craft/guinness-innovation>

Description of the widget during the presentation:

"Most beers are carbonated with carbon dioxide (CO₂). When the beer is in the can some of this CO₂ is dissolved in the beer and some is at the top of the can. The CO₂ that is dissolved in the beer is what makes it fizzy. When the can is closed the pressure inside is higher than the pressure outside, so that when you open the can the sudden drop in pressure and the agitation of pouring causes some of the CO₂ to bubble out of solution, forming a head on your beer.

A stout like Guinness has a creamier, longer lasting head than a canned lager beer. In addition, Guinness is less fizzy than a regular lager beer. Guinness is canned with a mixture of carbon dioxide and nitrogen. Nitrogen is not absorbed into the beer nearly as well as carbon dioxide, so even though a can of Guinness may be at the same pressure as a can of lager, it contains less CO (and is therefore less fizzy) because the nitrogen makes up some of the pressure.

Because a beer like Guinness contains less dissolved CO₂, if you poured it from a can with no widget, the head not be very thick because most of the CO₂ would stay dissolved.

The purpose of the widget is to release the CO₂ from some of the beer in the can to create the head. The widget is a plastic, nitrogen-filled sphere with a tiny hole in it. The sphere is added to the can before the can is sealed. It floats in the beer, with the hole just slightly below the surface of the beer."

Why? we will discuss why you cannot patent the above referring to our explanations about other IP rights such as [trade marks](#), copyright and design rights.

Question to students:

Well, if we ask the following question based on this, how would you answer it? **Instagram question**

⇒ You came up with an idea and you have turned this idea into a product. You showed your invention to your friends or advertised it. Let's say that you shared it on your Instagram story. In such a case, do you think your invention loses its patentability or not? Please explain your answer with your justification.

Explanation:

By far the most common mistake made by people new to the world of patents is to reveal their invention too early. If you disclose your invention in any way – by word of mouth, demonstration, advertisement, article in a journal or any other way – before you apply for a patent, you are making your invention public. This could mean that you lose the possibility of being granted a patent. For a patent to be granted, the invention must be novel, once a public disclosure is made the invention can no longer be novel.

Beware who you talk to...

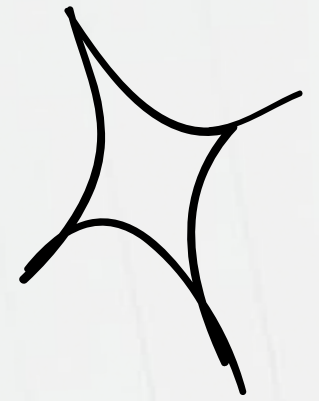
If you feel the need to talk to someone before considering protection, such as a potential business partner, you should ask them to sign a confidentiality agreement (Non-Disclosure Agreement – NDA) before you talk to them. This means they have to treat what you tell them in confidence.

(If the existence of an invention has been revealed to one or more members of the public, enabling an experienced person to reproduce the invention (known as public disclosure), then it will not be patentable= Definition of 'public disclosure')

Is there an exception for public disclosure? What if the invention is presented at a science fair

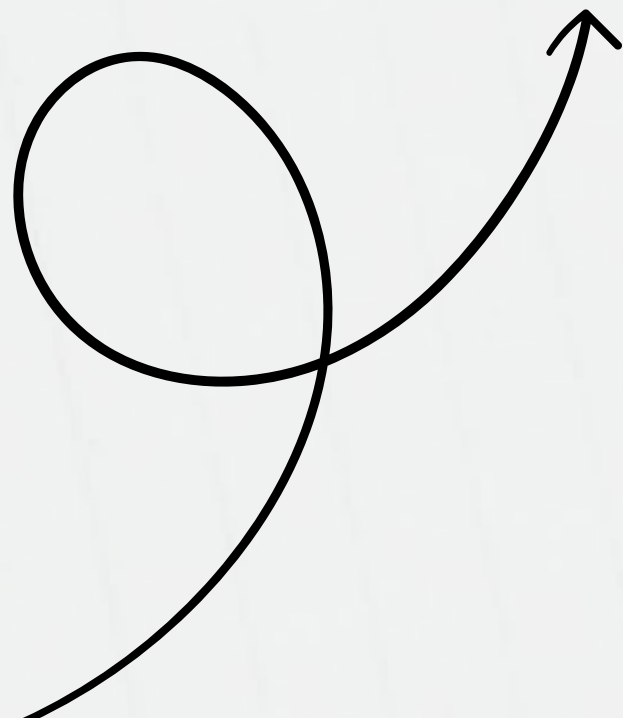
- Unless you went somewhere where everyone signed an NDA
- If in doubt always file your patent first
- Very specific so do not mention the exhibition

Test is : Enabling disclosure – it has to be disclosed in a way that they can replicate the invention.
Added level of test



Ask yourself

How can you incorporate the client's questions to the workshop?
How might you make the workshop more relatable to the audience?
What is the purpose of the workshop?
Why is the audience there?





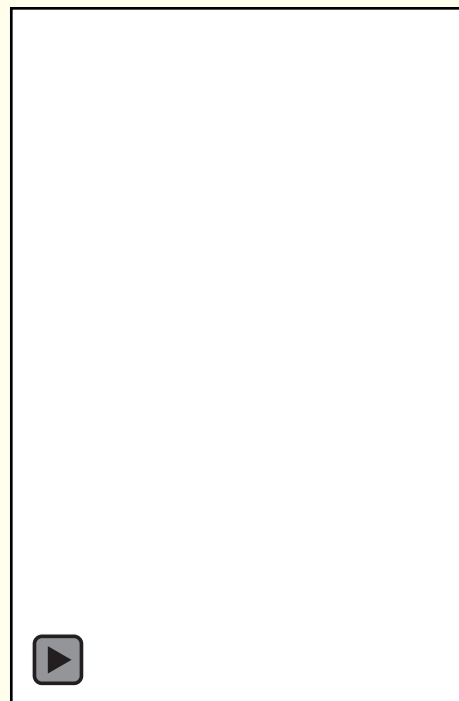
Why Do We Apply For a Patent?



Patents attract investors.

<https://www.youtube.com/watch?v=p4fsERN4Q7o>

Monopolising the market: Using, making and selling their product or method of use exclusively.



Patents promote innovation and help develop new products.

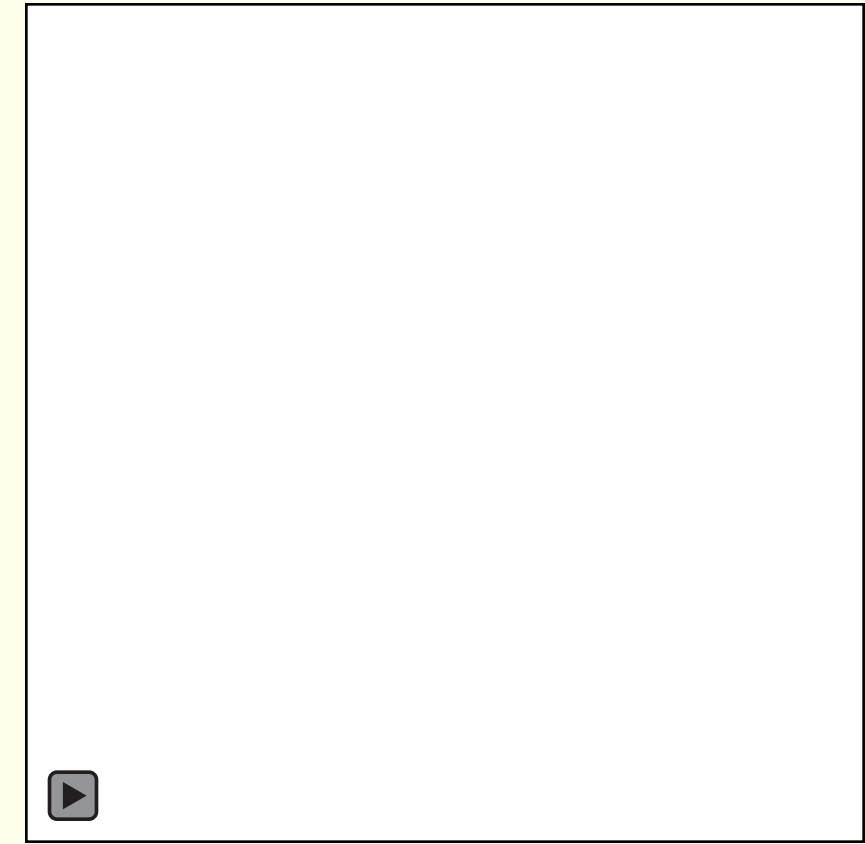
What to consider while deciding to share your secrets with the public?

Trade secrets v. Patents

1. How easy is to detect the invention? (reverse engineering and detectability)
2. How likely is it to get a patent? Is it patentable? (Patentability)
3. What is your intention for your invention? Do you want to sell it? Is licensing something that you are looking for?



WHY DO ENGINEERS APPLY FOR A PATENT



I own a patent, then what?

Enforceability of IP

- Patent is a negative right – restrict others from using your invention
- Oppose infringement and take action

Commercialisation of IP



- Who? The owner of the right
- Why? Have a control over your invention & to monetise
- How?
 - Develop and sell your products/services.
 - Enter into agreements.
 - Use it as an asset for your transactions.

ASSIGNMENT AGREEMENT

- 1.10 A reference to **writing** or **written** excludes fax [and email OR but not email].
- 1.11 Where any statement is qualified by the expression **so far as [PARTY] is aware** or to **[PARTY]'s knowledge** (or any similar expression), that statement shall be deemed to include an additional statement that it has been made after due and careful enquiry.
- 1.12 Any words following the terms **including, include, in particular, for example** or any similar expression shall be interpreted as illustrative and shall not limit the sense of the words preceding those terms.
- 1.13 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality) [and that person's legal and personal representatives, successors and permitted assigns].

2. Assignment

[Pursuant to and for the consideration set out in the Main Agreement OR In consideration of the sum of £[AMOUNT] (receipt of which the Assignor expressly acknowledges)], the Assignor hereby assigns to the Assignee, absolutely with full

title guarantee, all its right, title and interest in and to the Patents, and in and to all and any inventions disclosed in the Patents, including:

- (a) [in respect of any and each application in the Patents:
- (i) the right to claim priority from and to prosecute and obtain grant of patent; and
 - (ii) the right to file divisional applications based thereon and to prosecute and obtain grant of patent on each and any such divisional application;]
- (b) in respect of each and any invention disclosed in the Patents, the right to file an application, claim priority from such application, and prosecute and obtain grant of patent or similar protection in or in respect of any country or territory in the world;
- (c) the right to extend to or register in or in respect of any country or territory in the world each and any of the Patents, and each and any of the applications [comprised in the Patents or] filed as aforesaid, and to extend to or register in, or in respect of, any country or territory in the world any patent or like protection granted on any of such applications.
- (d) the absolute entitlement to any patents granted pursuant to any of the applications [comprised in the Patents or] filed as aforesaid; and
- (e) the right to bring, make, oppose, defend, appeal proceedings, claims or actions and obtain costs (and to retain any damages recovered) in respect of any infringement, or any other cause of action arising from ownership, of any of the Patents or any patents granted on any of the applications [in the Patents or] filed as aforesaid, whether occurring before on or after the date of this agreement.

The Assignor hereby assigns to the Assignee, absolutely with full title guarantee, all its right, title and interest in and to the Patents, and in and to all and any inventions disclosed in the Patents....

Assignor - Assignee



LICENSING AGREEMENT

- 1.9 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.10 [This agreement shall be binding on, and enure to the benefit of, the parties to this agreement and their respective personal representatives, successors and permitted assigns, and references to any party shall include that party's personal representatives, successors and permitted assigns.]
- 1.11 [[Unless expressly provided otherwise in this agreement, a OR A] reference to legislation or a legislative provision is a reference to it as amended, extended or re-enacted from time to time.]
- 1.12 [[Unless expressly provided otherwise in this agreement, a OR A] reference to legislation or a legislative provision shall include all subordinate legislation made from time to time under that legislation or legislative provision.]
- 1.13 A reference to **writing** or **written** excludes fax [and email OR but not email].
- 1.14 [Any obligation on a party not to do something includes an obligation not to allow that thing to be done.]
- 1.15 [Where any statement is qualified by the expression **so far as [Party 1] is aware or to [Party 1]'s knowledge** (or any similar expression), that statement shall be deemed to include an additional statement that it has been made after due and careful enquiry.]
- 1.16 [Any words following the terms **including, include, in particular, for example** or any similar expression shall be interpreted as illustrative and shall not limit the sense of the words preceding those terms.]
- 2. Grant**
- 2.1 The Licensor hereby grants to the Licensee an [exclusive OR sole OR non-exclusive] licence under the Patents [and the Licensed Know-how] [in the Field of Use] to manufacture, use, and sell or otherwise supply, Licensed Products in the Territory.
- 2.2 The Licensee undertakes not to exploit the Patents [or the Licensed Know-how] in the Territory other than in the Field of Use.]
- 2.3 [[The Licensor undertakes not to exploit the Patents [or the Licensed Know-how] in the Territory in the Field of Use, or to grant others the right to do so, provided that this shall not prevent it dealing in such Licensed Products as are supplied to it by the Licensee.

The Licensor hereby grants to the Licensee an [exclusive **OR** sole **OR** non-exclusive] licence under the Patents [and the Licensed Know-how] [in the Field of Use] to manufacture, use, and sell or otherwise supply, Licensed Products in the Territory.

Licensor - Licensee



Trunki v. Kiddee



A Kiddee case (left) and a Trunki case.



Let's compare

Design Rights	Patents
Protects aesthetics, the look and feel of a product.	Protects function.
The application process for registering the design is quicker and would take few days.	The application process takes few years.
The requirements are not strict: the design must be new.	The invention must be new, inventive and non-obvious.



Activity time

Car

Identify patentable inventions and designs. A prize will be awarded to the team with the most correct designs and patentable inventions.





If I was in the audience,

I would feel..

This worked well because...

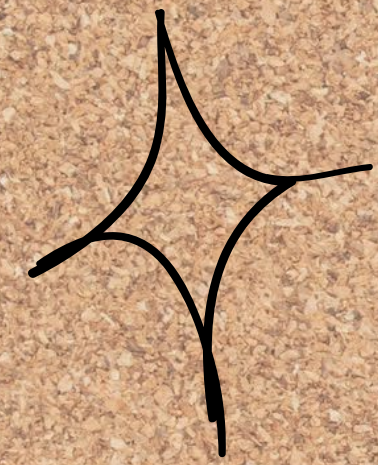


This point can be

improved.

It wouldn't work well

because...



Your Interactivity Ideas



Ideas

- Including a discussion of a case

Possible Challenges

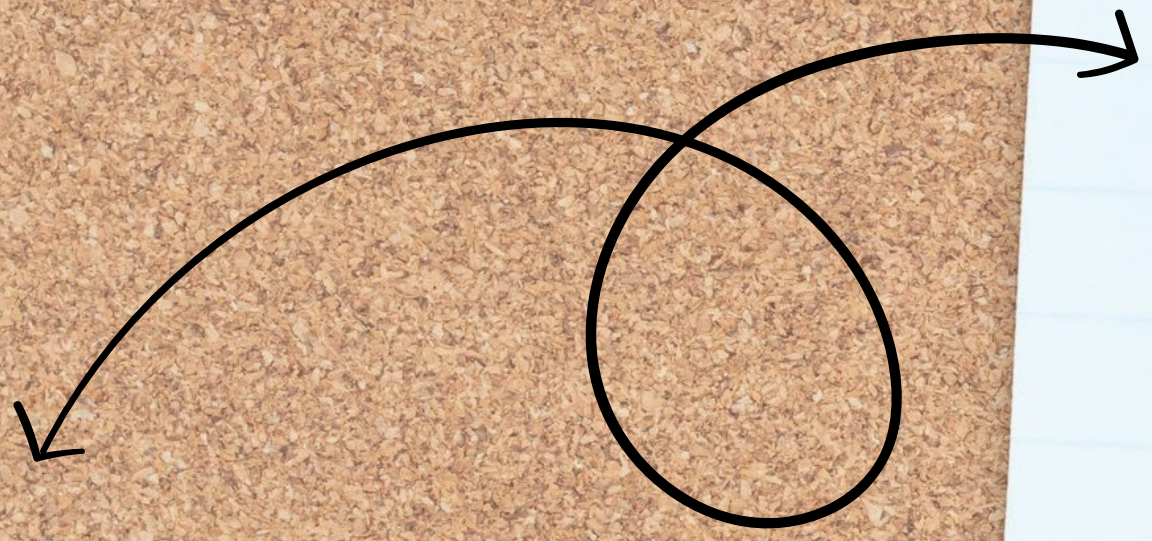
- The audience doesn't have a law background

Solutions

- Simplify the story and ask their expert opinion



Any
questions?





Thank you!

