

# TechRoadmap *Directions*

Intellectual Property Issues of Interest to High Tech Companies

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We would be happy to schedule a visit to your facility to help you review the good and not so good IP practices you use. Sign up on our web site with the link below.

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## IP Links of Interest

- [US Patent Office](#) A host of useful, official information.
- [The Patent Cafe](#) An on-line portal for IP matters.
- [Technology Insurance Special Risk](#) An specialist in insurance for technology companies - for example, patent insurance
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## Welcome

For those of you who look at the calendar now and again, you might have noticed that it's been two months since the last issue of *Directions* hit your virtual doorstep. **In this case, no news is good news (mostly).**

First **the slightly bad news**. My plan and practice over the past 6 years has been to make *Directions* an eleven-times-per-year opportunity to keep in touch and hopefully share some IP lessons learned. So not publishing is sort of bad news.

On the other hand, at least for TechRoadmap, the reason I've missed those issues is **good news**. I've been spending the past 2 months supporting an influx of new clients. While I won't claim that 110% of my time has been devoted to helping clients, I will say that I felt compelled to spend my desk-time on client needs instead of reviewing patent cases for lessons learned. I hope you understand.

The *really* good news this month is the September announcement by IBM of its plan to attack the well publicized decline in US patent quality. Read about it in **Breaking the Cycle of Bad Patents**.

### • [Breaking the cycle of bad patents](#)

In the past **I've taken the occasional pot shot** at the poor quality of many patents being issued by the USPTO. On September 26 **IBM brought out its big guns**. It announced a program to start breaking down the cycle of bad patents: a cycle of knowingly poor applications overloading the USPTO, leading to bad patents issuing, encouraging more poor applications.



**IBM's program** is not directed at the USPTO; it **is directed at us** in the IP generation community, challenging us by its example to **be part of the solution** instead of part of the problem.

The tenets of the new policy are:

- **"Patent applicants are responsible** for the quality and clarity of their patent applications.
- Patent applications should be available for **public examination**.
- Patent ownership should be transparent and easily discernable.
- **Pure business methods** without technical merit **should not be patentable.**"

To support these policies with action, IBM has committed to:

- IBM employees will spend 1000s of hours reviewing and commenting on published patent applications.
- IBM open its patent applications for community review.
- IBM will dedicate over 100 (~50%) of its business methods patents to the public
- IBM will "promptly and publicly" make their ownership of patents and applications known.

Each of these policies and actions is worthy of extensive discussion, but **the first policy** - that we applicants should take responsibility for submitting clear, quality applications - **resonates most for me** and, I hope, for you. Next month I'll discuss IBM's announcement in more depth.

[Click for IBM's press release](#)

### • [Your Thoughts?](#)

I always enjoy reader feedback. Let me know your thoughts on this or any other IP topic. Your experiences interacting with the patent systems are particularly welcome. Reply to this email or send me a note directly at [bruceahz@techroadmap.com](mailto:bruceahz@techroadmap.com)

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