

Study Questions on Intellectual Property

Fall 2014

ME 370

Lecture 04

In Fall 2014, Lecture 04 was presented in a series of 5 video segments. The following list of study questions are designed to help solidify your understanding of the material in those video segments. These questions are not the reading quiz. I recommend that you answer the study questions for each video segment immediately after watching the video. You may want to watch the videos with a friend and discuss your answers to the study questions.

Video 1: Introduction to Intellectual Property

1. What does the concept of IP imply about ideas related to innovation or invention?
Can you own an idea?
2. Is IP non-controversial?
3. What are the four types of IP?
4. Which type of IP is most closely associated with innovation by mechanical engineers?

Video 2: Introduction to Patents

1. When was the concept of intellectual property first introduced into US Law?
2. What is the basic purpose of a patent? Hint: think of patents in terms of the common good.
3. What are the three types of patents?
4. What is the difference between a provisional and a non-provisional patent?

Video 3: Utility Patents

1. Give an example of (or an application of) each of the three different types of patents.
2. Can a utility patent be granted for a process, i.e. a method of producing something?
3. True or False: Once an innovation is patented, no further improvements on that innovation can be patented.
4. What does “novelty” mean in determining whether an innovation is patentable?
5. What does “useful” mean in determining whether an innovation is patentable? Give an example of a non-useful idea that someone might try to patent.
6. Can an abstract idea, such as increasing engine horsepower by increasing intake pressure, be patented?
7. Can you patent a song? Can you patent software?
8. What is the duration of the legal protection provided by a patent?

9. In the last calendar year, roughly how many patent applications were filed with the USPTO? Is the answer approximately 10^2 , 10^3 , 10^4 , 10^5 , 10^6 , 10^7 , or some other order of magnitude?
10. How does the number of design patents compare to the number of utility patents awarded in any one year?
11. Which US company was awarded the most patents in 2013? Which type of patent is refer to in that ranking?

Video 4: Copyright

1. Name three characteristics that distinguish patents from copyright. Hint: one characteristic has to due with the kind of right that is granted. Another distinguishing characteristic is the duration of the protection. A third distinguishing characteristic is the way in which patents and copyrights treat the ability to duplicate the idea being protected.
2. What is necessary for you to copyright your solution to a problem set in your thermodynamics class?
3. Is it necessary to affix the © symbol to a creative work in order to have it protected by copyright?
4. What is the process for registering a copyrighted work?
5. Can you copyright a mathematical formula?
6. How does the concept of fair use apply to copyrighted works?
7. Can something be both copyrighted and in the public domain?
8. Is a Creative Commons license usually sought in addition to copyright?
9. True or False: A Creative Commons license can be applied to a creative work and also encourage the sharing of that work.

Video 5: Trademarks and Trade Secrets

1. What is the difference between a copyrighted work and trademark?
2. Do you need to register a trademark in order to claim it as your intellectual property?
3. True or False: Both ® and ™ are equal designations of a trademark.
4. True or False: The trademark Nike swoosh was created by a student at the University of Oregon.
5. True or False: Trade secrets must be filed with USPTO.
6. What is the duration of protection offered by a trade secret?
7. Can you allege theft of trade secrete for a process with no commercial value, such as a password for a secret society?