



## PTO's Strategic Plan

The US Patent & Trademark Office has released a proposed five-year strategic plan designed to foster American innovation and competitiveness and optimize the quality and timeliness of the patent and trademark review process. These issues head the list of goals for the plan that will guide the agency from 2007-2012.

Patently-O, the "most widely read patent law blog" by Dennis Crouch, notes that the USPTO continues to see human resources as its greatest challenge.

A public forum on the draft strategic plan will be held on Tuesday, September 26, 2006 at USPTO headquarters.

[Strategic Plan: \(CLICK HERE\)](#)

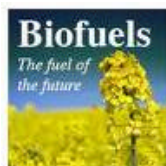
[PTO's Strategic Plan Site: \(CLICK HERE\)](#)

## MTTLR Fall Symposium

Founded in 1994, Michigan Telecommunications and Technology Law Review (MTTLR) was one of the first law journals to use interactive media to promote informed discourse about the interrelated legal, social, business, and public policy issues raised by emerging technologies. As one of the original online law journals in the world, MTTLR is a ground-breaking publication.

MTTLR is co-sponsoring a symposium on September 29-30, 2006 entitled "Patents and Diversity in Innovation."

For more information, see [www.patentsanddiversity.com](http://www.patentsanddiversity.com).



Sustained high fuel costs and a federal energy bill that mandates the use of some renewable additives to make gasoline have companies examining ways to cash in on demand for alternative energy (see Corporate Venture Capital). Witness the recent formation of several joint ventures to produce, distribute, and market alternative fuel.

- E.I. du Pont de Nemours and Co. and BP plc have formed a joint venture to produce butanol from sugar beets. The two will collaborate with Associated British Foods plc to convert and ethanol fermentation plant to produce biobutanol. Construction of new facilities is also being considered. The companies say butanol is an attractive alternative for oil companies to in-demand ethanol because it results in better fuel efficiency and can be more easily distributed through pipelines used to carry other products.
- Marathon Oil Corp. and Andersons Inc. will form a 50-50 JV to build ethanol plants, pending approval by both companies' boards. The Andersons—with holdings in grain, ethanol and plant nutrients—will provide day-to-day management of the ethanol plants, as well as corn origination, risk management and marketing services. The companies have yet to select the site of the first plant.
- US BioEnergy Corp. has announced two ethanol-related JVs in the past three months. The ethanol production and management company is teaming up to create an ethanol and biodiesel marketing company with CHS Inc., an energy and grain-based food company. The company is also partnering with ethanol plant operator Big River Resources LLC to construct a dry-grind ethanol facility in Iowa.
- Pure Energy Corp., Green Star Products Inc., and Bio Clean Fuels have formed a JV to undertake integrated ethanol and biodiesel production projects in the U.S. and other countries. The JV, to be called Green Star International Inc., will be 50% owned by Pure Energy, an alternative fuel company. Green Star, a technology-related holding company, and Bio Clean, a biodiesel fuel and engineering company, will own 25% each.

### Corporate Venture Capital

Energy sector investments by CV groups are heating up in 2006. Of the 70 CV groups tracked in our vcdeal.com database, nine have invested in 10 energy deals so far this year, compared with four groups and five energy deals in all of 2005.

Alternative energy startups have attracted the most attention from CV investors this year, with six corporates pouring a total of \$110 million into four alternative energy startups. The bulk of that—\$75 million—went to Nanosolar Inc., which plans to build the world's largest solar cell factory.

Corporate Dealmaker, July-August 2006, p.10 ([www.corporatedealmaker.com](http://www.corporatedealmaker.com))

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## Legal setback raises questions of SCO's survival

Unix vendor SCO Group's intellectual property lawsuit against IBM has been widely seen as a go-for-broke strategy. Now it looks more like just a plan to go broke.

In June 2006, a Utah District Court Magistrate dismissed 182 of the 201 claims IBM sought to have thrown out of the case; 112 claims remain. Legal action dates back to March 2003, when SCO charged that IBM's contributions to the Linux open source operating system contained lines of code that it had purloined from SCO's Unix software.

One analyst says the ruling means that commercial Linux users can breathe easier because it's less likely that SCO will gain control over significant pieces of the freely distributed operating system. "There's still that possibility, but it's getting more remote," Enderle Group principal Rob Enderle says.

SCO also sued DaimlerChrysler and AutoZone in 2004, but those cases are on hold pending the outcome of SCO's suit against IBM.

A SCO spokesman said there has been "no change" in SCO's public policy. But given the Utah court's ruling, odds are that SCO won't be around long enough to chase down any more Linux users.

### The Unix-Linux Court Docket

March 2003	SCO sues IBM
August 2003	Red Hat sues SCO for harming Linux business
January 2004	SCO sues Novell for copyright infringement
March 2004	SCO sues AutoZone and DaimlerChrysler
June 2006	Judge dismisses 182 of SCO's 294 claims against IBM

In its most recent quarterly financial statement, SCO concedes that the lawsuit is a bet-the-company move. "If we do not prevail in our action against IBM ... we may not be able to continue in business," says the filing. In the last two years, SCO has made payments to attorneys totaling \$26 million in what amounts to a flat fee for present and future services in the IBM case.

Source: InformationWeek, July 10, 2006, p.28. [Click here for the complete article](#)

## The top ten best brands 2006

	Company	Country	Brand Value (Billion)
1.	Coca-Cola	U.S.	\$67.0
2.	Microsoft	U.S.	\$56.9
3.	IBM	U.S.	\$56.2
4.	General Electric	U.S.	\$48.9
5.	Intel	U.S.	\$32.3
6.	Nokia	Finland	\$30.1
7.	Toyota	Japan	\$27.9
8.	Disney	U.S.	\$27.8
9.	McDonald's	U.S.	\$27.5
10.	Mercedes-Benz	Germany	\$21.8

Source: <http://biz.yahoo.com/special/brand06.html>

## To freshmen, Google was always a verb

For most teens starting college this fall, disposable contact lenses have always been available, wars and revolutions have always been televised, and a stamp was rarely needed for communication.

Born in 1988, incoming freshmen grew up knowing only two presidents, searching for Waldo and eating dolphin-free canned tuna.

Those are some of the 75 cultural landmarks on the [Beloit College Mindset List](#), an annual compilation that offers a glimpse of the world view through the eyes of each incoming class.

The recently released list provides an interesting glimpse of popular culture, and an understanding of the cultural attitudes of the incoming class for faculty.

"Once upon a time faculty could talk about the Watergate scandal. This reminds them that now they have to explain it first," say the authors.



Billy Carter, Billy Martin and Lucille Ball all died before the incoming freshmen were born, according to the study's authors. But one student, Julie Heney said she remembers the classic comedienne from imitating her in skits. How did Heney, 18, learn about Ball?

"I googled her," said the Montpelier, Vt. native, confirming No. 19 on the Mindset list: "'Google' has always been a verb" for this generation.

Begun in 1998, the lists often depress people who find themselves wondering how they got so old so fast. "But it's an illusion. It's not them getting old, it's culture that changes so fast." "Trends and fashions are so short-lived that a lot happens in just 18 years."

*The Beloit College Mindset List was initially a witty way of saying "watch your references," and has turned into a globally reported and utilized guide to the intelligent but unprepared adolescent consciousness.*

## Nanotech patent picture is mixed

The US issued 4,996 nanotechnology patents in 2005, but a report by Lux Research and Foley & Lardner LLP, as reported in EE Times (7/25/2006), suggests that the rate of nanotech patents increased only 4 percent last year after previously exceeding 20 percent. Still, the number of patent applications for nanotechnology continued to increase in 2005, growing by 52 percent to 2,714 applications.



Bottlenecks at the US PTO center on crowded patent domains with overlapping claims. Pendency rates grew to nearly four years on average, up from two and half years in 1993.

"Nanotech IP Battles Worth Fighting," warns that "when the dust settles from this influx of inventions, many patent holders will be wondering just how valuable their innovations are in densely crowded and overlapping areas."

The report reviewed 2,738 patents covering 52,148 relevant claims crossing seven application categories. It identified applications worth fighting over and those with relatively low payoff.

Among the report's highlights are that carbon nanotube and quantum dot applications in electronics, where many crowded and vulnerable patents indicate a high likelihood of legal wrangling, are worth defending. Large potential markets for nanomaterials justify the cost of navigating the unfavorable patent outlook, the report found.

Dendrimers along with ceramic and metal nanoparticles are also promising for their potential applications.

[For the entire article, Click here.](#)

## Five things you should know about VoIP

Whatever the many reasons, the march is on to voice over IP. At some point very soon, says an article published in Information Week (July 3, 2006), "you're either an adopter or a holdout. This is how most business calls will be made." Information Week's research provides the following five-point take on the state of VoIP technology in business.



1. VoIP is inevitable. For many companies, the big move comes when their PBX-based telecommunications system reaches the end of its life cycle – and the phone companies see the writing on the wall. Last year, for the first time, telecom and networking companies shipped more IP telephony ports (4.3 million) than

conventional circuit-based ports (4.2 million) according to TEQConsult Group.

2. It costs more than you think. Experts, consultants, infrastructure, and upgrade costs are higher. Lack of ROI metrics were cited by 18% of respondents to Information Week survey respondents.
3. Deployment can be tricky. VoIP isn't plug and play. Unless companies go for a standards-based system, they can't easily swap hardware. Learning how to configure an IP call manager is the biggest new skill requirement.
4. VoIP security is dodgy. "Because VoIP protocols are very open, there is a lot of potential for mischief", says one security expert. Thirty-five percent of respondents cited security issues as the biggest obstacle to implementing VoIP.
5. Cheap calls are just the start. The VoIP handset and network are more than a phone system: It provides a platform for one-stop communications; it's a computer in its own right. Unified voice, data-sharing, email, and/or conferencing, as well as other novel applications are of interest to more than half of the survey respondents.

In spite of the negatives, some aspects of VoIP technology do make network management easier once IT skills are updated. Improved employee collaboration and "presence awareness" – the ability to transmit one's availability and willingness to communicate – are also big advantages. The bottom line: Especially at the beginning of deployments, companies should balance installation costs and adjusting to a new system with feature upgrades and unified communication conveniences.

[For more information, Click Here.](#)

## The world's 10 most-powerful computer systems

	Site	Vendor	Speed (teraflops)
1	Lawrence Livermore Natl. Lab	IBM	280.6
2	IBM Research	IBM	91.3
3	Lawrence Livermore Natl. Lab	IBM	75.8
4	NASA Ames Center	SGI	51.9
5	Atomic Energy Comm., France	Bull	42.9
6	Sandia National Labs	Dell	38.3
7	Tokyo Institute of Tech.	Sun	38.2
8	Juelich Research Centre, Germany	IBM	37.3
9	Sandia National Labs	Cray	36.2
10	Earth Simulator Center, Japan	NEC	35.9

Source: *Information Week*, 7/3/2006, p.18

## Science publishing and the web

Nature Publishing Group (NPG), a subsidiary of Macmillan Publishers Ltd, and publisher of its flagship scientific journal *Nature*, is "committed to publishing high quality, rigorously peer-reviewed research, review and reference material; timely news; and essential career and recruitment information." NPG's "Launchpad" provides access to several online resources that aim to make the most of the web as a scientific communication medium. Launchpad tools include:

- **Connotea** ([www.connotea.org/about](http://www.connotea.org/about)), a free online reference management for clinicians and scientists;
- **Dissect Medicine** ([www.dissectmedicine.com](http://www.dissectmedicine.com)), a collaborative medical news website, which indexes and ranks international medical news spanning general interest articles to basic research;
- **Nature Newsblog** (<http://blogs.nature.com/news/blog/>), a blog as well as an experiment in user participation; and
- **Nature Network Boston** (<http://network.nature.com/boston>) is NPG's most recent regional web site for the local scientific community. It features Boston-based participative news, blogs, events, jobs, and more. Some refer to it as "MySpace for scientists."

In Kevin Davies' column "First Base" in *Bio-IT World* (July/August 2006, p.6) appeared an overview of Web-based scientific communications, including Nature Network Boston. If the Boston network proves successful, the column predicts similar initiatives in other major science centers such as London, San Francisco, and New York.

Another publishing initiative is from San Francisco-based Public Library of Science (PLOS), a non-profit, open-access publisher, experiments with peer review. *PLOS ONE* ([www.plosone.org/](http://www.plosone.org/)) vows to return control over scholarly publishing to the research community. PLOS claims to offer new tools for searching and adding value to the published literature.

**BioWizard** ([www.biowizard.com](http://www.biowizard.com)) is similar, offering a platform for open ranking and discussion of the full peer-reviewed literature.

## Six mobile innovations that will change your life

It's a good time to be mobile.

A century ago, communicating in a hurry meant sending a telegram. If you needed to go yourself, you went by train.

Flash forward to today's world of e-mail-ready smartphones and 3G wireless access. If you think

those are handy, then get ready: Newer technology is emerging that will significantly change how we stay in touch when we are mobile -- nearly as much as telephones and airplanes have changed lives over the last 100 years.

InformationWeek asked several futurists and industry experts to describe these mobile technologies and their impact on our lives. They aren't talking about maybe-someday technologies, but applications that will be here in the next year or two. Some of them are even starting to be available now. Here's a rundown:

Innovation	Old Way	New Way
Pay By Phone	Pull out your wallet and pay with cash, debit card, or credit card.	Your cell phone acts as a mobile wallet; you wave the device at a point-of-sale reader to make purchases.
Commanding Presence	You call, and if the person is not available, you leave a message.	"Presence" capabilities tell you where a person is, what time zone they're in, where they are going, when they'll arrive, the best way to get in touch with them, & much more.
Internet Everywhere & Embedded In Everything -- At Last	You wander around looking for a Wi-Fi hotspot to connect your laptop to the Internet.	The Internet is everywhere and embedded in everything, from laptops and smartphones to intelligent alarm clocks and home infrastructure.
Ubiquitous Media	You pack your music and maybe a video on your digital media player before you hit the road.	Download -- and upload -- all types of media on all types of mobile devices wherever you are.
Easier, Better Health Monitoring	Sick & elderly must find transportation to the nearest medical facility even for simple procedures.	Real-time remote monitoring of medical conditions saves time and money, and allows faster, more helpful emergency responses.
Do You Know Where Your Kids (And Trucks) Are?	Parents worry about where their children are & if they're safe. Trucking companies have the same worries about their drivers.	Real-time monitoring pinpoints location and even checks truck drivers for sobriety.

[For the entire article, click here.](#)

First Principals is pleased to announce we are now representing for licensing a portfolio of patented technologies developed by the **Roswell Park Cancer Institute** ([www.roswellpark.org](http://www.roswellpark.org)), of Buffalo, NY. Roswell Park is a member of the prestigious National Comprehensive Cancer Network. For more information, please contact Mike Allan: [mfallon@firstprincipals.com](mailto:mfallon@firstprincipals.com).