

October 2022, Issue 5

Legal Hacks for Creators, Inventors and Entrepreneurs

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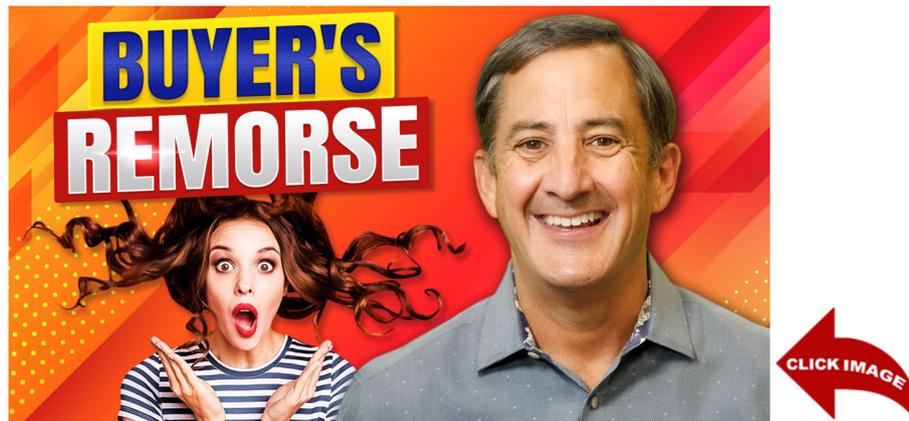
Welcome back to my very short and informal newsletter, sharing a bit of what I find interesting, quirky, or just fun about Intellectual Property Law and Patents. I publish this once a month or so to share with you at least one idea that I think you will find both engaging and useful.



#1: What Are the Penalties For Patent Infringement?

If you are producing and selling something useful, there is a pretty good chance you are infringing someone else's patent. With more than 2 million enforceable patents and tens of millions of valid patent claims lurking in the patent office, it's hard to imagine inventing or producing anything even modestly complex that is completely clear of infringement. The majority of these 2 million patents are likely forgotten or unused – submitted by inventors who have long ago switched jobs, changed careers, or lost interest in their inventions. Most of these patent infringement issues will never surface and for sure you don't want to [go searching](#) for patents that might be infringed.

Whether you have a patent that is being [infringed](#) and are exploring a [licensing](#) strategy or facing an infringement damage of your own, it's helpful to understand how damages are calculated. This [video](#) looks at patent damages and how punitive or treble damages can be applied to cases of willful infringement.



#2: 7 Pro Tips for Avoiding Epic Failure When Buying a Patent

Thinking of buying, licensing, or [investing](#) in a patent? One quick but important due diligence check is to run a patent search on each of the named inventors on the patent to see whether they have filed similar patents while working with prior employers or Universities. This is a not so uncommon problem and the last thing you want is to end up paying licensing royalties to a seller on a patent that is also being claimed by an inventor’s prior employer.

Also, it’s critical to make sure when buying a patent that all the inventors have assigned their rights to the seller. Missing even [one signature](#) can render your new patent nearly worthless. This [video](#) is chock full of common sense and not commonly known bits of advice that I know you will find useful when buying, licensing or investing in tech. Enjoy!

Inventor’ Notebook – We filed our **10,000th** U.S. patent application this past summer and it went to our Fintech client of many years, [Capitalogix](#). Congratulations to Capitalogix, founder Howard Getson and his creative and skilled product development team for joining us in this special milestone.

Thank you for reading, watching, “liking” and subscribing to my videos – it does make a difference as YouTube will then serve these videos to others who are looking for them. Have a wonderful and creative month.

Warm wishes,

-john

P.S. if you’ve missed the previous issues, [click here and read them all!](#)

John Ferrell is a founder and patent attorney at the Silicon Valley law firm of Carr & Ferrell. The author of two books and a growing YouTube channel on Intellectual Property, John’s

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passion for creating and protecting patent monopolies is reflected in his representation of many of the world's most important companies and inventors - some 5,000 so far. Founded in 1992, Carr & Ferrell has filed more than 10,000 patent applications covering nearly every imaginable technology. John is admitted to practice in California; in numerous Federal jurisdictions, including before the Supreme Court of the United State; and in the U.S. Patent and Trademark Office.

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