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Misconceptions About Patents Hurt Technological Innovators



by **Elliot C. Cook**

Three fundamental myths about patents frequently result in missed opportunities and lost value for innovators. These simple misconceptions cause real damage to real companies. Myth #1: I Need to Build It Before I Patent It: This false assumption is particularly dangerous. Patent law does not require companies to actually build, implement, or even test their innovations before seeking patent protection. Instead, the law requires only that the inventor describe the invention in enough detail—including a written description and figures—so that others in the same field of technology could build it if they wanted to. Because others in the same field of technology are assumed to have a reasonable baseline of knowledge in the field, patent applications need not describe each and every detail of an invention so that a novice could construct the invention. For example, an electrical invention need not describe the operation of Ohm's law, a mechanical invention need not explain how gears operate, and a software-based invention need not disclose actual source code. While the novel portions of an invention must be described in detail, well-known building blocks in a technological field require only general description. Click [here](#) to learn more about patent myths and avoid making mistakes.

Cyber Patent Wars Are on the Horizon



by **Elliot C. Cook; Jeffrey A. Berkowitz**

The nature of patent litigation in the cybersecurity industry is likely to change very soon. Non-practicing entities started some time ago to sue for patent infringement. These suits often take one of two forms: the plaintiff purchases patents from an operating company in the cyber field, or the plaintiff itself has a history of patenting but has stopped developing products. Click [here](#) to read more about cyber patent wars.

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