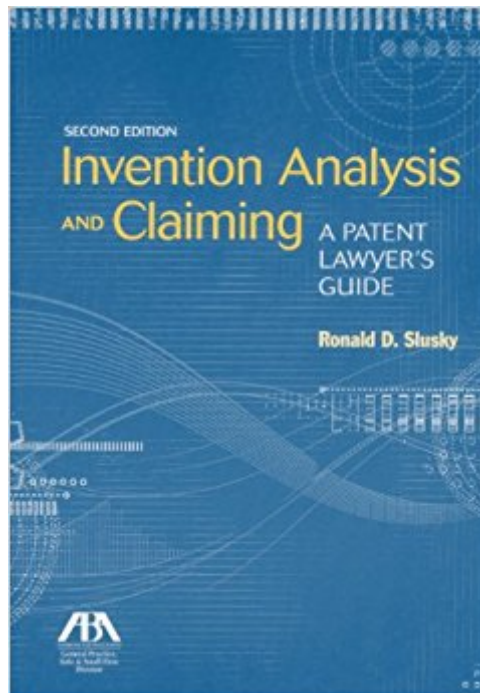




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# Invention Analysis And Claiming: A Patent Lawyer's Guide



## Synopsis

Invention Analysis and Claiming: A Patent Lawyer's Guide, Second Edition, presents a comprehensive approach to analyzing inventions and capturing them in a sophisticated set of patent claims. A central theme is the importance of using the problem-solution paradigm to identify the "inventive concept" before the claim-drafting begins. The book's teachings are grounded in "old school" principles of patent practice that, before now, have been learned only on the job from supervisors and mentors. Questions at the end of each chapter have been added to:

- Confirm the understanding of the principles presented;
- Explore the jurisprudential and practical implications of those principles; and
- Try out the invention analysis and claim drafting skills taught in the chapter.

## Book Information

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## Customer Reviews

Ronald D. Slusky has been a patent professional for thirty five years in New York City.

This guy is smart and he genuinely seems to be doing his best to explain how to write a rock solid patent application. It is by far the best I have read on the subject.

This is a very practical and easy-to-read book, and has helped me in my first steps of prosecution. It provides a good conceptual framework as well as concrete legal guidance. I also found the new section to the 2nd edition on functional language very useful, as this language is becoming increasingly used and debated. If you need just one book on patent prosecution, this is the one.

This book is written for a wide audience. The writing is clear and the subject matter is well thought out and easy to understand. I learned many new things about how a patent should be structured and written so that its value can be maximized. For example, a patent is not a thing it is a concept that is most clearly defined by a problem solution statement. These are big ideas. The patent I am working on now is many times better because of the information I have learned in this book. Lots of good information in this book. This book has helped me greatly.

I have read almost every IP Drafting / Analysis books printed in the past 7 years and Ron Slusky's: Invention Analysis and Claim Drafting, 2nd edition is a must have for practitioners and inventors alike. It's by far one of the best written and structured books in the subject area. His book provides clear and valuable insights in analyzing new inventions and how to drill down and flesh out core inventive concepts. He combines best practices and a seasoned perspective in describing how to structure broad and highly diverse claims that captures core inventive concepts from a variety of defensible positions. If you came by this review because, like me, you realize how hard it is to find good material in this subject area BUY THIS BOOK, it's exactly what you are looking for. For a point of reference, this title a favorite 'go-to' reference with prime placement in my library next to similar books from BNA, ABA-IP Law, Landis, and AIPLA. cheers!

I'm no lawyer, but a CPA in a startup. This is a great way to prep your brain for dealing with the patent process, and going through a product development process, in general. The overall thinking process the book conveys also applies to communicating to potential investors what your product actually is.

Fantastic book. Author is smart, clear, helpful, organized. This is an inventor's delight.

Thank you, 5 star general on strategy and tactics in claiming drafting and patent English grammar field. I am an inventor having invented a novel method resolving a 50 years old problem in electronic circuit: how easily to generate a wave-pipelined circuit. Each wave-pipelined circuit has every advantage over traditional circuit of same logic in terms of power consumption, speed, area of silicon, but it has an almost insurmountable fatal disadvantage: only chip manufacturers, like Intel, IBM, SAMSUNG, etc. have the rights to design such circuits. The reason is that to generate such circuits, you must have a means to know the exact timing through which two

signals from any two sources within the circuit reach 2 pins of any OR/AND gates to make sure that none of first cycle signals are caught up with, or not contaminated, by any of second cycle signals. That leads the result: none of ordinary electronic engineers can design a wave-pipelined circuit in the last 50 years. I thought I have solved the problem by filing a provisional patent application to USPTO with a 65 page specification and 9 page drawing. One big company shows interest, but has not given any help in transforming the provisional patent application to a regular one. Finally I am forced to start claim drafting myself. Within 15 days, I had drawn more than 50 claims based on knowledge learned from "Patent it Yourself" and two IBM patents, because I know what my invention conceptions are thoroughly without needs of reading specification. The first method claim comprises 9 actions, from A to Z, including 4 actions from all hardware description languages (HDL), one from compiler manufactures and remaining 4 from digital designers. During that period, I ordered this book "Invention Analysis and Claiming." I received the book on December 10, 2015, today is December 18, 2015. Here is what I have done during the week after I received the book:

1. I abandoned all more than 50 claims I had drafted based on knowledge I learned from the book "Patent it Yourself."
2. I drafted two my broadest claims in method and apparatus categories strictly following instructions given in the book. Here I show them for your patent lawyer experts to comment. One comment: English is not my first language, most key words and claim types are copied or mimicked from the examples listed in the book. Here is my motto: "If you cannot do it perfectly, mimic it or copy it, and follow the leader's teaching and steps."
1. A semiconductor chip having at least one wave-pipelined circuit that is generated based on an instruction carried out by a synthesizer.
2. A semiconductor chip, as claimed in 1, wherein said instruction is a link concurrent statement.
3. A method for use in transforming a code into a wave-pipelined circuit, said method comprising:
  - a. Instructing that said code is for said wave-pipelined circuit; and
  - b. Synthesizing said code into said wave-pipelined circuit; whereby a synthesizer, instead of a human, does all chores for generating said wave-pipelined circuit.
4. A method for use in transforming a code into a wave-pipelined circuit, as in claim 3, wherein said instruction is a link concurrent statement.

Of course any book has its drawback. Here are comments I would like to make:

1. In chapter 12, Claims with functional language, pages 171-172, author can and should do better in a more direct way to describe the following important principle (I don't know if I understand it correctly): An inventor can claim all ways for an unsolved problem which nobody ever have thought of, even though he doesn't resolve the problem himself or provide any details for resolving the problem. In other words, an

inventor can claim a brand new problem which is useful as an invention, even though he doesn't resolve the problem himself or provide any details for resolving the problem. I read the paragraphs more than ten times and finally I guess what the meaning of pages 171-172 is. Here I exemplify the principle using famous events in the mathematics history. If it is not correct, please correct me. Great mathematician David Hilbert mentioned 23 unresolved mathematical problems in 1902. If some of them were unknown when he mentioned, that really was, and math were permitted for patents, that is not, and the claim drafting were good enough as if they were drafted by the author, Hilbert would be the inventor of those math problems, even though he didn't resolve the problems himself, and what's more, he would enjoy all royalty from anyone who later resolved any of those problems using whatever a new method is. A big surprise, isn't it!!!2. The book should add a new chapter especially for individual inventors instructing them how not to make stupid errors with more case judgments and more failed or successful stories, and more details and requirements in drafting claims in grammar. They, as like me, need author's help even more than patent lawyers, and author can do more in this respect. Fortunately I didn't read its subtitle "A patent lawyer's guide" when I order the book, because I have no any desire to be a patent lawyer. I especially checked author's resume: he has B.S. and M.S. degrees in electrical engineering from Columbia University, 35 years experiences in AT&T Bell lab and other big companies that is what I wanted most. After reading and doing drafting, I feel the book is very suitable for independent inventors in the same ways as for lawyers. So I suggest here that the book title in third version should be changed to "Invention Analysis and Claiming for Lawyer and Inventor's Guide" with a new chapter for individual inventors.3. For inventors with an invention in application status, the big problem for them is not to find the invention concept, or invention departure, that is patent lawyer's, but the rules and details to implement them perfectly and correctly. Every rules and details for prosecuting a patent application are mines to them. Here my situation is a proof. Even though the first version of broadest claim of my invention has 9 actions and all my more than 50 claims had made all errors ever mentioned in the book, but I am still very fast to learn and catch what my broadest invention concept is, fully based on and closely following the teaching from the book. My experience is: the book is excellent, easy to understand, easy to follow, not only tell you the tactics, but strategy on claim drafting and patent English grammar. Readers in computer science or electric engineering may know Donald Knuth's book "The Art of Computer programming",

Bjarne Stroustrup's C++ Programming Language, this book is the equivalence of the two books in claim drafting field: a book that must be read by any individual inventors who want to climb to the top of a success through their inventions.4. Finally I hope and like to get pay service on my final claim drafting from the author. I will send you an email to ask you to do so when I finally finish it.Weng

Fantastic treatise to patent drafting. I buy the book for new patent attorney associates and make it a must read.

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