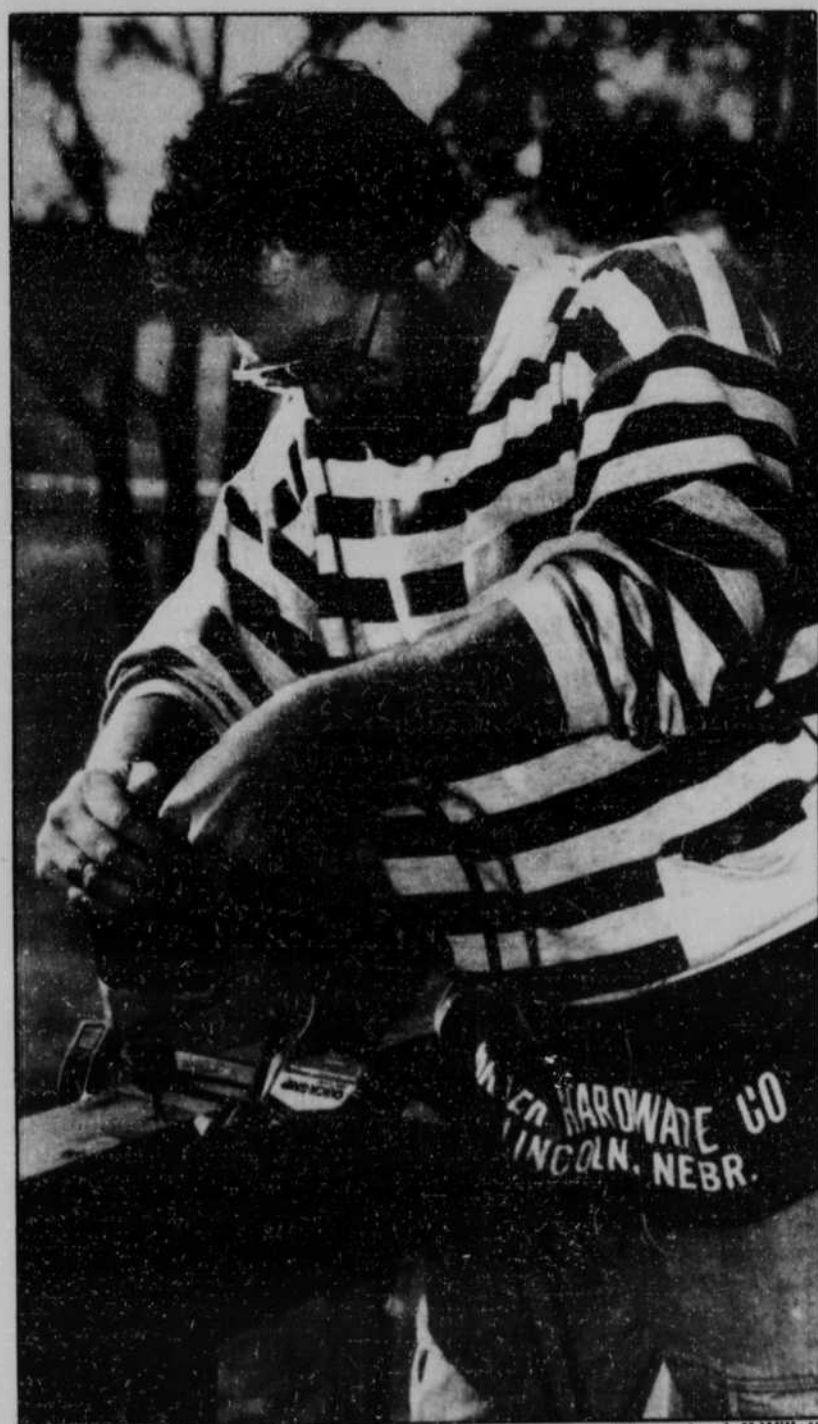


# turns profit



Joe Sorenson

Photos by Jeff Willett

# Despite protection, some inventors taken to cleaners



Herbert Hoover, an information specialist for the Nebraska Technical Assistance Center, has some horror stories to tell — stories about Nebraska inventors who sent their ideas and life savings to invention submission companies and never saw return on their investments.

"Over the last two years, (NTAC) has received probably over a dozen calls" from inventors who were taken by submission companies, Hoover said.

One inventor lost \$8,000 to a submission company, Hoover said. And he said the inventor had no way of getting the money back.

"It's not a good story," he said. "It's a sad story, in fact."

Hoover said the problem is that no one knows how many Nebraskans are taken by submission companies.

"I feel there are a lot more out there," he said.

Hoover said most invention submission companies work from the East Coast, with Washington, D.C., Pennsylvania and Massachusetts the three areas where most locate.

The submission companies charge several thousand dollars to send ideas to marketing companies. But inventors could do the same thing themselves for the cost of postage, Hoover said.

The biggest problem with submission companies is that they do not do "good, thorough patent searches," Hoover said. A patent search involves looking through other patents to determine if an invention is unique.

Submission companies "don't follow up on their promises," Hoover said. "They run with the idea without checking to see if the idea is available for them to use in first place."

"The inventor should have gone to the nearest patent depository or library" to do a patent search, Hoover said.

Marvin Twersky, president of the Lincoln Inventors Association, said patent searches are important.

"I would say it's the first thing, the No. 1 thing you do," Twersky said.

Hoover said one inventor who called NTAC for help had contributed almost \$35,000 to a submission company and it was asking for more. Then, "we did a search and the idea was already patented" by someone else, Hoover said.

But inventors don't have to rely on submission companies for help in applying for patents and researching and marketing their inventions.

Help is available from such resources as the University of Nebraska-Lincoln

Engineering Library patent depository, the Lincoln Inventors Association and lawmakers.

Alan Gould, librarian at the University of Nebraska-Lincoln Engineering Library, said the library has been a patent depository since 1978. Patents on collection there run from 1790-1889 and 1941 to the present.

NTAC does free patent searches for many inventors, but inventors may do searches themselves or with assistance at the library, Gould said.

Hoover said NTAC interns will do a free patent search on an idea, but they have a four to five month backlog. For inventors, doing their own searches has the advantage of keeping the idea secret, he said.

NTAC also offers short-term engineering assistance, Hoover said. After helping with patent searches and providing engineering assistance, NTAC officials refer the inventors to business development centers.

Although NTAC provides research services, its officials cannot ask inventors to stop using submission companies, Hoover said, because the companies operate legally. But NTAC can tell its clients to be wary.

"When we get through working with a client, we may say they should get a patent attorney," Hoover said.

The U.S. Patent and Trademark Office offers the Disclosure Document Program which allows inventors to register their ideas with the patent office. These papers are kept at the Patent office for two years. The inventor is not given patent protection, but this allows them to register their idea.

Twersky said one of the biggest protections for inventors is keeping a bound notebook, or personal log, during the development of a product. This includes drawing diagrams and keeping full daily records of progress.

Hoover said the personal logs establish the dates of the conception of the idea.

"The best are the personal logs," Hoover said. "The more documents the better to win a (patent) case."

Another possible help for inventors could be considered by the Nebraska Legislature as soon as next session.

Twersky said many states, including Nebraska, are considering tighter restrictions on invention submission companies.

In Nebraska, Sen. Lowell Johnson of North Bend said he is working with several groups and individuals on writing similar legislation.

Johnson said one of his constituents got him interested in the issue after he reported having trouble with an invention submission company.

See COMPANIES on Page 11