

The Futurist
David Houle gives some insights into what 2016 might hold. **D5**

A Sarasota headquarters
Charter One Hotels & Resorts Inc. manages hotels in four states. **D10**

Is a patent a waste of time?
Small-business columnist Dennis Zink interviews experts and finds the answer often is yes. **D14**

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BUSINESS WEEKLY

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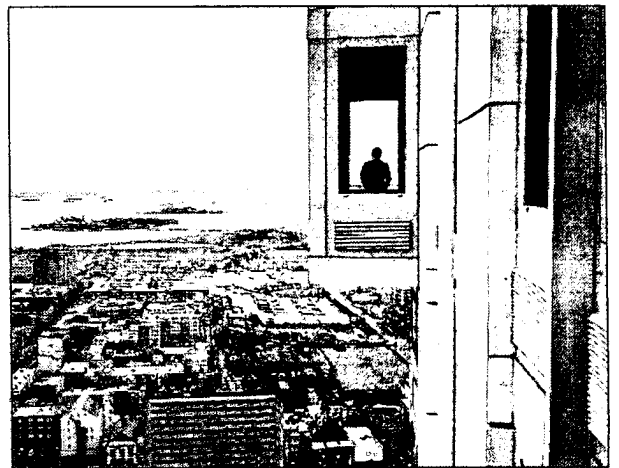
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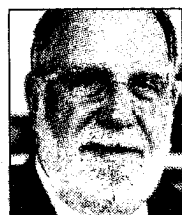
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The Futurist: David Houle looks at what we can expect in 2016 on such topics as energy and climate change. First of two parts. **D5**



A modernist legacy: New York architect Charles Gwathmey died in 2009, but his design aesthetic has been carried across the Hudson to 50-story 70 Columbus apartment tower. **D8**



Are patents worth the time and money?: Patents are invaluable in some circumstances but they are expensive and the decision to pursue one must weigh many factors, writes small-business columnist Dennis Zink. **D14.**

A company headquarters: Charter One Hotels & Resorts Inc. manages 12 hotels in four states from its local office. **D10**



PLUS: Good Deeds, D4; Real Estate People and Deals, D9; John Hielscher's Money Minders column, D11; The Rational Investor, D12; National and Local interest rates, D12-D13; Grand Openings, D14; Business People, D16; Lindsey Novak's At Work column, D20; and Business Calendar, D22.

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BUSINESS SCORE CARD

Is filing a patent a waste of money?

Have you ever thought about getting a patent for an idea or invention? The process is expensive, so you should make sure that you are spending your money wisely. I asked several



DENNIS ZINK

knowledgeable sources about the patent process and these are the key responses I received.

According to Joe Long, patent attorney, "Patents protect ideas or inventions. The rights are held by the inventor, and the rights are to prevent others from making, using, selling or importing the invention. Generally, anything that anyone conceives can be patented."

Design and Utility patents. A design patent generally covers the physical appearance or the form of a product, while a utility patent covers what the product actually does.

Long explains: "Design patents can be very limited in their value at times, simply because competitors can get around infringing. A competitor might get away with infringing a design patent by simply making something look a little different, whereas a well-drafted utility patent or claim will spell out exactly what it is that a thing does. Then anything — no matter what it looks like or how it's made — falling within that definition of what is being usefully done will infringe the patent."

Licensing ideas. According to Stephen Malak, author of "Quantum Inventing" (Bardolf & Co.; Dec. 28, 2015), "As a patent attorney for over 42 years, I have a lot of experience with private inventors and most of them have the dream of licensing their ideas. The reality is that, for 98 percent of them, that dream is a bust."

New restrictions. Erik Paul Belt, patent litigator at McCarter & English and president of the Boston Patent Law Association, says, "New law has made some software- and business-method-related inventions, as well as some medical diagnostics, ineligible for patent protection. But that doesn't mean that a small business should give up on patents."

"Hiring the right patent attorney, who is strategic about crafting patents that avoid the new restrictions, is essential. For many small businesses — not just in the tech and life sciences sectors, but also in consumer products and manufacturing — patent portfolios are their greatest assets and enable them to outcompete their rivals. Robust patent portfolios will also attract prospective investors and buyers."

Infringement. "Small business owners should not file a patent unless they have the resources to defend against a patent infringement," says Arlene Battishill, president & CEO of Los Angeles-based GoGo Gear. "In addition, patents may not provide the protection a small-business owner thinks they are afforded because all it takes is one modification to a product or process and their patent will not extend any protection."

Provisional patents. According to Lenore Horton, attorney at The Law Firm of Lenore F. Horton, "Provisional patents provide an option for proceeding with a full patent or maintaining the invention as a trade secret," Horton says. "But, it's important to craft the application precisely. This is not a DIY job."

Kathleen Lynch, intellectual-property attorney with the Law Office of Kathleen Lynch PLLC, says: "When a small business develops a new product, it should file a provisional patent application on that product," she says. "This can be done at a relatively low cost. Then, the small business

GRAND OPENINGS

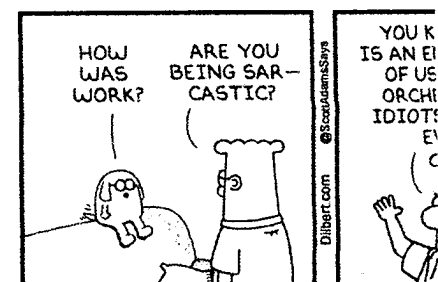


Dr. Ruth Rojas has reopened the dental practice of the late Dr. John Pelton, at 3400 S. Tamiami Trail, Sarasota. The practice offers dental restoration, cosmetic and hygiene services, including cosmetic bonding, porcelain veneers, whitening, dental implants, extractions root canals, crowns, inlays and onlays and bridges.

Rojas and her family moved to the Sarasota area in 2014, when she was appointed assistant professor at LECOM School of Medicine in Lakewood Ranch, teaching other dental professionals as the director of several prosthodontic and temporomandibular joint disorder courses. She earned her doctor of medicine in dentistry from Temple University in Philadelphia in 2006, followed by a three-year residency in prosthodontics at the University of Medicine and Dentistry of New Jersey. 951-7711.

Thistle & Poppy, a manufacturer of patent-pending interchangeable photo frames, has opened a 10,000-square-foot

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ZINK

From Page D14

should try to sell the product to see if anyone is interested in it. If so, the business should file a non-provisional application within a year of filing the provisional application and then pursue the patent."

A competitive advantage. "For many companies — particularly tech companies — properly protected inventions give a competitive advantage," says Judith Szepesi, founding partner of HIPLegal LLP.

"Small businesses typically should focus on robust protection of key inventions rather than obtaining many weaker patents."

Patents used defensively. "A patent can be used defensively," says Stephen Lesavich, an attorney with the Lesavich High-Tech Law Group, in Chicago. "I have represented start-ups where obtaining one patent for the company has kept them in business."

File your patent early or opt for secrecy. Martin Ganco, associate professor of management and human resources at the Wisconsin School of Business,

advises, "A small-business owner should consider filing a patent as early as they have a patentable technology. It is a common mistake to think that a fully functioning prototype is needed to apply for a patent. In rare cases, if the patent provides weak protection, it may be better to opt for not patenting and opt instead for secrecy."

Expect to spend \$20,000. Laura Schoppe, an expert in technology transfer, says, "It costs upwards of \$20,000 to get a United States patent (mostly lawyer fees to write a strong patent) and over \$100,000 for international coverage. Getting a patent just so you can say you have one is not likely to be cost effective."

-Dennis Zink is a volunteer, certified mentor and chapter chair of Manasota SCORE and Chair of Realize Bradenton. He hosts Been There, Done That! with Dennis Zink, a nationally syndicated business podcast series. He facilitates a CEO roundtable for the Manatee Chamber of Commerce, created a MeetUp group, Success Strategies for Business Owners and is a business consultant. Email him at centrefinfluence@gmail.com.



A Message From Bill Furst, Sarasota County Property Appraiser

IMPORTANT LEGAL REQUIREMENTS FOR SARASOTA COUNTY BUSINESS OWNERS

Owners of businesses and rental property with tangible personal property physically present in Sarasota County on January 1st, must file a Tangible Personal Property Tax Return with the Sarasota County Property Appraiser's Office by **April 1, 2016** unless you were notified by our office that the filing requirement has been waived. All businesses, regardless of size, must file an initial tangible personal property tax return to be eligible for the tangible exemption and waiver of future filing requirements.

Those businesses that have been previously waived are responsible to file a tangible return if their tangible assets' just value increases to greater than \$25,000. Unreported property is subject to **severe penalties**.

Personal property tax letters with filing instructions were mailed in early January 2016. If you did not receive a letter, please contact our office. You may also download a filing form on our website at www.SC-PA.com.

If you have any questions, please visit www.SC-PA.com or call us at 941.861.8200
Office Hours: Monday through Friday from 8:30 a.m. to 5:00 p.m.

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2001 Adams Lane
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