

Patent Subject Matter Eligibility

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Who is Patrick Giblin?

- Inventor - 5 US Patents issued on AI/ML around Big Data...look out Google and Facebook and...
- Geek - Love Databases and Computers...no CS/CE
- Law School Dropout/Flunkout - I get the “Law”
- Founder of 451 Degrees Artificial Intelligence and Machined Learning for Comments and Reviews...blah blah blah
 - I am broke and raising funds every DAY to survive the storms coming
 - I owe \$892,000 and COUNTING...”Are you an investor?”
 - I build as fast as I can
 - I sleep on couches
- My life SUCKS but I LOVE IT! I do not work for MONEY! I build a DREAM!

Legal Contours of...

- Eligible Subject Matters for Patents - Step 1
 - Case Law...Am I back in Law School? Or theory?
 - Law is rarely Black and White. It is Grey
 - 4 Cases - Bilski, Mayo, Myriad, Alice
 - Much Wiser people make those decisions
- If it makes a market and is pained by another it probably matters and should be PROTECTED
 - Is it obvious? - Step 2
 - Is it unique? - Step 3
 - Is it useful? - Step 4

What do I believe about Patents?

- USPTO and Patents are Important...PROTECT INVENTORS
- David vs Goliath - Big Business versus Inventors
 - US Industrial Revolution - Civil War II
 - US Technology Revolution - Civil War III
 - Redefining “Subject Matters for Patents” - NEW WORLDS...protect them, honor them, help build inventors not big business
- Trolling SUCKS - See Lawyers
 - Bad Platform
 - No Inventor starts as a troll
- Inventors are BEAT DOWN into bad places and partners...this must STOP
 - Extend Rights
 - > Fees for wrong doing...MAKE IT HURT! They know when they are doing wrong
 - Cap \$ after # of years rather the the life of the Patent itself

Lawyers versus Inventors

- Lawyers job is about costs and hours billable - GREED
 - Do we fight or buy?
 - Can we cut around this without paying for it
 - Can we beat them with our war chest
 - How does the logic look here? Costs management?
- Inventors - GOOD
 - I have an IDEA
 - I want to build this!
 - Please help...I need Money, team, framework...a CHANCE

Good versus Greed

- Strength and Speed should not ALWAYS win
- It does too often
- Inventors are trapped and held under water - The PAIN is real
- Slow process that leads to a moment of joy and then a question of more costs...more PAIN
- Issued => Defend = ^\$\$\$

New Questions to consider...

- Does this Subject “Create” a market opportunity or condition?
- What is the intent of the owner?
- What is the intent of the litigator?
- Who wrongs whom?
- Why are we here? Good versus Greed

Speed of Technology

- Today look at how much is invented via the Web since mid 1990
- We must protect those INVENTING
- These are the NEW Eligible Subjects for Patents
 - Discover them, label them and protect them
 - Same standards but speed causes more pain
 - Address THAT!

SaaS is the new Hardware

- Software is a modern Gold Mine
 - Bit Coin
 - Big Data
 - Machined Learning/ Artificial Intelligence
 - Human 2.0
- New Economy - Protect properly or Civil and Financial unrest will take over
- New Economy defines a need for not only new definitions and subject matters for Patents but also increase the costs to infringe so the pain prevents more Case Law

Help the Good
Crush the Evile