
Comments on the Detailed Description Drafting Assignment

Spring 2006

- I. Review Comments from 2005 that were handed out
- II. Drawings
 - A. Don't turn in the originals
 - B. Numbering

Start with 100 - no need to go sequentially

- what if inventor wants to add something?
 - C. Lead lines are preferably not straight
 - D. No need to bold in spec
 - E. Using the inventor's drawings minimizes any potential liability.

use the inventor's figures and add more figures if necessary
 - F. Figures "show or illustrate" - the text "describes"
 - G. Write the spec as if the numbers are not there

"the canopy fabric 110" instead of "canopy fabric 110"
 - H. Use flowcharts (more below)
- III. Written Text
 - A. #1 problem - Insufficient Disclosure

Can't just repeat the invention disclosure - must expand - fill in the gaps

Add some value - your job is to use your scientific knowledge to fill in the gaps in the disclosure. You don't get paid to copy and paste the disclosure.

Inventors often take shortcuts and are sloppy in their language in disclosures

We are not paid to take shortcuts. We are paid to grind through it -to be rigorous

- to be precise and expansive and capture everything that we can

Create order from Chaos

Take your time!!! Don't write something half-assed. Go slow. Be meticulous.

Think about what you are writing as you write it. Is there any way to make it better?

B. Problem: the inventor's idea could be done one of two ways, but you don't know which one the inventor chose.

Solution: Recite and disclose both ways in exacting detail. You should be disclosing both anyway in order to block a competitor.

Not a Solution: Use a broad word that may be suitable in the claims, but may not satisfy 112 in the spec (WD, E, BM)

Example: "mechanically coupled to"

Broad language in the claims, but you must use precise language in the detailed description. Is this a written description? Enabled? Set forth the inventor's best mode? Recite the preferred embodiment and then recite the alternatives. You are building your later claim terms and adding strength to them.

C. Must Positively Recite

No "can" no "it is possible"

"the size and position of the compartment may vary"

"in a variety of patterns"

“Of any size”

“Alternatively, solar panels are not triangular”

Positive recitation “In an alternative embodiment, the X is included
in the Y.”

D. “In operation”

There are many different systems that are operating in the umbrella

- converting sunlight to electricity and storing it
- opening the umbrella
- sensors, etc.

Separately identify which system’s operation you are referring to

“Turning to the operation of the sensor system”

“In operation, the sensor system”

E. Think small

Break things into small, logical chunks,

Break down compound sentences

“Alternatively, headphones are built into the umbrella 3 and in electrical
communication with the data storage device 330.”

In a first alternative embodiment, the umbrella 3 may include headphones.

The headphones are preferably attached to the umbrella using a headphone
cord. The headphone cord preferably includes a headphone signal wire.

The headphone signal wire connects the headphones to the data storage
device 330 to allow the headphones to communicate with the data storage
device 330. In operation, the data storage device 330 uses the signal wire

to transmit electrical signals representing audio data to the headphones for perception by a user using the headphones.

One concept per paragraph

If you broke it up, you would probably feel compelled to say more

and would give a more full disclosure

Separate out different systems and operations - no bullet points

Confession: I used to have some bad habits - from engineering??

Bullet point writing

Just reciting the facts and not following up with the development

“everyone would see that right away” vs. if it does not appear in

writing, then it does not exist - even if it seems clear to you.

Sentences that are overly long

You can come up with amazingly complex thoughts, but you are

writing the DD for a simpler audience and an audience that will

attempt to twist anything complex. Subject verb predicate. KIS

F. Latching on to words that might not be quite right

“disposed on”

is a nail “disposed on” a wall when it is hammered in?

solar panels -probably OK, but elements penetrating pole? LEDs? ports?

If your first instinct is to argue about what the term means, then just ask

yourself “Is the relationship that I am attempting to describe identical in the instances of both the ports and the SPs? If not, then the term is in need of clarification.

G. Not being meticulous

1. Recite taking the pole apart, but don't recite putting the pole back together?? Recite the opening step in addition to the closing step of the umbrella
2. Solar panels/fold lines are repeated in each section of the canopy
3. No development of alternatives
"can be made of one piece" - OK, now develop -
Recite structural and functional changes - even if you think it is
"obvious", disclose, disclose, disclose!
Why is that good? What does it do for us?

IV. Language

- A. No pronouns
"it"
"that does"
- B. Try linking words "In another alternative" "may be"
- C. Can vs. may
- D. "solar power" is not stored in the umbrella - electrical power is stored

V. Administrative

- A. I did not necessarily mark every instance of a mistake
- B. Pick an attorney docket number
- C. Claims begin on a new page

VI. New sample drawings for discussion

A. Separating out the structural elements of the systems

There are several systems in the umbrella. If you break out a system into its logical structural components, then perhaps you can discuss the system more clearly.

(See samples)

B. Flow Charts

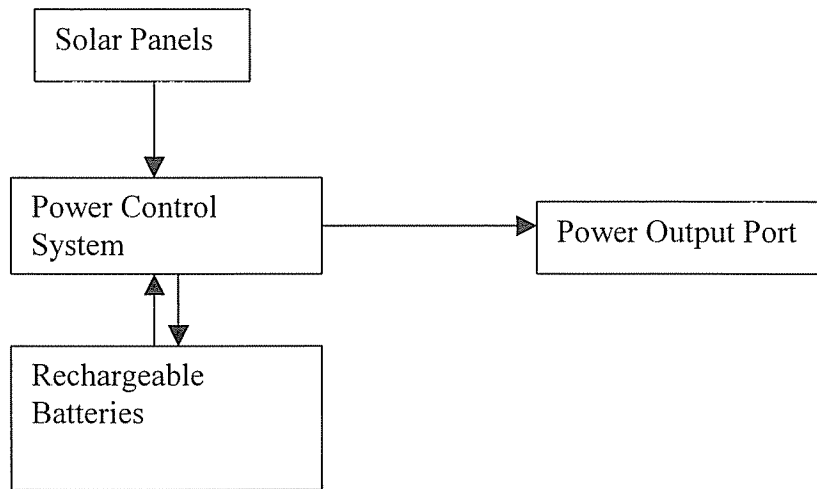
Several people did not follow the best practice of having a flow chart to provide support for your method claims. Several other people tried to draft a flow chart, but they had some problems.

However, people are comfortable with a structural drawing that shows more than just the elements claimed in the broadest claim - why aren't people comfortable with a flowchart that discloses more than just the functions claimed in the broadest claim? The additional structure provides context. Additional functional steps in the flowchart provide context as well. Just like you don't have to claim everything that appears in a structural drawing, you don't have to claim everything that appears in the flowchart.

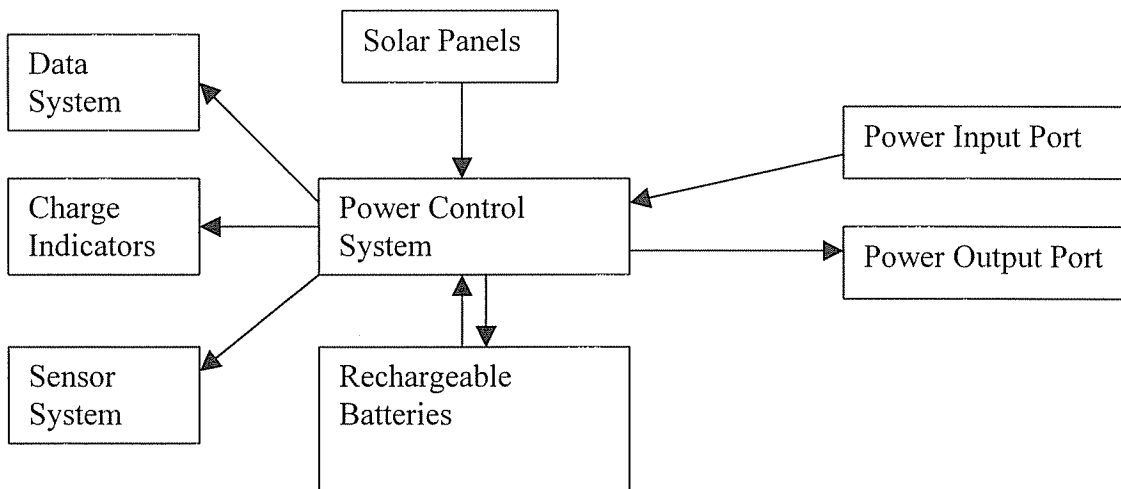
Your objective in the figures is DISCLOSURE - your objective in the claims is the PON.

(See samples)

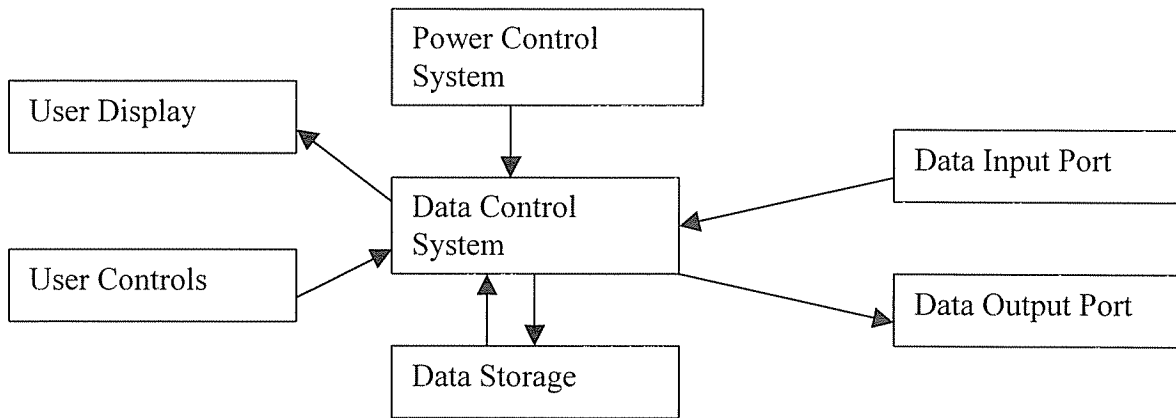
Power System (As opposed to Data System or Sensor System)
Embodiment 1?



Embodiment 2?



Data System



Sensor System

