

Agenda

- Introduction – Disclose at Your Own Risk!
- Prior Art Searching - Patents
 - Different Types of Searches
 - Tools / Techniques for Performing Searches
 - Patentability Search Example
- Trademark Searching
- Case Study #1 – Beatbots LLC
- Case Study #2 – Uber Technologies Inc.

Types of Prior Art Searches

- **Patentability Search** – To determine if an invention is patentable
- **Goal:** Try to find prior art disclosing the invention or something similar to the invention
- **Scope:** U.S. and international patents, published patent applications, and non-patent printed publications such as papers, web sites, and presentations
- In general, any “public domain” knowledge created before the invention occurred might be relevant

Types of Prior Art Searches (continued)

- **Validity Search** – To determine the validity of an issued patent
- **Goal:** Locate prior art documents that would invalidate one or more of the patent claims
- **Scope:** Prior art documents predating the priority date of the patent in question

Types of Prior Art Searches (continued)

- **Infringement Search** – To determine whether a patent claim is infringed by a product or service
- **Goal:** Compare a proposed product or service to non-expired U.S. patents
- **Scope:** Issued and non-expired U.S. patents and published patent applications

Types of Prior Art Searches (continued)

- **Clearance Search** – To determine if an action is a “safe” practice of the prior art
 - “Safe” = reduced risk of patent infringement liability
- **Goal:** Try to find that the invention has been “dedicated to the public”
- **Scope:** Expired patents and abandoned patent applications

Types of Prior Art Searches (continued)

- **State-of-the-Art Search** – To determine the “lay of the land” in a technical space
- Goal: Look at the broad, general inventive concept without specific implementation details
- Scope: Any prior art

USPTO's 7-Step Search Strategy

1. Brainstorm Terms
2. Find Cooperative Patent Classification (CPC)
3. Verify Relevancy of CPC
4. Retrieve Issued U.S. Patents with CPC, Review and Narrow Results
5. Review Each Relevant Patent in Depth including References Cited by the Examiner and the Applicant
6. Retrieve U.S. Patent Applications with CPC, Review and Narrow Results
7. Broaden Your Search

USPTO Search Example

- Invention: Umbrella with a new rib design to eliminate collapsing or inverting due to winds

1. Brainstorm Terms

- Umbrella
- Rib
- Parasol
- Sunshade
- Wind-resistant

USPTO Search Example (continued)

2. Find CPC

- www.uspto.gov
- Search for “CPC scheme umbrella”
- Scan results for the best match: “A45B 25/22 Devices for increasing the resistance of umbrellas to wind”
- ❖ HINT: Adjust indentation level
- ❖ HINT: Use CTRL+F

3. Verify Relevancy of CPC

4. Retrieve Issued U.S. Patents with CPC, Review and Narrow Results

- Use PatFT tool
- Search String: CPC/A45B25/22
- ❖ HINT: No spaces

USPTO Search Example (continued)

5. Review Each Relevant Patent in Depth including References Cited by the Examiner and the Applicant
 - ❖ HINT: References cited by the Examiner and the Applicant are listed on the front page of the patent
6. Retrieve U.S. Patent Applications with CPC, Review and Narrow Results
 - Use AppFT tool
 - Example: CPC/A45B25/22

USPTO Search Example (continued)

7. Broaden Your Search

- Conduct Keyword Searching
 - ❖ HINT: Use OR between synonyms, especially technical engineering language
 - ❖ HINT: Place phrases and terms of art in quotation marks
 - ❖ HINT: Use truncation symbols (\$)
- Conduct U.S. Patent Classification (CCL) Searching
- Search the Espacenet patent database @ <http://worldwide.espacenet.com>
- Search Non-Patent Literature Disclosures

Trademark Searching

- Resources
 - www.uspto.gov
 - www.google.com
 - Many more!
- Search Examples
 - Exact mark
 - Part(s) of the mark
 - ❖ HINT: Try sounds-like searching
 - Combine part(s) of the mark with an International Classification (IC) (Find relevant IC @ <http://www.wipo.int/classifications/nice/en/>)
 - Combine part(s) of the mark with a particular goods or services

Possible Overlapping Universes of Intellectual Property in the United States

Function

Utility Patents

E.g. Software

Design
Patents

*E.g. User
interface*

Copyrights

E.g. Logo

Trademarks

Trade Dress

Appearance

Brand

Case Study #1 – Beatbots LLC

- Founded by a CMU graduate student, Marek Michalowski
- Website: <http://beatbots.net/>
- Products and Services
 - Robots
 - Software
 - Apparel
 - More?
- Intellectual Property
 - Utility Patents (search at www.uspto.gov)
 - Design Patents (search at www.uspto.gov)
 - Trademarks (search at www.uspto.gov)
 - Copyrights (search at www.copyright.gov)
 - More?

Beatbots's Brand



- Trademarks
 - Registered U.S. trademark BEATBOTS in International Classes 9 (electrical and scientific apparatus), 25 (apparel), and 28 (games and playthings)
 - Unregistered marks?
- Copyrights?
- Trade Dress?

Beatbots's Blennie

- A wobbling robot that exhibits vestibulo-ocular reflex
- <http://beatbots.net/blennie>
- Intellectual Property
 - Utility Patent: U.S. Patent No. 9,358,475, which claims priority to a provisional patent application
 - Design Patent: U.S. Design Patent No. D714,881
 - Trademarks?
 - Copyright?
 - Trade Dress?



Beatbots's Ploomi

- A glowing, touch-sensitive, interactive robotic character
- <http://beatbots.net/ploomi>
- Intellectual Property
 - Utility Patent: U.S. Patent No. 9,421,688, which claims priority to a provisional patent application
 - Design Patent: U.S. Design Patent No. D714,883
 - Trademarks?
 - Copyright?
 - Trade Dress?



Beatbots's metrognōm

- A metronome and a metro-gnome
- <http://beatbots.net/metrognom>
- Intellectual Property
 - Design Patent: U.S. Design Patent No. D714,888
 - Trademarks?
 - Copyright Registration Nos. VAu001149651 (color drawing), VAu001149660 (line drawing), VAu001149726 (sculpture)
 - Trade Dress?



Case Study #2: Uber Technologies Inc.

- Provider of a mobile application that allows users to request transportation services and automatically sends the closest available Uber driver to the user
- Founded in 2009
- Currently available in over 60 countries
- www.uber.com

Overlapping Universes of Uber's Intellectual Property

Function

Utility Patents

Design
Patents

Copyrights

Trademarks

Trade Dress

Appearance

Brand

Uber's Intellectual Property

- Fourteen issued U.S. Utility Patents
- Nine issued U.S. Design Patents
- Plus foreign patents (Canada and Europe)
- 10 Registered U.S. Trademarks, including:
 - UBER
 - UBEREATS
 - UBERRUSH
 - UBERX
 - EVERYONE'S PRIVATE DRIVER
 - UBERCAB





US009230292B2

(12) **United States Patent**
Amin et al.

(10) **Patent No.:** US 9,230,292 B2
(45) **Date of Patent:** Jan. 5, 2016

(54) **PROVIDING ON-DEMAND SERVICES THROUGH USE OF PORTABLE COMPUTING DEVICES**

(71) Applicant: **Uber Technologies, Inc.**, San Francisco, CA (US)

(72) Inventors: **Shalin Amin**, San Francisco, CA (US); **Mina Radhakrishnan**, San Francisco, CA (US); **Paul-Phillip Holden**, San Francisco, CA (US); **Curtis Chambers**, San Francisco, CA (US)

(73) Assignee: **Uber Technologies, Inc.**, San Francisco, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 248 days.

(21) Appl. No.: 13/672,634

(22) Filed: Nov. 8, 2012

(65) **Prior Publication Data**
US 2014/0129951 A1 May 8, 2014

(51) **Int. Cl.**
G06F 3/0484 (2013.01)
G06Q 50/30 (2012.01)
G06Q 30/06 (2012.01)
G08G 1/00 (2006.01)
H04L 29/08 (2006.01)
H04W 4/02 (2009.01)

(52) **U.S. Cl.**
CPC *G06Q 50/30* (2013.01); *G06F 3/0484* (2013.01); *G06Q 30/06* (2013.01); *G08G 1/202* (2013.01); *H04L 67/18* (2013.01); *H04W 4/02* (2013.01)

(58) **Field of Classification Search**
None

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,953,720 A	4/1976	Kelch	
5,862,244 A	1/1999	Kleiner et al.	
5,930,474 A	7/1999	Dunworth et al.	
6,356,838 B1	3/2002	Paul	
6,417,856 B1 *	7/2002	Tamura	A63F 13/10 345:474
6,456,207 B1	9/2002	Yen	
6,516,056 B1	2/2003	Justice et al.	
6,519,463 B2	2/2003	Tendler	
6,697,730 B2	2/2004	Dickerson	
6,756,913 B1	6/2004	Ayad	

(Continued)

FOREIGN PATENT DOCUMENTS

JP	2002/024659 A	1/2002
KR	10-2005-0015772	2/2005
WO	WO/99/44186	9/1999

OTHER PUBLICATIONS

"Uber iPhone app update 1.0.48", Jun. 27, 2011, <http://blog.uber.com/2011/06/27/uber-iphone-app-update-1-0-48/> *

(Continued)

Primary Examiner — Ryan Barrett

(74) Attorney, Agent, or Firm — Mahamedi Paradise LLP

(57) **ABSTRACT**

A method for requesting an on-demand service on a computing device is provided. One or more processors determine the current location of the computing device. A multistate selection feature of a plurality of service options for providing the on-demand service is presented on the display of the computing device. The multistate selection feature enables a user to select a service option that is available within a region that includes the current location to provide the on-demand service. In response to the user selecting one of the plurality of service options, a summary user interface is presented on the display to provide region-specific information about the on-demand service based on the selected service option.

18 Claims, 15 Drawing Sheets

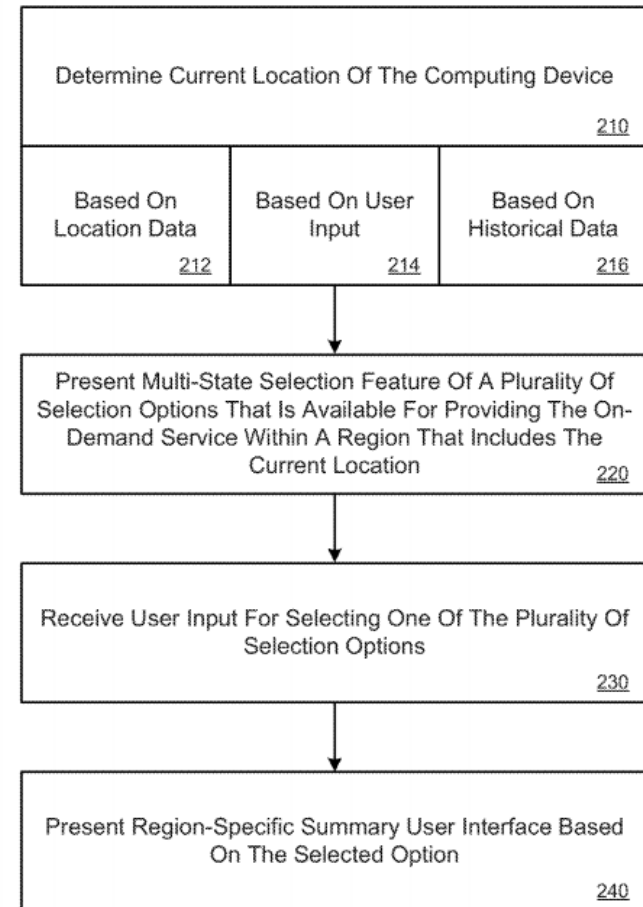
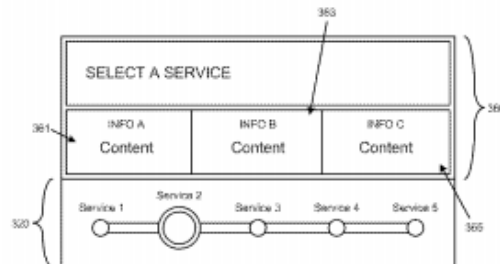


FIG. 2

Independent Claim 1 in U.S. Patent No. 9,230,292

What is claimed is:

1. A method for providing information about an on-demand service on a computing device, the method being performed by one or more processors and comprising:

determining, via a global positioning system (GPS) component of the computing device, a current location of the computing device;

providing, on a display of the computing device, a multistate selection feature that is operative by a user to select one of multiple states, each of the multiple states being associated with a corresponding transport service option that is available for request by a user operating the computing device at the current location of the computing device, wherein the transport service option that is associated with each state includes a fare or unit cost which is different than a fare or unit cost of the transport service option associated with each of the other states of the multiple states;

receiving, in connection with the multistate selection feature, a user input to select one of the multiple states;

in response to receiving the user input, corresponding to the selected state, providing, on the display, a user interface to provide service-specific information that is specific to the transport service option associated with the selected state, the service-specific information including location-specific information that is based on the current location of the computing device and a location of one or more service providers of the transport service option associated with the selected state, and cost information about the fare or unit cost of the transport service option associated with the selected state; and

wherein the multistate selection feature includes (i) a track, and (ii) a sliding feature that can be moved amongst multiple positions along the track by the user input to select any one of the multiple states; and

wherein the sliding feature includes a graphic indicator that is dynamically changed to represent the transport service option of the selected state as the sliding feature is moved amongst the multiple positions.



US00D724620S

(12) **United States Design Patent** (10) **Patent No.:** **US D724,620 S**
Hansen et al. (45) **Date of Patent:** **** Mar. 17, 2015**

(54) **COMPUTING DEVICE DISPLAY SCREEN
 WITH GRAPHICAL USER INTERFACE**

(71) Applicant: **Uber Technologies, Inc.**, San Francisco,
 CA (US)

(72) Inventors: **Richard Gary Hansen**, San Francisco,
 CA (US); **Travis Cordell Kalanick**, San
 Francisco, CA (US)

(73) Assignee: **Uber Technologies, Inc.**, San Francisco,
 CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/436,687**

(22) Filed: **Nov. 8, 2012**

(51) **LOC (10) CL** **14-04**

(52) **U.S. CL** **D14/489**
 USPC

(58) **Field of Classification Search**
 USPC D14/485-495; D5/63; D19/5-8;
 D20/11; 345/440-442; 348/14.03;
 715/212, 215, 221, 706, 733, 763, 770,
 715/773, 777, 779, 782, 783, 786, 792, 793,
 715/809, 810, 846, 849, 867, 977, 976, 835,
 715/211

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D385,545 S * 10/1997 Levin D14/489
 D456,420 S * 4/2002 Platz et al. D14/489

D531,635 S * 11/2006 Hoefnagels et al. D14/485
 D563,984 S * 3/2008 Okuyama D14/489
 D572,721 S * 7/2008 Guimaraes et al. D14/493
 D593,123 S * 5/2009 Danton D14/489
 D597,101 S * 7/2009 Chaudhri et al. D14/488
 D678,901 S * 3/2013 Gleason D14/489
 D684,182 S * 6/2013 Phelan D14/489
 D686,246 S * 7/2013 Gartner et al. D14/491
 D688,699 S * 8/2013 Gleason D14/489
 D694,758 S * 12/2013 Muller D14/432
 2011/0252372 A1 * 10/2011 Chaudhri 715/835

* cited by examiner

Primary Examiner — Karen S Acker

(74) *Attorney, Agent, or Firm* — Mahamed Paradise LLP

(57) **CLAIM**

The ornamental design for a computing device display screen
 with graphical user interface, as shown and described.

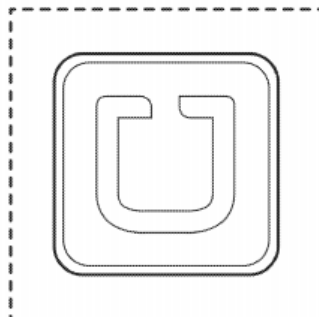
DESCRIPTION

FIG. 1 is an enlarged front view of a computing device display
 screen with graphical user interface, under a first embodi-
 ment; and,

FIG. 2 is a front view of a computing device display screen
 with graphical user interface, under a second embodiment.

The broken lines showing portions of a computing device
 display screen in FIGS. 1 and 2 represent environmental
 subject matter that forms no part of the claimed design. The
 broken line within the solid line perimeter of the design in
 FIG. 2 represents a portion of the computing device display
 screen with graphical user interface that forms no part of the
 claimed design.

1 Claim, 2 Drawing Sheets



U.S. Patent

Mar. 17, 2015

Sheet 2 of 2

US D724,620 S

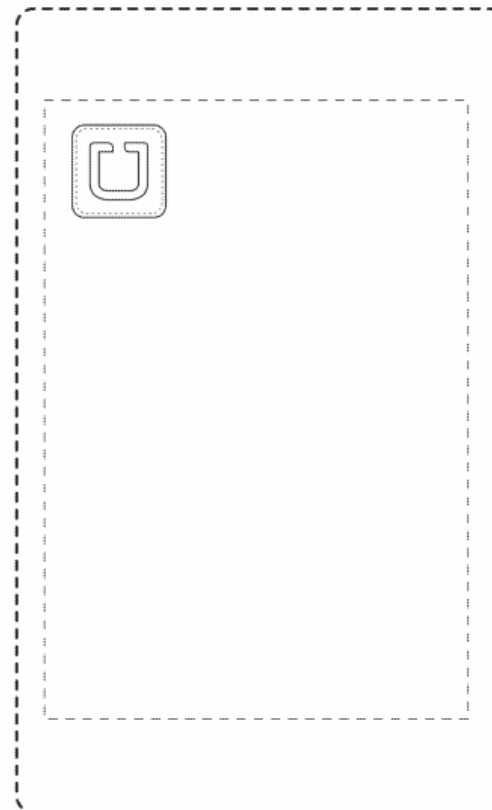


FIG. 2



US00D760283S

US D760,283 S

Page 2

(12) **United States Design Patent**
Horiuchi et al.(10) **Patent No.:** **US D760,283 S**
(45) **Date of Patent:** **** Jun. 28, 2016**(54) **COMPUTING DEVICE DISPLAY SCREEN**
WITH GRAPHICAL USER INTERFACE(71) **Applicant:** **UBER TECHNOLOGIES, INC.,** San Francisco, CA (US)(72) **Inventors:** **Carol Horiuchi,** Brisbane, CA (US);
Shalin Amin, San Francisco, CA (US)(73) **Assignee:** **Uber Technologies, Inc.,** San Francisco, CA (US)(**) **Term:** **14 Years**(21) **Appl. No.:** **29/509,772**(22) **Filed:** **Nov. 20, 2014**(51) **LOC (10) CL** **14-04**(52) **U.S. CL**
USPC **D14/489**(58) **Field of Classification Search**
USPC **D14/485-495**CPC ... G06F 3/048; G06F 3/0481; G06F 3/04812;
G06F 3/04815; G06F 3/04817; G06F 3/0482;
G06F 3/0483; G06F 3/0484; G06F 3/04842;
G06F 3/04845; G06F 3/04847; G06F 3/0485;
G06F 3/04855; G06F 3/0486; G06F 3/0487;
G06F 3/0488; G06F 3/04883; G06F 3/04886
See application file for complete search history.**References Cited****U.S. PATENT DOCUMENTS**5,392,388 A * 2/1995 Gibson
5,526,341 A * 6/1996 Shiba G11B 7/22
369/275.1
D467,937 S * 12/2002 Grundel D14/488
7,119,764 B2 10/2006 Tanaka
D544,495 S * 6/2007 Evans D14/488
D555,164 S 11/2007 Sergio
D565,668 S * 4/2008 Basefog D14/401
D567,297 S * 4/2008 Del Castillo D14/401
D619,614 S * 7/2010 O'Mullan D14/489D644,661 S 9/2011 Gardner
8,223,127 B2 * 7/2012 Park G06F 3/0362
345/156
D665,161 S 8/2012 Leifeld
D665,162 S 8/2012 Leifeld
D669,497 S * 10/2012 Lee D14/489
D669,499 S 10/2012 Gardner
D687,057 S 7/2013 Pitkins
D689,505 S 9/2013 Casway
D690,729 S 10/2013 Albratowski
D694,764 S * 12/2013 Talbot D14/485
D697,523 S * 1/2014 Oda D14/486
D699,741 S * 2/2014 Wanland D14/487
D699,745 S * 2/2014 Pearson D14/488
D712,911 S * 9/2014 Pearson D14/486
D713,412 S 9/2014 Gall
D715,313 S 10/2014 Hontz, Jr.

(Continued)

OTHER PUBLICATIONS

Office Action dated Jul. 16, 2015 in corresponding Canadian Application No. 161671.

(Continued)

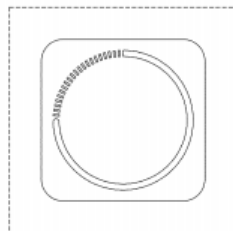
Primary Examiner — Melanie H Tung*Assistant Examiner* — Bao-Yen Nguyen(74) *Attorney, Agent, or Firm* — Mahamedi Paradise LLP(57) **CLAIM**

The ornamental design for a computing device display screen with graphical user interface, as shown and described.

DESCRIPTION

FIG. 1 is an enlarged front view of a computing device display screen with graphical user interface, under a first embodiment; and,

FIG. 2 is a front view of a computing device display screen with graphical user interface, under a second embodiment. The broken lines showing a portion of a computer device display screen in FIGS. 1 and 2 represent environmental subject matter that forms no part of the claimed design.

1 Claim, 2 Drawing Sheets

(56)

References Cited**U.S. PATENT DOCUMENTS**8,875,054 B2 10/2014 Hopkins
D716,819 S * 11/2014 Kotler D14/485
D724,621 S 3/2015 Rydenhag
8,976,126 B2 3/2015 Kim
D726,741 S 4/2015 Lee
9,104,211 B2 8/2015 Faddell
D739,861 S * 9/2015 Perez D14/485
D739,872 S 9/2015 Bang
D740,301 S * 10/2015 Sogisano D14/485
9,175,871 B2 11/2015 Goutlay
D748,101 S 1/2016 Bang
2007/022042 A1 * 9/2007 Bohan G06F 1/1626
715/786
2012/0191257 A1 7/2012 Cocoran
2013/0127911 A1 5/2013 Brown
2014/0160078 A1 6/2014 Seo**OTHER PUBLICATIONS**

Office Action dated Sep. 1, 2015 in corresponding Japanese Application No. 2015-006327.

Office Action dated Sep. 5, 2015 in corresponding Korean Application No. 30-2015-0015029.

Uber Launches New Carpooling App for Driver in China (on-line), dated Oct. 2, 2015. Retrieved from Internet Feb. 24, 2016, URL: <https://web.archive.org/web/20151002181940/http://www.autoevolution.com/news/uber-launches-new-carpooling-app-for-drivers-in-china-100322.html> (1 page).

U.S. Registered Trademark #4437078, filed on Jan. 19, 2012 by Daniel Martinez Fumoleau. First-use-in-commerce date Apr. 15, 2012.

U.S. Registered Trademark #4454064, filed Apr. 24, 2013 by LPB, LLC. First-use-in-commerce date Jan. 7, 2013.

U.S. Registered Trademark #4740462, filed Mar. 17, 2014 by Brotherhood Mutual Insurance Company. First-use-in-commerce date Jul. 1, 2014.

Getting Online with the Uber Partner App (on-line), dated Jan. 22, 2015. Retrieved from Internet Feb. 24, 2016, URL: <https://web.archive.org/web/20150122010731/http://www.uberinfo.info/app> (2 pages).

* cited by examiner

U.S. Patent

Jun. 28, 2016

Sheet 1 of 2

US D760,283 S

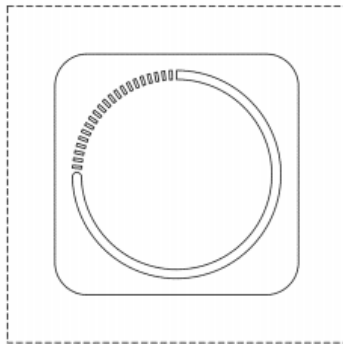


FIG. 1

U.S. Patent

Jun. 28, 2016

Sheet 2 of 2

US D760,283 S

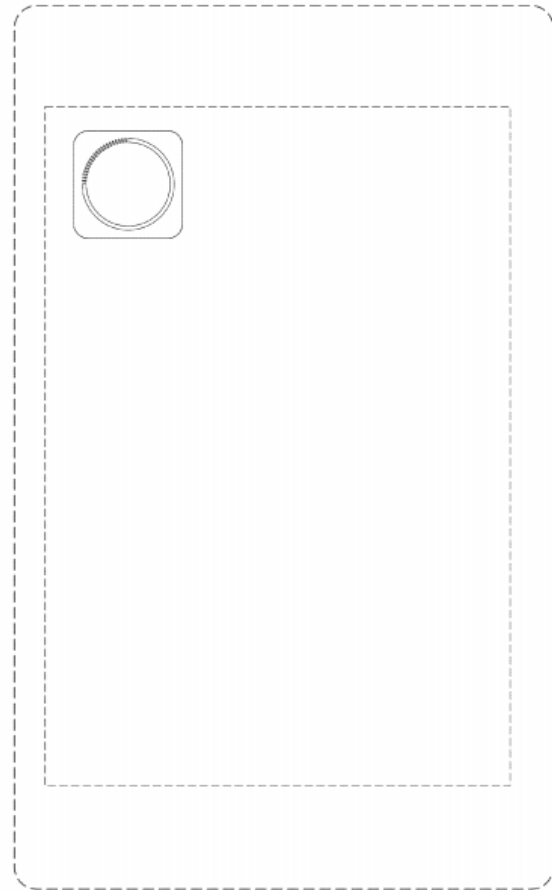


FIG. 2

THANK YOU!

- **Lauren S. Murray**
(412) 355-7471
lauren.murray@klgates.com