DESIGN STRATEGY, PROTECTION AND IMPLEMENTATION

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DESIGN FILING CONSIDERATIONS

• Commercial product
  • Software/User experience
  • Hardware
    • New form factor
    • Incremental release
• Expected product life
• Planned variants
• Types of competitors and copying trends
Hardware Examples

Multiple variants, including illumination

New form factor (multiple states)

Multiple claim scopes

FIG 1

Multiple variants, including illumination

Multiple claim scopes
Capturing the user experience

The Next Windows Phone: It's Pretty Great
Matt Buchanan
Jun 21, 2011, 2:01am - Filed to: mannn

Pleasant. That doesn't sound like much of an accomplishment, or a benchmark or like, impressive. But the truth is, most technology isn't pleasant. The new Windows Phone is. Very much so.

It feels alive. Everything bounces. Everything swoops. Everything flips. Every single action is lushly animated. It just doesn't sweat the details—blood was spilled. The lock screen isn't a simple shade. It has a sense of weight and gravity; the further up you drag it before you let go, the faster it slams back down (if you don't go through with the unlock). It's almost like the phone is happy to be alive. Which kind of makes you feel happy to use it. No other phone is like that.
One example of getting mad...

MICROSOFT SUING DATEL FOR COPYING CONTROLLER DESIGN

Share. Company alleges Datel infringed on a number of Xbox 360 controller patents.

Admittedly, it is nice to buy a controller that's certainly cheaper and will more or less do the same thing as its original counterpart. I'm just sorry that Datel had to manufacture something too close to home and they're definitely going to paying for it for quite some time.

The lawsuit and the six controller patents, all obtained by IGN, can be viewed below in PDF form.
Another example...

Microsoft Arc Mouse - Black
by Microsoft

$42.95 $49.99 Prime
In stock on October 15, 2018
More Buying Choices
$34.99 new (10 offers)
$17.99 used (2 offers)
FREE Shipping on eligible orders

2.4ghz Wireless Foldable Arc Optical Mouse for Microsoft Laptop Notebook - Black
by Mouse

$12.99
Only 2 left in stock - order soon.
More Buying Choices
$2.00 new (13 offers)
FREE Shipping on eligible orders

Foxnovo 2.4GHz Wireless Folding Foldable Arc Optical Mouse with USB Receiver for PC Laptop MacBook (Black)
by Foxnovo

$8.99 $15.99 Prime
Get it by Tomorrow, Oct 14
More Buying Choices
$8.99 new (2 offers)
FREE Shipping on eligible orders.

See Color Options

US D575,784

US D581,929

US D593,095
Alternatives to getting mad
For the last year or so, one of the questions I’ve been asked again and again has been: "Can I use the new Office user interface in my own product?"

On one hand, it’s an immensely satisfying question to hear, because it means that others in the industry believe in the value of what we’ve built and see how the sound UI research we’ve done can benefit their own products. Creating the new user interface has been our team’s passion for the last three years, and we love sharing the fruits of this hard work.

On the other hand, the new Office user interface was a huge investment by Microsoft and the resulting intellectual property belongs to Microsoft.

As a result, I’ve never been totally comfortable answering questions about whether people can use the new UI or not publicly because, honestly, I didn’t really know the answer. You might have noticed I’ve been pretty quiet on the subject.

Internally, though, more than a year ago we started talking about how we could share the design work we’ve done more broadly in a way that also protects the value of Microsoft’s investment in this research and development.

Well, I'm pleased to finally be able to definitively answer the question. Today, we’re announcing a licensing program for the 2007 Microsoft Office system user interface which allows virtually anyone to obtain a royalty-free license to use the new Office UI in a software product, including the Ribbon, galleries, the Mini Toolbar, and the rest of the user interface.

Last week, I recorded a video along with Judy Jennison, the lawyer who has been spearheading the licensing effort, to chat about the UI license in detail. Take a look, or keep reading to learn more.
Example of the Ribbon interface as a platform
Surface as a platform?

E.g., Kickstand Innovation
utility patents (left) – design patents (right)

1. An apparatus comprising:
   a chassis;
   a component rotatably attached to a portion of the chassis; and
   at least one hinge that attaches a portion of the component to the portion of the chassis, the hinge including a center of rotation that is external to the hinge.

U.S. Patent 9,134,808
U.S. Design Patent 696,254