

Chapter 26

How to Talk About Your Invention



(how Alex shared just enough—at the right times, in the right ways)

Alex decided that “how to talk about an invention” meant two things at once: **what** to say to the world (so momentum and fundraising continued without nuking rights) and **what** to say to the USPTO (so the application stayed honest and strong). Done well, disclosure powered press, partners, and patents. Done poorly, it started clocks, invited copycats, or sabotaged credibility. This chapter shows exactly how Alex handled both kinds of disclosure with a calm playbook you can reuse.

Two disclosures, two audiences

1. **Outward disclosure** (to customers, investors, partners, press, conferences).
Goal: communicate value without triggering avoidable legal clocks or leaking know-how you can't get back.
2. **USPTO disclosure** (your duty of candor).
Goal: identify and submit material prior art so examiners see the real landscape and your allowed claims are

durable.

Alex treated both as **process**, not vibes.

Outward disclosure: what Alex said (and didn't)

The golden order of operations

1. **File first, then talk.** Alex filed a **provisional** that actually taught the mechanism. Only then did Alex green-light the broader pitch and marketing push.
2. **Keep it mechanism-light until you file the non-provisional.** After the provisional, Alex still avoided revealing **implementation specifics** that competitors could copy before allowance.
3. **Refresh before the big stage.** Three months before the 12-month deadline, Alex began the **non-provisional**. That draft informed what the team could safely say at tradeshows, in white papers, and in standards meetings.

(AI)dea — **Advisory:** Think in **layers**. Outcomes are public early, mechanisms go public **after** you've claimed them.

Where inventors accidentally blow rights (and how Alex didn't)

- **Pitch decks & demo days.** Alex used two decks: a **public deck** (problem, results, metrics, customer stories) and a **confidential deck** (mechanisms, block diagrams) reserved for NDA settings.
- **Websites & landing pages.** Marketing focused on **benefits** (“rides through brownouts, extends bulb life”) not the control loop internals.
- **Crowdfunding & app stores.** Alex filed **before** posting any detailed feature explanations or videos showing internals.
- **Academic posters & theses.** If collaborators wanted to publish, Alex coordinated to **file first** and adjusted figures to avoid enabling details.
- **Trade shows.** Booth art was results-focused; detailed diagrams moved into a private room under NDA.
- **Standards meetings.** Alex spoke at a level that advocated for **interoperability goals** while keeping **proprietary implementations** out of the record until filings were secure.

(AI)dea — **Avoidance:** A talk on **what** your product achieves is safer than a talk on **how** it achieves it. “How” is your moat—protect it first.

U.S. vs. the rest of the world (why timing mattered)

- **United States:** Your own public disclosure can trigger a **one-year grace period** to file. Alex didn't rely on that safety net unless something slipped.
- **Most foreign jurisdictions:** **Absolute novelty** rules apply; your own public disclosure can kill foreign rights. Alex assumed **no grace** abroad and filed **before** going public.

Alex's calendar in Chapter 26 existed largely to keep this distinction from becoming an emergency.

NDAs: useful, not magic

Alex used NDAs for **investor diligence**, **contract manufacturers**, and **pilot customers**. But NDAs aren't force fields:

- They **don't** create foreign grace periods where none exist.
- They **help** if a leak happens—you have contractual remedies—but they won't stop a competitor who learns the info **independently** or by reverse engineering.

Alex treated NDAs as **seatbelts**, not armor.

Beta tests, pilots, and “public use”

Alex ran **private betas** with:

- Agreements that limited **redistribution, reverse engineering, and public reviews**;
- Hardware labeling (“Evaluation Unit — Confidential”);
- Logging that proved units never left controlled hands.

When a wider **public pilot** was necessary, Alex filed **before** the pilot started. Simple rule, zero drama.

Defensive publication (when not patenting)

Sometimes the smartest play was to **publish** a narrow idea to block others from patenting it while Alex protected the core. Alex used **defensive publications** for features that didn't justify claim space but would be awkward if someone else tried to patent them.

(A)Idea — Advisory: Publish **deliberately** (and date-stamped) or not at all. Casual blog posts can leak more than you intend and less than you need.

What went on a “safe” public slide (Alex’s checklist)

- **Problem & measurable outcome** (MTBF improved by X%, flicker suppressed below Y).
- **High-level architecture** (sensor → controller → output), no parameter values, no state-machine detail.
- **Comparative graphs** showing performance vs. baseline—**without** labeling axis values that reveal tuned ranges.
- **Roadmap claims** (“patent pending on adaptive control”) tied to your **filed** applications, not promises of scope.

What **never** went public before filing: sampling cadence numbers, window sizes, hysteresis thresholds, thermal placement/pressure details, calibration methods, fixture photos, and code snippets.

Social, PR, and “patent pending” words

Alex used “**patent pending**” only **after** filing and referenced **application numbers** when useful to signal seriousness in investor materials. Press got outcome stories, customer testimonials, and reliability metrics—not schematics. Social posts had a rule: **no internals, ever**.

(A)Idea — Action: Pre-approve three press paragraphs with counsel. Reuse them. Consistency prevents accidental over-sharing.

Responsible disclosure to the USPTO (the duty you can't ignore)

Separate from outward speech is your **duty of disclosure** to the USPTO. Anyone substantially involved in prosecution (you, counsel, inventors) must disclose to the Office **material prior art or information** known to them.

Alex's Information Disclosure Statement (IDS) hygiene

- **Capture once, submit cleanly.** Alex kept a running list of references read during search, design, and marketing reviews—**patents, applications, standards drafts, white papers**—with links and short notes.
- **Batch, don't dribble.** Rather than firing an IDS for every new find, Alex batched submissions (without missing deadlines) to reduce cost and mistakes.
- **Foreign art too.** If co-pending foreign offices cited references, Alex made sure the U.S. examiner saw them via IDS.
- **No over-labeling.** Alex didn't dump irrelevant piles "just in case." Submitting **everything** can obscure the **important** things; submitting **too little** risks credibility.

Interviews and amendments with candor

Alex's responses and examiner interviews were factual, measured, and avoided overstatements. Arguments linked **claim language** to **evidence** and to exactly what the cited art taught or didn't. Credibility is compounding interest in prosecution; Alex protected it.

(A)Idea — Avoidance: Don't let AI draft anything you submit to the USPTO. Use it to **organize** public references; humans draft and sign.

AI and outward disclosure (useful radar, dangerous megaphone)

Helpful:

- Drafting **press boilerplate** that you then sanitize.
- Scanning **public** competitor sites for feature claims and certification listings.
- Creating **checklists** for conference prep and sales enablement.

Guardrails:

- No confidential prompts—**ever**—to public models (CAD, code, lab logs, unpublished data).

- Use **enterprise AI** with **no training on prompts**, private retention, and audit logs.
- Human redlines on anything that approaches mechanism.

(A)Idea — **Advisory**: Assume anything pasted into a public model could be reconstructed someday. If it's not safe on a billboard, it's not safe in a prompt.

Alex's near-miss (and why the process saved it)

A partner's marketing team prepared a tradeshow poster that showed a **state diagram** with cadence and thresholds. Someone flagged it in Alex's **pre-event content review**. Because the **non-provisional** was still in draft, Alex fast-tracked claim language to cover the precise cooperation shown, **filed**, then rewrote the poster to an outcomes-only graphic. The show went on; the rights stayed intact.

Contracts that made disclosure safer

- **Employee and contractor agreements** with invention assignment and confidentiality from day one.
- **CM & supplier NDAs** with **no reverse engineering**, **no cross-customer use**, and audit rights for fixtures/scripts.

- **Pilot customer agreements** that limited sharing and reviews until public launch.
- **Press & analyst briefings** under **embargo** terms that aligned with your filing dates.

Alex also aligned **terms of service** for software with provisions discouraging reverse engineering and public benchmarking of pre-release builds.

Responsible disclosure as culture (not legal whack-a-mole)

Alex taught the team a five-minute ritual before any public moment:

“File first, speak second.”

“Outcomes out front, mechanisms in the vault.”

“If unsure, ask—before you present, post, or publish.”

A single Slack channel (“#ip-review”) captured slide decks, blog drafts, and demo scripts **48–72 hours** before release. Counsel or the designated IP lead skimmed, replied, and archived approvals. Light-touch, high leverage.

A compact decision tree Alex used (print this)

1. **Are we about to disclose?** (pitch, page, post, demo, standard, paper, app store)
 - **No** → File **now** (provisional), or scrub content to outcomes only, or move content under NDA.
 - **Yes** → Are we still avoiding unnecessary enablement? Remove parameters, state charts, fixture photos.
3. **Foreign ambitions?**
 - **Yes** → Assume **no grace**. Keep details private until **after** filing.
4. **Need to share with a partner?**
 - **Yes** → Use **NDA**, limit access, watermark, and log.
5. **Have we captured new prior art we learned?**
 - **Yes** → Add to **IDS list** for the next batch submission.

Twenty seconds beats twelve months of regret.

Why this chapter mattered to Alex

Alex didn't "hide." Alex **sequenced**. By filing before broadcasts, using NDAs where needed, training the team to talk outcomes (not mechanisms), and honoring the USPTO duty of disclosure with clean IDS practice, Alex kept speed **and** rights. Investors heard a compelling story. Partners got enough to move forward. Competitors stayed guessing. And when allowance arrived, Alex's claims sat on a record the team could defend with a straight face.