

SEPTEMBER 2020

## The Newsletter of the Institute of Inventors and Innovators

III – A non-profit organization. A home for inventors. Run by inventors. Supporting inventors.

III – South Africa Business Award Winner – MEA Markets 2019

<https://www.mea-markets.com/latest-issues/>



❖ **Zoom Eureka!MEET** sessions are starting! We are processing membership and PITP applications as usual, and the **next Pitch it to the Panel™** session is on **26<sup>th</sup> September** so book your place – there are only three spots available.

### Main ideas in this issue:

- ❖ Confidentiality Agreements - are they necessary? Do they work?
- ❖ **The III Inventors Club** on Virtual *Meetup* Wednesday sessions, Join us!
- ❖ A patent for protecting bananas
- ❖ How do you know your idea is a good one?
- ❖ ... and of course there's more!

## Confidentiality Agreements

It seems we have been tackling 'big' subjects recently, and as always, this overview will answer some questions but this article merely introduces this complex subject. Remember too that the information below is very general and does not offer legal advice. You need to do your own research, and then engage the services of the professionals to help you accordingly. To start though, keep in mind that a Confidentiality Agreement is a serious document and a legally binding contract.

They are not one-size-fits all and will need to be adapted and made fit-for-purpose; after all, every invention is different (!) For instance, the agreement you may sign with a manufacturer will be different from one that you will sign with a co-inventor or potential investor. And then, as your invention matures, you may also sign upgraded agreements with your key parties.

Aka as an NDA (Non Disclosure Agreement), essentially a Confidentiality Agreement enables an inventor to disclose intellectual property without losing rights to that property in normal circumstances. It is the inventor's most basic tool for protecting intellectual property. This can include ideas, designs, prototypes, equations, formulas, software, pictures, music, story ideas, business plans, patents pending, market research and strategy, and more.



However, a Confidentiality Agreement is not always easy to get signed as other parties want to protect themselves too and may have their own they prefer to use. At one end are suppliers, manufacturers and product designers who have little or no issue in signing strong agreements; but at the other end are open innovation companies, corporates or academic institutions (who may also be potential licensees) that are reluctant to sign anything but the most general sorts of agreements. Not useful.

Just getting any old Confidentiality Agreement in place will not be enough if you have a valuable secret you need to disclose, and a bad Confidentiality Agreement could be worse for you than nothing at all. An inventor needs a good agreement with recourse. The trick though is having the right amount of 'bite' because too much 'bite' may chase important or potential partners away. If you decide you

are going to use one, make sure that any to be signed are well drafted by an experienced lawyer who knows where the possible loopholes are. Note too that whenever an inventor discloses confidential information he or she risks losing certain patent rights unless the disclosure is properly covered by agreements and law so, again, you will need professional advice from a patent attorney

### **Do you need one?**

The people you will be sharing your information with need to know what you have before they will consider working with you. Some of the information they need to know is information you may want to keep secret or release on a need-to-know only basis, and this may be a problem or cause delays. Consider too that some of the 'best' potential partners (and other third parties) may also be potential competitors. However, a strong Confidentiality Agreement should prevent outside parties from stealing your intellectual property ... so yes, you do need one.

### **What can be included in a Confidentiality Agreement?**

To be of any value, a Confidentiality Agreement should include quite a lot more than just demanding secrecy. In the **Introduction**, the inventor and the recipient (the party getting the confidential information) will identify themselves and the reason/s why they are entering into the agreement. The invention idea itself needs to be identified by general description or by name. Then in the **Terms of disclosure**, each party states what it will do. The inventor/s will agree to disclose the invention idea with supporting documents/prototype etc. and the recipient/s will agree to keep the 'confidential information' secret.

Still, there are limitations to the secrecy, for example, it may include a **time period** for the agreement and set a termination date after which the secrecy will no longer be valid. And then there are **exclusions** added to the agreement which could include information already in the '**public domain**'. This has a wide definition and could include patent records, magazine articles, Internet articles, software, games, books, films, songs ... in fact everything that has been published (and still be found).

Other specific (to you and your invention idea) exclusions may be added here as well. The **reservation of rights** of the parties clarifies all that is incorporated in the agreement. For instance, the inventor is not giving the recipient any rights to the invention just because he/she is disclosing details (etc.) and then the recipient in turn may reserve the right to use information that isn't confidential or covered by any exclusion in the document. Watchpoints for the inventor can be that some companies reserve the right to use information learnt from the disclosure to develop other products. It might be that your disclosure identifies an attractive market opportunity or engineering concept that the recipient will want to pursue without obligation to you. Software companies for example often reserve the right to reverse engineer product concepts. Caveat emptor.

**Implementation** or enforcement provisions define and limit the actions the signatories can take in the event of a dispute. Some Confidentiality Agreements do not provide for enforcement but without these provisions, the only recourse in the event of a dispute, may be an expensive lawsuit for the inventor or the risk of losing everything by walking away. **Jurisdiction** is important too as laws vary from country to country. Advice to hand suggests that contracts should have a section that details which specific set of laws will be applied in the event of a legal dispute. This can be important since certain provisions in (or even the entire agreement) may be legal under one set of laws but not under another. Finally, consider **Venue**. If there is a dispute, where will you argue about it? It costs less to argue in your own back yard using legal services you already know than having to foot the bill for expensive travel.

The thing about Confidentiality Agreements is that they are living and adaptable documents – not cut and dried or take off the ready-made shelf right now. Each will be different for obvious reasons (and for some not so obvious) but understanding their uses and importance is paramount to building and keeping good the relationships you establish along the way. Trust will always be a factor.



There is so much to consider and whilst you feel you might be caught between 'a rock and a hard place', **it is best to have a Confidentiality Agreement in place**, provided you have given careful thought about how you want to protect your confidential information and IP.

Inventing can be complicated. Oh really?



**Meetup creates possibilities.** It is a platform for finding and building local and international communities and groups made up of like-minded people with similar interests ... and prior Covid days used to hold meetings face-to-face. Now that **Meetup uses Zoom** – anyone can join any group anywhere in the world – good news for inventors and innovators and other creative people.



**The Institute has established a MEETUP group only for Inventors and Innovators and other creative people, the first in South Africa ... and for this we say THANK YOU to José Ventura who is a Licensing Specialist**

**Go here to join the III Inventors club:**

<https://www.meetup.com/en-AU/inventors-club/>

**Watch out too for a changing event program to suit all sorts of interesting subjects to help you on your inventor's journey to commercialising your idea.**

Most usually we will be meeting on the first **3 Wednesdays in a month from 17h30 to 18h30.**

**YOU CAN BE SURE** that you will be in for a treat as *all* the subjects will be of interest for *all* members and *all* steps of inventing will be covered sometime in one way or another.

**Eureka!MEET is back too and part of the III Inventors Club. It will take place as usual on the second Wednesday of the month so zoom in from anywhere in the world for some pretty good information!**

**[It's free to join the III Inventors Club so make sure you do so to keep updated](#)**



**Glossary:** Definitions and meanings of words, concepts, actions or manufacturing to do with inventions and innovations. **You may know the meanings but many may not.** Send us an email if you've got something you're not sure of and we'll get back to you! Thanks for these Tim Msoni.

**Die casting:** A process of metal forming where molten metal is forced into a mould or form and put under pressure to fill all the cavities to produce a part or object.

**Blow moulding:** A method for making a product that requires a hollow space. Used for items such as bottles, cans, containers, jars, etc. The process normally uses a two- piece mould with two heated internal surfaces of hot plastic and compressed air to make the product or part.

**Injection moulding:** A method similar to Blow moulding except you are squeezing the mould under high pressure. Moulds for Injection moulding are normally made from ceramic, steel or aluminium and used to make solid objects, whereas Blow Moulding objects are normally hollow inside.



**A friendly, autonomous robot that delivers your food**

**Ali Kashani** introduces us to Postmates' autonomous delivery robot and explains how it could help reduce carbon emissions and free up valuable real estate in cities everywhere. Learn more about how it was specially designed to navigate complex social interactions on busy sidewalks to bring you your food (and more) with joy. Why watch this? Because INVENTORS are interesting people to talk to.



[https://www.ted.com/talks/ali\\_kashani\\_a\\_friendly\\_autonomous\\_robot\\_that\\_delivers\\_your\\_food?utm\\_source=newsletter\\_daily&utm\\_campaign=daily&utm\\_medium=email&utm\\_content=button\\_2020-07-08](https://www.ted.com/talks/ali_kashani_a_friendly_autonomous_robot_that_delivers_your_food?utm_source=newsletter_daily&utm_campaign=daily&utm_medium=email&utm_content=button_2020-07-08)

"Never invest in a business you can't understand" - Warren Buffet

**Inventor's steps:** There is so much to think about when inventing anything that sometimes a simple change in approach could make a difference that moves your project forward. Taking your invention idea from 2D to 3D is a great way to understand how your idea could work in real life. And if you know what you mean, others will too. From 2D drawings (or scribbles only you really understand!), creating a 3D model using cardboard or recycled materials can help you refine your idea, and might even change how you think about it - after all, we see with our fingers. Of course there is 3D printing, but that may be costly at this stage of your work. Consider using other materials bought in a stationery store, supermarket or the DIY section which could include plasticine, clay, salt-dough, plastic and wood. Test the artist in you!



## Pitch it to the Panel™

26<sup>th</sup> September 2020

PITTP™ is a unique opportunity to pitch your idea or invention project to a group of subject specialists and professional experts.

The commentary offered by our commercialisation consultants provides confidential, objective and real-time help not only on the viability of your idea, your project or your invention but also on what to do next to keep things going.

GETTING YOUR IDEAS TO WORK is just a part of the value you will benefit from by attending a PITTP™ session.

Go to the website, [www.iii.org.za](http://www.iii.org.za) to find out more.

Book and secure your place.

There are only 3 spots available at our virtual meetings.

**Live outside South Africa? You're welcome!**

"Invest in this golden opportunity it will most likely be the gateway to your future as an inventor. Your idea along with your questions will be addressed by a panel of qualified, experienced and highly capable people who think like you do and who understand what drives you ... get reassurance and peace of mind."

Nick Neil-Boss PITTP 2018

### Luke describes his Sprinkler

[https://www.youtube.com/watch?time\\_continue=1&v=oo2G3s8SrW0&feature=emb\\_logo](https://www.youtube.com/watch?time_continue=1&v=oo2G3s8SrW0&feature=emb_logo)

You will want to watch this at least twice!

## In case you missed it...

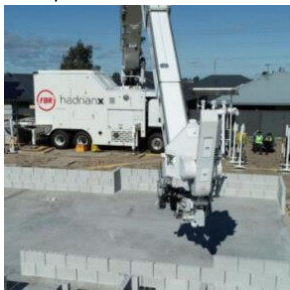
FBR, an Australian start up, is innovating the construction industry with its new robotic bricklayer the

### Hadrian X robot.

This robot, mainly mounted on trucks, and adaptable for tracks, barges, cranes, and other heavy vehicles, can lay brick over a large area with precision. This is possible thanks to its Dynamic Stabilisation Technology (DST), which allows Hadrian X to adapt to wind, vibration, and other external variables.

The robot lays blocks that are twelve times bigger than a standard house brick, and less heavy. The blocks stick together with an adhesive bonding material that solidifies in only 45 minutes. **This new robot could revolutionize the construction**

**industry**, in an era where bricklayers are becoming rare and the global housing crisis is exacerbated daily. Go here to read more and see it in action. <https://www.fbr.com.au/view/hadrian-x> Remarkable.





## And speaking about bricks ...



A group of engineers from the Heriot-Watt University in Scotland started a company called **Kenoteq**, which designed an environmentally friendly brick. This new brick is called the **K-Briq**, and **90% of it is made with construction waste**. Furthermore, its production doesn't require a kiln, and generates only one tenth the carbon emissions of conventional bricks.

These bricks were invented out of concern that modern construction methods are not sustainable in the long term, because manufacture requires the use of raw resources, fossil fuels and other materials that generate carbon emissions.

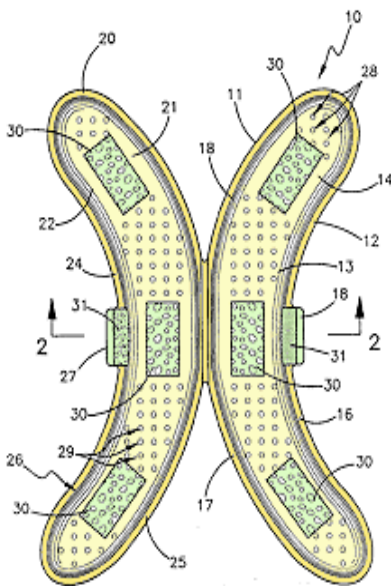
The K-Briq mostly uses demolition waste which is recycled. These new bricks could transform the modern construction industry, making it more sustainable, and helping by reducing carbon emissions. They come in different colours too.

## Now you can!

Bananas are the perfect fruit and, like avocados and Kiwis, they come with their own natural, protective skins – pretty effective and easy to discard.

## BANANA SUITCASE – U S Patent issued 2003

Someone identified and then solved the problem of spoiling your bananas in transit and as the US patent office thought the idea was worth protecting, they issued a patent. The Banana Suitcase is a protective case designed to shield a single banana from getting bruised.



The Inventor wrote in his patent description and instructions “In use, the user opens the container and places a banana inside thereof and closes the container to allow the user to carry the banana in a safe manner so that it remains fresh and is protected from becoming bruised.” The diagram alongside shows what is what, 30 must be the anti-bruising pad.

Still, you may wonder if the suitcase is made of a flexible material to accommodate the different sizes and shapes of bananas in general? Or perhaps you would need to take the case along when you went shopping so that you could find a banana that fits? One wonders too whether this product was ever brought to market or if the patent is just gathering dust somewhere? Chindogu rules okay!

**REPAIR. REFINE.  
IMPROVE.  
DIFFERENTIATE**

## Give your Idea a personal Mission Statement.

This will help you to have a sound vision of your invention as well a work out your answers to the missing bits. Give it a working name if it doesn't already have one, (you can change it later if you need to) and then answer these questions.

**It does WHAT ... for WHOM ... by HOW ... because WHY**

Remember to sell the sizzle and not the steak!

## Is your idea is a good one? Two fundamental questions will help you decide.



RESEARCH! This is the first step to take, and while you'll need to do in-depth research on other factors later on, using Google Images to start is your best action. Let's say you have invented a new type of flexible pencil you have called the 'Curl-U-writer' as a working title. Decide on the category it belongs to (all if there are more than one) and then drill down with different terms while you search for anything that 'behaves' like your pencil. In this instance you could research the 'educational toy' category and the 'stationery' category. These may lead to other ideas, so follow your nose but don't waste time.

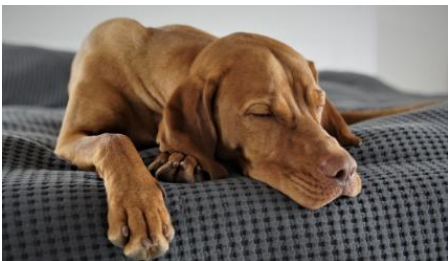
Have you heard about or ever practised the FEATURE/BENEFIT sales technique? Yes? Good. No? Never mind, we'll cover it in Meetup another day because we think inventors will find it useful. Just saying.

- 1. Does the idea** of the Curl-U-writer **make sense?** Does it have any particular features and benefits that will make it stand out from the other pencils already on the market? How does it compare with the competitor's products out there? How is it better or different? Unique? Similar? Great minds think alike so don't worry too much if it is already out there in one way or another, this will just confirm that there are already customers and an established market. Don't get this wrong, you are not here to copy someone's idea, you are here to see how your idea differs. What does 'Curl-U-Writer' do that others don't? Does it do something faster? Is it easier to use? Store? Is it less expensive? Is it eco-friendly? Made from recyclable materials? Does it have a smaller carbon foot print? Child friendly? Think of every FEATURE and every BENEFIT. Is it a trail blazer? Is it a product that is trending? Answer these questions about your idea and you will intuitively know whether or not it's a good one.
- 2. Does your idea/invention solve a problem?** Does it do something that other pencils don't? What is the problem you were trying to solve anyway? Does it solve more than one problem? Answer this now that you know what you know and again, you'll be able to decide if your idea is a good one.

All your future action on your idea, including prototyping, manufacture, IP protection, advertising, marketing, licensing or own business and more will be based on your answers to these two questions.

## Sleep? Who me? What now?

## Coping with Covid.



During this Covid time sleep can be elusive because of the extra tasks, changed work and home rules and stress which are being redefined daily; and this includes the worry about what to do next. Looking after your 'whole' self must keep pace with the demands of today and tomorrow in general, and then there is the 'inventor' in you that you must consider.

### **They say ensuring enough sleep is important.**

Depending on your view and life impacts of Covid-19 right now, there are conflicting issues that have come to the fore which, in part, include dealing with the *positive* aspects of Corona. Virtual communication is arguably one of these. Do you wish you could return to the former normal or was your former normal actually a problem anyway? Let the past go, it's gone anyway.

The thing is, many have to cope with career setbacks and defeats, workplace stress, burnout, retrenchment, changes of occupation, unemployment, and in many cases, forced early retirement. We know this. The imposition of strict controls in phase 5 now loosening up at phase 2 has been and remains confusing, the stop/start of it all. We know this too. Our need to endure difficult circumstances, to simplify and strip down to the basics is key, and tensions are enormous for those who are unemployed or whose businesses are closed or failing, or who aren't placed well to work from home. It has certainly brought out our strengths and exposed our weaknesses.

While sleep will not put 'food on the table', a good night's rest will help you to tackle the circumstances and stresses more readily. When you are tired or exhausted, you cannot think clearly, you have no energy to do much if anything at all, and things just get darker.

There is wisdom in the quotes below – may it help anyone who is in trouble, may you find a chance to sleep enough and may you find solutions to any problems you are facing.

☞ "A good laugh and a long sleep are the best cures for anything." Irish proverb. ☞ "The best bridge between despair and hope is a good night's sleep." E. Joseph Cosman. ☞ "There is a time for many words and there is also a time for sleep. Happiness consists of getting enough sleep - just this and nothing more." Robert A Heinlein ☞ "Even a soul submerged in sleep is hard at work and helps make something of the world." Heraclitus (c 535 – 475 BC)

**Inventors. Take care of yourselves. Keep your distance. Mask up. Keep sanitising.  
And catch up on sleep whenever you can.**

## A Mask project for DIY Guys...

There are a lot of great mask designs out there, (we have already featured one made out of an old T-shirt) but as this designer says 'unfortunately most of them hide your mouth when you're talking.' In some cases that lack of visual cues is just a minor annoyance, but for many people it can have a drastic impact on their ability to understand you. What 'Weekend Chaos' designed is one that incorporates some of the nice, easy-to-make patterns with a good fit, good aesthetics and a safe mechanism for a removable window. Corona will be around for a long time. He shares his design here:



[https://www.instructables.com/id/Makelf-Clearly-Heard-Mask/?utm\\_source=newsletter&utm\\_medium=email](https://www.instructables.com/id/Makelf-Clearly-Heard-Mask/?utm_source=newsletter&utm_medium=email)

**Instructables** is one of the sites featured on the III website. Go see, there is a lot to attract your attention!

## III on the Radio

On **Sunday 27th September**, from **18h00-20h00**, III Chairman Ken Hawksworth will be interviewed by Richard Cock on his program **PEOPLE OF NOTE on Classic FM 102.7** Make a note to listen in when Richard and Ken will be in conversation about various subjects mainly to do with the Institute, Invention, Innovation, Creativity ... and all that this means. The talking will be interspersed with Ken's choice of music so it should be an interesting two hours, especially if you haven't tuned in to People of Note on Classic FM radio before. <https://www.classic1027.co.za/listen-live/>



**The Next Eureka!NEWS will be out by 5 October ... look out for it.  
Greetings to you all.**

In October we'll feature Makers' Spaces... and other stuff.

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The III is a member of IFIA - the International Federation of Inventors Associations.

**PLEASE VISIT THE IFIA WEBSITE REGULARLY FOR INFORMATION ON INTERNATIONAL EVENTS  
WHICH ARE OPEN TO ALL INVENTORS WORLDWIDE**

<https://www.ifia.com/upcoming-events/>



September is ARBOUR month – so all Inventors should plant a not-a-conifer-or-a-Bonsai tree under which they can sit in 20 years' time to think things out because they are still inventing.



**Failed Prototype**



INSTITUTE of  
INVENTORS and  
INNOVATORS

# III Inventors Club

1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> Wednesdays

17h30-18h30 GMT+2

via Zoom