How to Cite Patents and Trademarks*

Patents

Patents are cited by including the name(s) of the inventor(s), the year of issuing the patent, and the title of the patent. The name of the issuing institution at the time of issuing the patent, the patent number and the exact dates of the patent being filed, issued and eventually expired (optional) conclude the citation.

Some Notable Patents

A patent of a claimed invention is a license which is issued by a governmental institution which confers exclusive rights to the inventor(s) to the published claims of said invention for a limited period. Although millions of patents have been officially issued for the past two centuries, there are some notable patents of fundamental inventions which greatly improved the living conditions of mankind. Sample citations of such patents are given below.

Sewing Machine

The patent for the invention of the sewing machine by Elias Howe Jr. based on "putting a groove in the needle running away from the point, starting from the eye" is among the best patented inventions. This invention, combined with the improvements made by Singer, Wheeler and Wilson, and Grover and Baker modernized the shoe and garment industries. The inventor patented his lockstitch sewing machine on 10 September 1846 in New Hartford, CT, USA, and the patent can be cited, as follows:

> Howe, E., Jr. 1846. Sewing machine. United States Patent Office, US Patent 4,750, issued 10 September 1846, expired 1867.

Radio

The invention of the radio is considered as one of the most important inventions. Several inventors contributed to the initial development of the radio and there is an ongoing debate about the very first patent defining the radio. In relation to this, it is worth citing two of the patents of Nikola Tesla:

> Tesla, N. 1900a. System of transmission of electrical energy. United States Patent Office, US Patent 645,576, filed 2 September 1897, issued 20 March 1900.
>
> Tesla, N. 1900b. Apparatus for transmission of electrical energy. United States Patent Office, US Patent 649,621, filed 19 February 1900, issued 15 May 1900.

Penicillin

It is possible to file several consecutive patent applications having the same title but containing different claims as it was the case with the method for mass production of penicillin introduced by Andrew Jackson Moyer:

> Moyer, A.J. 1948a. Method for production of penicillin. United States Patent Office, US Patent 2,442,141, filed 11 May 1945, issued 25 March 1948.
>
> Moyer, A.J. 1948b. Method for production of penicillin. United States Patent Office, US Patent 2,443,989, filed 11 May 1945, issued 22 June 1948.
>
> Moyer, A.J. 1949. Method for production of penicillin. United States Patent Office, US Patent 2,476,107, filed 11 May 1945, issued 12 July 1949.

Integrated Circuit (IC)

The examination period after the date of filing may vary significantly from one patent to another, the following example shows two patents related to the invention of the integrated circuit:

> Kilby, J.S. 1964. Miniaturized electronic circuits. United States Patent Office, US Patent 3,138,743, filed 6 February 1959, issued 23 June 1964.
>
> Noyce, R.N. 1961. Semiconductor device-and-lead structure. United States Patent Office, US Patent 2,981,877, filed 30 July 1959, issued 25 April 1961.

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Invalid Patents

Sometimes, patents are fully or partially invalidated in court and the date of invalidation should be included in the citation.

An example of the infringement of a certain claim of a patent is the court case "Marconi Wireless Telegraph Company of America vs. United States" and the patent in question can be cited, as follows:

Marconi, G. 1904. Apparatus for wireless telegraphy. United States Patent Office, US Patent 763,772, filed 10 November 1900, issued 28 June 1904, Claim 16 invalidated 21 June 1943.

Another example is the court case concerning the invention of the *first automatic electronic digital computer*, which was legally resolved on 19 October 1973 when United States District Judge Earl Richard Larson of the District Court for the District of Minnesota held the Electronic Numerical Integrator And Computer (ENIAC) patent invalid, ruling that the ENIAC derived many basic ideas from the Atanasoff-Berry Computer (ABC). ENIAC was created by John Adam Presper Eckert Jr. and John William Mauchly who used the design of ABC invented earlier by John Vincent Atanasoff, an American physicist from Bulgarian origin on his father's side, and his graduate student Clifford Edward Berry. ABC was never patented. Federal Judge Larson declared the ENIAC patent null and void and explicitly stated, "Eckert and Mauchly did not themselves first invent the automatic electronic digital computer, but instead derived that subject matter from one Dr. John Vincent Atanasoff". Therefore, the invalidated ENIAC patent can be cited, as follows:

Eckert, J.P., Jr.; and Mauchly, J.W. 1964. Electronic numerical integrator and computer. United States Patent Office, US Patent 3,120,606, filed 26 June 1947, issued 4 February 1964, and invalidated 19 October 1973.

Trademarks

The *unregistered trademark* symbol '^{TM}' and the *unregistered service mark* symbol '^{SM}' are used for marks that have a pending trademark application or for marks that are claiming the rights to the mark. The *registered trademark* symbol '$^{®}$' is used once a trademark registration is received. Registered and unregistered marks of hardware and software products/services used for research and development are cited by including the product/service mark (followed by '$^{®}$', '^{TM}', or '^{SM}'), year, version (optional), company, city, state, and country. The following examples are provided as an illustration of citing registered trademarks, unregistered trademarks and service marks.

Hardware Products

Blue Gene$^{®}$/P. 2007. IBM Corporation, Somers, NY, USA.

Intel$^{®}$ Core^{TM}. 2010. Core i5-6xx series. Intel Corporation, Santa Clara, CA, USA.

iPad$^{®}$. 2011. iPad$^{®}$ 2. Apple Inc., Cupertino, CA, USA.

NVIDIA$^{®}$ Tesla^{TM}. 2011. M2090 GPU computing module. NVIDIA Corporation, Santa Clara, CA, USA.

Software Products

COMSOL Multiphysics$^{®}$. 2011. Version 4.2. COMSOL, Inc., Burlington, MA, USA.

IBM$^{®}$ SPSS$^{®}$ Statistics. 2011. Version 19. IBM Corporation, Somers, NY, USA.

LabVIEW$^{®}$. 2010. Version 2010. National Instruments Corporation, Austin, TX, USA.

Mathematica$^{®}$. 2010. Version 8. Wolfram Research, Inc., Champaign, IL, USA.

MATLAB$^{®}$. 2011. Version R2011a. The MathWorks, Inc., Natick, MA, USA.

OPNET Modeler$^{®}$. 2009. Version 16.0. OPNET Technologies, Inc., Bethesda, MD, USA.

Simulink$^{®}$. 2011. Version 7.7. The MathWorks, Inc., Natick, MA, USA.

Service Marks

Apple Certified Trainer^{SM}. 2011. Apple Inc., Cupertino, CA, USA. Available: <http://training.apple.com/act>.

Changing the Way We Work, Live, Play and Learn^{SM}. 1984. Cisco Systems, Inc., San Jose, CA, USA.