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Venable's IP News & Comment

FEBRUARY 2008

*Venable's Technology Division is pleased to present this edition of **IP News & Comment**, covering topics generating the greatest interest in the areas of patents, trademarks, copyrights, and IP litigation. We welcome any feedback or questions you may have regarding the articles or topics covered here.*

Update on Europe's London Agreement

By Keith G. Haddaway, Ph.D. and Debbie S. Walker

In the October 2007 edition of Venable's *IP News and Comment*, the adaptation of the London Agreement by France and advantages to patent applicants in Europe were described. (See http://www.venable.com/docs/pubs/1795.pdf, page 9) On October 9, 2007, France's National Assembly adopted the London Agreement, setting the stage for significant reductions in European translation requirements. France, Germany, the United Kingdom, the Netherlands, Switzerland, Iceland, Latvia, Liechtenstein, Monaco, Slovenia, Sweden and Denmark have now either ratified or acceded to the London Agreement.

For a description of the potential cost saving for patentees, see the October 2007 article.

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Beware of Requests to "Register" Published PCT Applications

By Keith G. Haddaway, Ph.D. and Debbie S. Walker*

Several of our clients have enquired recently about notices they have been receiving regarding PCT applications. These notices are issued by sources other than The International Bureau of WIPO (WIPO). These outside sources are soliciting PCT applicants and agents to pay fees for services provided by their companies. The requested fees can be over $2000. Although such notices have been around for some time, we have seen increased activity lately.

Most notices refer to a "Register of International Patent Applications." Some of these notices bear quite official looking insignia and appear to represent that the fees requested are necessary to maintain the application. The notice may offer services in addition to the registration. A reading of the "fine print" on these notices reveals that they are generally solicitations to list the published PCT application in a private database. To our knowledge, there is no benefit to these services, and the fees should not be paid. WIPO makes published patent applications publicly available on the internet, and businesses interested in a particular technology have ready access to the publications.

It is important that PCT applicants and agents note that any notices or fee invitations issued by WIPO will bear the official "International Bureau of WIPO" designation in the bottom left hand corner of the document. If the WIPO insignia is not present, the invitations are not in any way connected to WIPO or any of its official publications. WIPO

alone publishes all PCT applications at no charge to the applicant; there is no "Register of International Patent Applications" maintained or required by WIPO. The legal ramifications of the PCT publication are outlined in Article 29 of the Patent Cooperation Treaty.

The receipt of any notifications or invitations from any other outside sources should be reported immediately to the proper legal representative to ensure that unnecessary fees are not paid. If you receive any notices and are unsure of whether any action is required, please contact us. The PCT Information Services at WIPO may also be contacted in this regard at the numbers indicated below.

Telephone: 011 41 22 338 8338
Fax: 011 41 22 338 8339
Email: pct.infolince@wiop.int

Some of the sources that have been known to issue these misleading notifications and invitations can be viewed at www.wipo.int/pct/en/warning/pct warning.htm.

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The Increasing Importance of Reexamination in Resolving Patent Disputes

By Justine A. Gozzi

Reexamination is a process by which the United States Patent and Trademark Office reviews the validity of an issued U.S. patent upon limited grounds. Anyone can file a request for reexamination at any time during the enforceability period of the patent. The requestor must pay a filing fee ranging from $2,520 to $8,800[1] depending on the type of request, and the request must include all of the following requirements: (a) a statement pointing out each substantial new question of patentability, (b) identifying every claim for which reexamination is sought, (c) providing an explanation of the art applied to the claims, (d) supplying a copy of the art relied upon, (d) presenting a copy of the specification and claims, and (e) providing a certificate that the patent owner has been served. For requirement (d), reexamination may only be based on patents and printed publications.

Two types of reexamination exist—(1) ex parte reexamination and (2) inter partes reexamination. For ex parte reexamination, once an individual submits the request for the reexamination, they can no longer actively participate in the proceedings—only the Patent Examiner and the Patent Owner are involved. During inter partes reexamination, however, the third party requestor may participate in all aspects of the reexamination. This includes allowing the third party to submit correspondence opposing a Patent Owner's response to an Office Action. Inter partes reexamination is relatively new and is only available for cases filed on or after November 29, 1999.

Recent trends show the increasing importance of inter partes reexamination. Parties are increasingly using inter partes reexamination as a way to advance and sometimes resolve ongoing litigation and reduce litigation costs.[2] Trends show that most judges are likely to grant stays of litigation until reexamination proceedings in the Patent and Trademark Office cease.[3] According to a recent study, judges granted stays 72 percent of the time in a survey of 83 cases requesting such stays.[4] Since the commencement of inter partes reexamination in 1999, requests for stays in litigation

[1] The cancellation or addition of claims during a reexam may increase the costs of the reexamination

[2] *See, e.g., United Sweetener USA, Inc. v. Nutrasweet Co.*, 766 F. Supp. 212, 216 (D. Del. 1991) (noting that the court has the "authority to order a stay pending conclusion of a PTO reexamination").

[3] Yar Chaikovsky, This Litigation Tool Worthy of a Patent, The Recorder, September 12, 2007, *available at* http://www.sonnenschein.com/practice_areas/patentlit/pub_detail.aspx?id=41398&type=Publications.

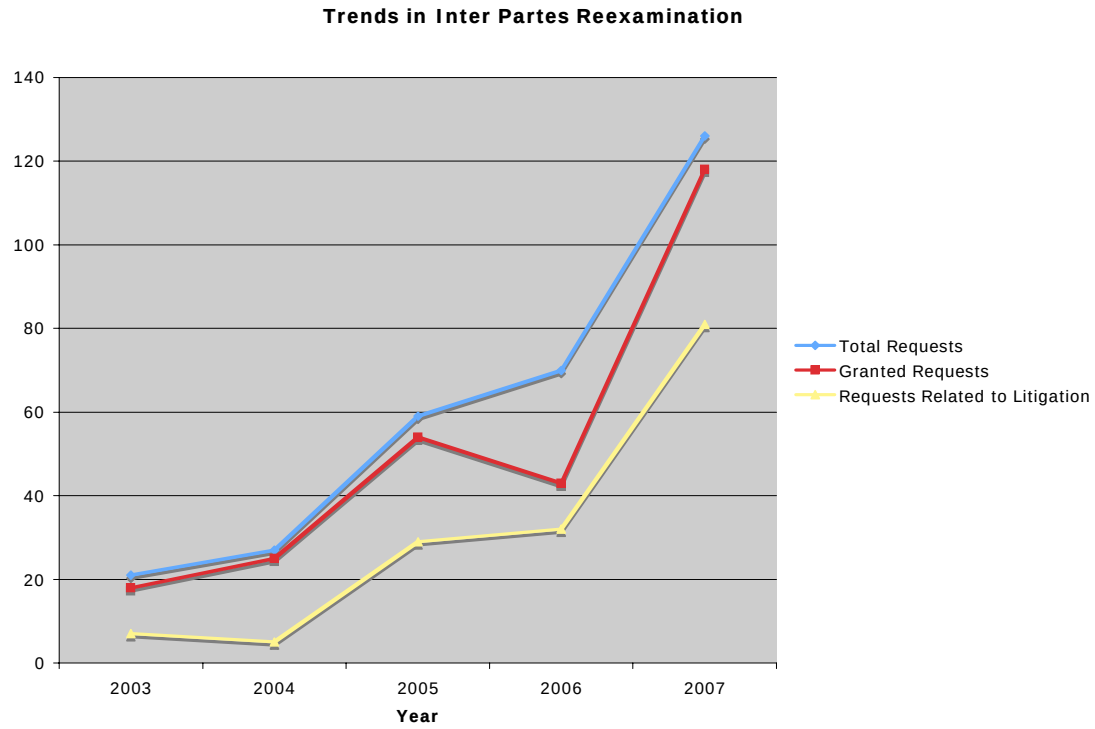
[4] Roger Shang and Yar Chaikovsky, Inter Partes Reexamination of Patents: An Empirical Evaluation, 15 Tex. Intell. Prop. LJ 1 (Fall 2006), *available at* http://www.sonnenschein.com/docs/docs_patent/chaikovsky_inter_par.doc.

due to the reexams have risen drastically. The table and graph below show the increases over the past five years.[5] In addition, according to the United States Patent and Trademark Office, of the inter partes reexams that had been recently completed as of 2007, patent claims were invalidated 88 percent of the time.

INTER PARTES REEXAMINATION TRENDS
(FY 2003 - FY 2007)

Activity	2003	2004	2005	2006	2007
Requests filed, total	21	27	59	70	126
Determinations on requests, total	20	25	57	47	119
Requests granted:	18	25	54	43	118
By examiner	18	25	54	43	118
By petition	-	-	-	-	-
Requests denied	2	-	3	4	1
Requests known to have related litigation	7	5	29	32	81
Filings by discipline, total	21	27	59	70	126
Chemical	3	6	17	17	30
Electrical	7	7	20	27	53
Mechanical	11	14	22	26	43

Table 1.0



Graph 1.1

[5]United States Patent and Trademark Office, Table 13B: Inter Partes Reexamination, Performance and Accountability Report Fiscal Year 2007, *available at* http://www.uspto.gov/web/offices/com/annual/2007/50313b_table13b.html.

These trends highlight the increasing importance of inter partes reexamination as a means for resolving patent disputes. In addition, reexamination proceedings are decided in accordance with unique rules and procedures established by the U.S. Patent and Trademark Office, and appearances before the Patent and Trademark Office are limited to registered patent attorneys and agents. Accordingly, these trends also highlight the increasing importance of registered patent attorneys, knowledgeable in reexamination practice, on any patent litigation team.

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Case Update-No Sign in Sight – Yet: CAFC Denies Petitions

By Justine A. Gozzi

In the October 2007 issue of Venable's *IP News & Comment*, we reported that the Court of Appeals for the Federal Circuit (CAFC) rendered a significant decision *In re Nuijten*[6] holding that artificially created signals do not fall within the four categories of patentable subject matter. As articulated in § 101 of the Patent Act, an invention must be a "process, machine, manufacture, or composition of matter" in order to be considered for patent protection. The Nuijten invention at issue involves a signal that functions as a watermark on recordings and provides less sound distortion than current technology. Although Nuijten presented strong arguments that the signal was a "manufacture," the court disagreed. In response to this decision denying patent protection to the signal, Nuijten filed a petition for rehearing en banc and a petition for panel rehearing.

On February 11, 2008 in a 9 – 3 decision, the CAFC denied both Nuijten petitions. Circuit Judge Linn writing for the dissenting tri-factor stated that the "decision conflicts with our own precedents as well as those of the Supreme Court" and "our predecessor court's decision in In re Breslow forecloses the majority's conclusion that something 'transient' or 'fleeting' cannot constitute a 'manufacture' under 35 U.S.C. § 101 (citations omitted)."[7] The dissent draws attention to the court's dichotomy in affirming the Patent and Trademark Office's rejection of the signal simpliciter claims and allowance of the storage medium claims containing the signal simpliciter. Judge Linn concludes that the "distinctions make no practical sense and are poorly supported by precedent."[8] Given the denial of the hearing at the Federal Circuit, it is possible the Supreme Court will grant *certiorari*. This signal may soon leave its mark once and for all.

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Driving Innovation: Intellectual Property Strategies for a Dynamic World

By Michael Gollin

This passage is excerpted from the Introduction to Michael Gollin's book published this month, *Driving Innovation: Intellectual Property Strategies for a Dynamic World (Cambridge University Press 2008), available at* http://www.cambridge.org/us/catalogue/catalogue.asp?isbn=9780521877800 or http://www.amazon.com/Driving-Innovation-Intellectual-Property-Strategies/dp/0521701694/ref=tag_stp_st_edpp_url. The foreword and preface and part of the Introduction to *Driving Innovation* were included in prior editions of *Venable's IP News and Comment*.

Driving Innovation presents the big picture of intellectual property, focusing on fundamental concepts and practical strategies, meaning those that are relevant in three very different global communities: industry, nonprofit organizations, and developing countries. Likewise, the book emphasizes concepts and strategies that are common to all types of intellectual property – trade secrets, patents, trademarks, and copyright. These fundamentals are illustrated with a broad range of examples of how intellectual property shapes our world, drawn from personal experience, lawsuits, books,

[6] *In re Nuijten*, 500 F.3d 1346 (Fed. Cir. 2007).
[7] *In re Nuijten*, Fed. Cir., No. 2006-1371 (February 11, 2008).
[8] *In re Nuijten*, Fed. Cir., No. 2006-1371 (February 11, 2008).

articles, and news stories. The topics are diverse, including genetic engineering, pharmaceuticals, nanotechnology, electronics, Internet distribution of entertainment and media, and the open source movement. This comprehensive (if summary) approach makes the dynamics of intellectual property more clear than is possible in books giving specialized treatment to a single topic having more narrow relevance, such as U.S. corporate business strategy or patent case law. Beginners should thus be able to grasp the dynamics of intellectual property, while more knowledgeable readers can gain new skills and knowledge about the global IP system and how to work within it or change it.

Part One introduces fundamental concepts of intellectual property and describes the dynamics by which it has shaped our world. Chapter 1 presents a social history of innovation and highlights the prominent role of intellectual property (IP). Since the dawn of civilization, innovation has been winding through society in a cyclical fashion, from individuals through their communities and out to society at large. Creative individuals build on past knowledge, then share and develop their creative work with others in their community until the innovative result of the collective effort can be adopted by larger society, thus enriching the pool of available knowledge for further creative effort.

The IP system affects these three stages of the innovation cycle and serves as an engine driving the cycle forward. First, IP laws provide incentives that strengthen the individual's will to create. Second, they define exclusive rights that permit groups to share and invest in developing the creative works of individuals within their innovative community and to control the dissemination of those works more broadly in society. Third, IP laws limit exclusive rights so that other creative individuals and communities can access the innovation, and the innovation cycle can go forward. Intellectual property thus captures, channels and shapes innovation, linking individual inspiration with collective labor and balancing the rights of creators against the rights of others.

Chapter 2 expands upon the various meanings of "intellectual property." It provides a history of the rise of the modern IP system from the dawn of history 4,000 years ago, when the Egyptian scribe Irtisen wrote about trade secrets, to the Venetian invention of patent law five hundred years ago, to the recent global proliferation of IP laws affecting human creativity around the world.

Chapter 3 summarizes the inherent tensions in intellectual property – between exclusion and access, private rights and the public domain, monopoly and competition, freedom and oppression, and the individual and society. Advocates and opponents have debated the pros and cons of the system through the centuries, while innovation itself necessitates constant rebalancing between conflicting interests. These tensions, whether legal, business, or political in nature, will likely continue to be important subjects for private corporations and public organizations in rich and poor countries.

Part Two introduces the basic elements of intellectual property in organizations. Chapter 4 introduces each of the four main types of intellectual property – trade secrets, patents, copyrights, and trademarks – followed by a summary of the legal basics for each, how it is obtained, and how exclusive rights empower the owner to prevent use of the innovation. This chapter uses the metaphor of an "innovation tree" in an "innovation forest" as a framework to help understand the innovation cycle, how intellectual property harnesses individual creative labor into specific bundles of rights, and how those rights can grow, flow, and eventually become accessible to the world.

In this metaphor, the creative act is a seed using its internal energy to sprout in a forest, absorbing external resources (air, light, water, and minerals) to grow into a sapling, then a tree. While living, the tree enriches its surroundings, producing oxygen, giving fruit, shedding leaves, and eventually dying, returning to the soil and air to provide resources for new life. The external environment symbolizes the accessible domain of knowledge from which innovation arises. The green wood of a growing tree symbolizes IP rights. The inert old growth at the heart of the tree, the falling leaves and fruit, and the tree itself when it dies symbolize how IP rights dissipate and ultimately become accessible to others. The innovation tree metaphor helps explain the different kinds of intellectual property and how they arise from and return to the accessible public domain. The chapter explains how groups of different rights can exist in one idea, and how these can be combined in an innovation forest.

Chapter 5 describes how intellectual property assets can flow among individuals and organizations, into a larger community, and out into society in the form of permissions from creator to developer to producer to customer, from A to B to C to D. Owners can enforce their own rights but must beware of infringing the rights of others. These dynamics drive individual creativity, help organizations aggregate resources into IP assets, and expand access to innovations.

Chapter 6 presents the broad range of innovation communities around the world – private, public, and mixed – and for each, provides a description of how the innovation cycle works and how the fundamentals of intellectual property apply.

Chapter 7 introduces the innovation chief as a person in each innovation community who pushes innovation forward, together with teams of people who can use IP management tools wisely to cultivate, preserve, and perfect rights in intellectual property, transfer rights successfully and ultimately help introduce innovations to society. Extending management theories about innovation, the innovation chief, working with an IP innovation manager, is described as the person who makes the decisions that lead these teams to effective (or incompetent) management of intellectual property in organizations.

Part Three, the longest section, turns to the practical steps that make up strategic management of intellectual property. Section A deals with planning. Chapter 8 shows how organizations can use strategic management of intellectual property to drive the innovation cycle forward and shape their environment. The chapter compares organizations that fail to take even the simplest steps to manage their IP assets to brilliant organizations which take full advantage of every available avenue to improve their IP management. Essentially, strategic management means a process of first, understanding the organization's mission; second, assessing the internal resources and the external environment; third, developing a strategic plan by protecting internal rights while not infringing the rights of others; and finally, implementing that plan to help achieve the organization's goals.

Chapter 9 details the policy and practice tools and skills that can be used to implement an IP management strategy. Chapter 10 presents a menu of options from which organizations can choose. Among these are memorable strategies with colorful names like the burning stick, picket fence, patent jiu jitsu, and the cluster approach.

Section B deals with assessment. Chapter 11 describes how to assess internal resources and the external environment, including how to find the necessary information, primarily in terms of non-financial information. Chapter 12 focuses on financial valuation of IP rights. Examples are drawn from industry, the nonprofit sector, and developing countries.

Section C presents a systematic approach to implementing an IP management plan. Chapter 13 goes step-by-step through the decisions one should make to access innovations of others without infringing IP rights, using decision trees. Chapter 14 continues with a decision tree approach for protecting innovations with IP rights, and enforcing them. Chapter 15 surveys the many ways in which IP rights can be transferred to implement an IP management strategy.

Part Four illustrates the basic tools and practices with examples drawn from different organizations and situations. Chapter 16 describes the life sciences, communications, consumer products, entertainment industries, and academia, comparing and contrasting the different IP management strategies each segment requires. This chapter shows people how to put intellectual property to work in their own organizations to achieve their goals, and how to analyze IP management in other organizations.

Chapter 17 compares national IP laws. While specific laws may differ from nation to nation, the variations can generally be grouped into several overarching categories. Taking advantage of this knowledge is important for any IP manager looking to adapt their practice to local requirements and international standards alike.

Chapter 18 provides a global view of the larger dynamics of intellectual property, and the tensions between different countries, regions, and industries. The dynamic concepts and strategies presented earlier in the book permit a practical, new perspective on controversial topics like securitization of IP assets, balanced competition between branded and generic pharmaceutical companies around the world, marketing of national security technology, environmentally beneficial innovation, and the ironic alliances formed by those who favor and those who oppose biotechnology. This book's approach helps readers consider their own views of what are the good, the bad, and the ugly aspects of intellectual property, and what trends to expect in the future.

The final chapter, Chapter 19, revisits the themes of the innovation cycle and the innovation forest, and the tension and balance inherent in intellectual property. The book concludes with reflections on how these forces are tied not just to technological and cultural wealth, but also to concepts of individual and collective freedom.

Hopefully the concepts and strategies in *Driving Innovation* can help us understand how intellectual property drives the innovation cycle in our own lives, in our communities, and worldwide. With that knowledge, we can do a better job of managing intellectual property to put creativity to work, increasing freedom, joy, and the benefits of innovation throughout society.

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Open Access at 700 MHZ: Opening Doors for Mobile Devices

By Frederick M. Joyce and Ronald E. Quirk, Jr.

The 20-year history of U.S. mass-marketed wireless services has been marked by phenomenal growth. In 1987, less than one million people subscribed to cellular phone service. By 1997, that figure had risen to 55 million. Today, more than 250 million Americans – 82.5 percent of the population - subscribe to a cellular service. Mobile high-speed data services have also grown rapidly. By the beginning of this year more than 22 million people subscribed to such services – a 600 percent increase over the previous year alone.

While the strong expansion of cellular and wireless data services has increased the demand for advanced equipment to suit those technologies, the market for innovative mobile devices could soon expand dramatically. On January 24, 2008, the FCC will commence an auction for valuable spectrum in the 698-806 MHz band (the "700 MHz band"). Assuming the bidding reaches what the FCC calls a "reserve price," winning bidders for some of the auctioned spectrum will be required to allow any device or application to operate over their networks.

New Kids on the Spectrum Auction Block

The players in this auction are many and varied. Two hundred sixty-six entities have submitted applications to bid in the 700 MHz auction. They are planning everything from cheap mobile phone service, to advanced digital broadcasting, Internet access, and various types of wireless broadband services.

A sample of these players and their initial proposed uses of the 700 MHz spectrum illustrate the enormous interest in this spectrum auction. Qualcomm plans to update and increase coverage of its MediaFLO broadcast network that distributes one-way video and audio feeds over long distances. Cox Cable aims to create a state-of-the-art wireless Internet service. Verizon Wireless intends to launch its "Long Term Evolution" network to provide wireless broadband at speeds that exceed cable and DSL. Google, which has long advocated open access, also plans to bid in this auction. It is not yet apparent what services Google intends to provide with the new 700 MHz spectrum, but some industry insiders believe that Google will, among other things, provide spectrum management services with an open access software platform for cellular and wireless data carriers.

All of these potential 700 MHz service providers will require innovative infrastructure vendors and manufacturers to provide devices that can operate on these new systems. This will create abundant opportunities for creative wireless designers. Wireless designers will want to keep abreast of this 700 MHz auction, including the players and services that will be offered.

The 700 MHz Auction: "Beachfront Spectrum" for Wireless Broadband

The 700 MHz band, a.k.a. "beachfront spectrum," is ideal for wireless broadband services. Its propagation characteristics enable signals to reliably travel long distances and penetrate deep into thick-walled buildings. The FCC has implemented a "flexible use" policy, permitting new 700 MHz licensees to use the spectrum for a wide variety of services.

The FCC will auction 62 MHz of spectrum in the 700 MHz band, offering a total of 1,099 licenses in five spectrum blocks covering various geographic areas. Wireless equipment designers will likely find substantial opportunities in the networks that will be built by winners of the 12 wide-area "C Block" licenses and the nationwide "D Block" license.

Open Access in the C Block
The C Block is a 22 MHz "paired block" of spectrum comprised of 746-757, 776-787 MHz frequencies. The reserve price for the C Block is $4.6 billion. This block is subject to the FCC's new "open platform" rules, requiring licensees to allow customers, device manufacturers, and third party application developers to use or develop devices and applications of their choosing in C Block networks, as long as they meet applicable regulatory requirements (e.g., the equipment authorization requirements in Part 15 of the FCC's Rules) and cause no harm to the licensee's wireless network. Specifically, C Block licensees will not be allowed to disable features or functionalities in handsets, unless it is necessary to protect the network; or block, degrade, or interfere with the ability of end-users to utilize the applications of their choice on the network.

As a practical matter, many now-common practices among wireless carriers will be prohibited for C Block licensees, including:

- No locking handsets to prevent their transfer from one system to another;
- No standards that block services that compete with the carriers' own offerings;
- Standards for third-party applications must be no more stringent that those used by the carrier itself;
- No discriminatory charges or conditions on customers who seek to use devices or applications outside those provided by the carrier; and
- No denial of access to a device solely because it makes use of other spectrum bands.

Because of these open access requirements, the market for new hardware options may increase substantially. As more sophisticated applications are deployed on the C Block network, the demand for new, advanced equipment will be strengthened. Wireless manufacturers will be able to more easily fill that demand, as they will not be restricted to designing devices or applications for just one carrier.

Open Access Beyond 700 MHz
The 700 MHz auction may already have caused a shift in how wireless carriers manage their proprietary networks. Verizon Wireless, for example, which had filed a Petition for Review of the FCC's open access rules with the U.S. Court of Appeals for the DC Circuit, recently abandoned its legal challenge and announced that it will allow customers the option to use any wireless devices, software, and applications on its nationwide network by the end of 2008. Any CDMA handset will be allowed to operate on Verizon Wireless' network; customers will be able to download and use third party applications of their choice after the carrier publishes technical standards for the development community.

Some Control over Devices Will Remain
While opportunities will surely increase for wireless designers to develop and market equipment and applications independently of the network operators in this new C Band, some degree of cooperation with licensees will still be necessary. C Block licensees are permitted to use their own certification standards and processes to approve use of devices and applications on their networks, including the choice of air interface technology. They will also be able to deny service to devices or applications that cannot operate using the carriers' technology.

D Block is for Niche Products
The 700 MHz auction will create prospects for wireless designers beyond those in the C Block realm. The D Block, a.k.a. the "Public/Private Partnership Block" (paired spectrum encompassing the 758-763, 788-793 MHz frequencies), will enable creative wireless manufacturers to produce innovative products for use by first responders and other public safety entities. The reserve price for the D Block is $1.3 billion.

The nationwide D Block license will be awarded at auction to a commercial bidder. But, the winning bidder will be granted its license only after it has entered into an FCC-approved Network Sharing Agreement ("NSA") with the FCC-selected Public Safety Broadband Licensee (the "PSBL"). The FCC recently announced that it selected the Public Safety Spectrum Trust Corporation (the "PSST") as the PSBL. The PSST is a non-profit corporation whose Directors come from several public safety associations throughout the U.S.

By virtue of its selection as the PSBL, the PSST now effectively controls 10 MHz of public safety spectrum in the upper 700 MHz band for nationwide wireless broadband use. This public safety spectrum will be combined with an adjacent

10 MHz of spectrum licensed to the commercial D Block license winner. These spectrum assets will be used to create a shared nationwide broadband wireless network that will provide commercial services, while also maintaining a nationwide network for public safety. The Commercial D Block licensee is responsible for constructing and operating the network, which will span the D Block and 700 MHz public safety spectrum. The PSST will have priority access to the network during emergencies.

The PSST and D Block licensee "Public/Private Partnership" is required to incorporate, among other things, specifications for a broadband technology platform that provides mobile, voice, and data capability that is seamlessly interoperable across agencies, jurisdictions, and geographic areas. This platform must include current and evolving state-of-the-art technologies made available in the commercial marketplace with features such as increased bandwidth that are useful for public safety entities.

This platform will require new, advanced wireless equipment. The PSST and D Block winner will decide the specifics of the equipment that will be used on the network, which are expected to be many and varied. The PSST has authority to purchase its own subscriber equipment from any vendor it chooses, subject only to the network controls that will be established in the NSA. Additionally, the D Block licensee is required to make available to the PSST at least one handset that is suitable for public safety use, to include an integrated satellite solution capable of operating over 700 MHz public safety spectrum and on satellite frequencies.

Consequently, there should be ample opportunities for wireless designers to provide niche products for use on this public safety/commercial network. Designers and manufacturers will need to work closely with the PSST and eventual D Block winner to develop suitable equipment.

A Brave New World for Wireless Designers

With the 700 MHz auction rapidly approaching, and established carriers rethinking their network access policies, open access could well unleash competitive forces that will allow wireless designers a wide array of products that serve consumer and business interests. Although the wireless industry is in the nascent stages of open access, the time may well come where it will resemble the Internet world, where potentially anyone can develop the next killer app and hardware, and make them readily accessible to the market.

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