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November 10, 2021

## **Assignment and Recordation of Patent Ownership Rights**

By **William P. Smith**

A patent has the attributes of intangible personal property: it can be sold or mortgaged; it may be bequeathed by a will; and it may pass to the heirs of a deceased patentee. The patent law provides for the transfer or sale of a patent, or of an application for patent, by an instrument in writing. An assignment is such an instrument and may transfer the entire interest or a partial interest in the patent. The assignee becomes the owner of the patent and has the same rights that the original patentee had. There may also be a territorial grant or license that conveys the same character of interest as an assignment but only for a particularly specified part of the United States. A security interest, or mortgage, of patent property passes ownership to the mortgagee or lender until the mortgage has been satisfied and transferred back to the mortgagor, or borrower. A conditional assignment may also pass ownership of the patent until canceled by the parties or by court decree.

Click [here](#) to read the entire article.

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## **Lawsuits Allege Death, Morbidity from Cyberattacks: Is This the Next Phase of Medical Malpractice?**

*"As the impact of ransomware in health care receives greater coverage and the volume of patients exposed to the outcomes of this type of attack increases we are going to see an increase in both legitimate and opportunistic malpractice suits based on 'digital failure,'" he added.*

**Why this is important:** The coronavirus pandemic has stretched hospitals to their breaking points. Hospitals are filling with critically ill patients that depend on the myriad of monitors telling doctors everything from a patient's heart rate, oxygen levels, or brain activity. Now imagine that all of those monitors are suddenly frozen; not only frozen, locked behind an impenetrable wall hackers have forced upon the hospital. Doctors scramble, patients die, and chaos reigns. While this exact scenario luckily did not play out during the pandemic, it is not out of the realm of possibility. Hospitals are incredibly vulnerable to ransomware attacks, which could cripple a hospital and could (and, as the lawsuit described in this article alleges, has) result in the death of a patient. If hospitals cannot access a patient's records, it is possible that wrong medications can be given, underlying conditions could be missed and a patient

could die. This article describes how medical practitioners need to be aware of this new threat and the potential lack of protection provided by HIPAA in these attacks. While the article focuses on the legal implications that medical practitioners (and lawyers representing these practitioners and other hospital organizations) need to consider in the event of a ransomware attack, it fails to sufficiently emphasize the risk to human life these attacks pose. A ransomware attack that cripples a hospital's ability to timely access test results, patient's records, and conduct imaging leaves patients in an incredibly vulnerable position. As the article emphasizes, hospitals must take active steps to anticipate that an attack can happen, and be ready to shift and continue to operate in the face of that attack. --- [Alyssa M. Zottola](#)

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## **Robots Hit the Streets as Demand for Food Delivery Grows**

*"Hundreds of little robots - knee-high and able to hold around four large pizzas - are now navigating college campuses and even some city sidewalks in the U.S., the U.K. and elsewhere."*

**Why this is important:** The pandemic resulted in changes in consumer demand, including food delivery. As demand for delivery service increased, businesses had to find methods of delivery to meet such demand. One method of delivery is robots. The robots are currently being used on college campuses and on sidewalks in England, Estonia and California. The cost of using a robot can be less than some of the traditional delivery services. Some aspects of robot delivery can create challenges: a customer cannot communicate with the robot regarding where to leave the food, and they are not well suited for crowded areas. However, the use of robots is on the rise and traditional delivery companies such as Grubhub have partnered with robot makers to deploy the robots on college campuses. As businesses struggle to fill delivery positions, they may increase their reliance on technologies such as robots. --- [Annmarie Kaiser Robey](#)

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## **With a Vaccine Mandate Looming, These Apps Help Businesses Check which Employees Got Vaxxed**

*"Prior to the availability of vaccines, Dorf estimates he spent at least \$100,000 on \$11 rapid tests for the staff, who were testing three times a week."*

**Why this is important:** With significant vaccine requirements coming into effect soon for employers with more than 100 employees, many employers on the smaller end of that group are hoping to leverage technology to facilitate tracking of vaccines and testing by their employees. Many such technologies are being offered at relatively low rates, but even low rates add up quickly when applied monthly to an entire workforce. That's where the SMART health card framework and apps that utilize it have become so useful. The SMART system, using data accessed from participating providers, produces a scannable QR code that verifies an employee's vaccinated status. The codes are far simpler to process than the actual cards themselves, which require significant staff verification time, while the codes are processed technologically based on data held in usable form by the institutions that provided the vaccines. This also resolves the issue of falsified cards by bypassing the card system entirely. With so much new technology like the SMART system emerging, savvy employers are finding creative solutions to meet their obligations without adding as much expense. --- [Risa S. Katz-Albert](#)

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## **McDonald's and IBM could Bring AI-Powered Drive-Thrus to More Restaurants**

*"Restaurant Dive reports McDonald's is selling its McD Tech Labs to IBM in order to 'further accelerate' work on its automated voice ordering systems."*

**Why this is important:** Just this spring, McDonald's began to experiment with AI technology for taking drive-thru orders in the Chicago area. Now an announcement from McDonald's and IBM shows that future plans for development and deployment of this technology on a large scale may progress more rapidly than first thought. McDonald's will sell its McD Tech Labs to IBM in a deal expected to close this December. Accelerated development of this AI technology for order-taking could well lead to synergies in other technological deployments in the fast food industry, such as connections between an AI order-taker and food preparation robots. Think of the robotic assembly lines so commonplace in the automobile industry. The trend certainly appears to be swinging rapidly towards automation in an industry facing the difficult and competing questions of maintaining adequate staffing levels, paying a fair wage to workers,

and providing attractive prices for customers. The robot-operated restaurants long talked about may be appearing in the not-too-distant future in a location near you. --- [Brandon M. Hartman](#)

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## **Why Pittsburgh is One of America's Autonomous Vehicle Hubs and the Tech It Needs to Solidify Its Status**

*"According to a new study, Pittsburgh ranks seventh in the list of cities with the most autonomous mobility-related companies."*

**Why this is important:** Pittsburgh is known for its steel roots and sports teams: a hardworking blue-collar town proud of its roots. What people often don't realize is that Pittsburgh is a vibrant up-and-coming tech hub on the front lines of the autonomous vehicle movement. From Uber to Argo AI to Waymo (Google's self-driving car project), Pittsburgh is filled with companies all trying to corner the autonomous vehicle market. What sets Pittsburgh apart from other cities is the terrain of the city itself: with the convoluted maze of one-way streets, hilly terrain and complicated boulevards, Pittsburgh provides a challenging topography for the autonomous cars to map and master. If a vehicle can drive in Pittsburgh, it can drive anywhere. Coupled with prestigious local universities that excel in robotics and engineering, Pittsburgh is a great place for the autonomous car industry to grow. This article highlights why Pittsburgh is one of the leaders in autonomous vehicle technology and how Pittsburgh and southwestern Pennsylvania can maintain its stature within the autonomous vehicle industry. --- [Alyssa M. Zottola](#)

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## **NC Officials Using New Technology to Stop Cyber and Ransomware Attacks**

*"In the last two years, the state's Joint Cybersecurity Task Force responded to 40 incidents — 19 of them ransomware attacks."*

**Why this is important:** North Carolina's Joint Cybersecurity Task Force is gearing up to help fend off and respond to attacks against municipalities and public agencies. The Task Force is offering assistance with proactive cyber-hygiene measures as well as hack response teams. Much like the threats to private businesses, the Task Force is reminding North Carolina municipalities and public agencies how much of a difference basic training for employees can make in preventing an attack. An ounce of prevention is always worth a pound of cure, and that cliché goes double for cybersecurity. --- [Risa S. Katz-Albert](#)

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## **A Startup Says It Applied to Trademark Meta Before Facebook — but May be Willing to Stand Down if Mark Zuckerberg Pays Up**

*"The company told TMZ that it will stand down if Mark Zuckerberg pays them \$20 million."*

**Why this is important:** A key step in the process for selecting a new name for a brand, business or product is to verify that there are no competitors claiming prior use of that name or a similar enough variation as to cause confusion. The screening and search clearance process is a routine step at the outset of seeking trademark protection for a new mark. A recent wrinkle in Facebook's rebranding serves as a useful reminder of the importance of this step. The choice of "Meta" for the new company name is faced with the hurdle of another entity, Meta PC, already having chosen and applied for trademark to the "Meta" mark. Moreover, there is an obvious overlap in goods and services provided, as Meta PC is in the business of providing custom gaming systems and related technology. --- [Brandon M. Hartman](#)

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[Nicholas P. Mooney II](#), Co-Editor of *Decoded* and Chair of Spilman's [Technology Practice Group](#)

and

[Alexander L. Turner](#), Co-Editor of *Decoded*

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Responsible Attorney: Michael J. Basile, 800-967-8251