threshold (at which a provisional patent application is submitted), search threshold (at which a prior art search and/or other services are performed), and a patent or nonprovisional threshold (at which a nonprovisional patent application is drafted and filed and/or other services are performed). There could be other thresholds, such as an issuance threshold, maintenance threshold, and so forth.

[0050] The following will describe one possible example of an implementation of the present invention, although any variations obvious to one of ordinary skill in the art are within the scope of the invention.

[0051] Shares in an invention may be sold by any known method, but may include a Dutch auction. In such a Dutch auction, many shares are sold at the same time, in an auction lasting a predetermined period of time, and investors can make bids on a desired number of shares. As an example of an auction selling 3 shares at a minimum price of $0.50, assume that a first investor bids $1 and a second bidder bids $2, and the auction ends. The clearing price (or the price at which all shares bid on will sell) remains at $0.50. The auction may be designed such that exactly two of the three shares sell at $0.50 each, or may be designed such that all shares must be sold or none of them are sold. (The latter design may be more useful in the present invention, since a threshold must be reached before an invention is acted upon.) If instead (i.e., before the auction ends) a third investor bids $3, then the clearing price may increase to the minimum bid of the existing bidders, which is $1. If the auction ends with no further bidding, then all shares will sell at the clearing price. If instead (i.e., before the auction ends) a fourth investor bids $4, then the clearing price jumps up to the minimum bid of the top three (because three shares are for sale) bidders, which is $2. This process continues until the auction ends, and then all shares sell for the clearing price. Of course, the present invention includes any known auction method or method of determining prices, and is not limited to Dutch auctions, fixed prices, or prices that change according to a predetermined algorithm. For the sake of explanation, most examples herein will use a version of the above-explained Dutch auction for determining prices of invention shares for sale, although this is not meant as a limitation.

[0052] Assume for the present example that if the first threshold is $1000, then 100 shares of 0.1% of an invention (prior to search) are sold in an auction, such as a Dutch auction. The starting bid for these shares is $10 each (for a total of 10% to be sold), guaranteeing sufficient revenue to perform a prior art search and other services preliminary to drafting a patent application if, indeed, enough investors are found. The auction, which might last for any period of time, such as a week, ends at a clearing price of $12.50, such that the revenue collected is $1250.

[0053] Next, the company implementing the present invention begins to perform various services, such as contacting the inventor and obtaining information, preparing a fuller description of the invention for search purposes, hiring a professional searcher to search the invention, filing a provisional patent application, etc., whereby the total cost is, say, $1000. (It is assumed that the invention is not abandoned before the search stage due to inventorship, ownership, or other problems.) This leaves a $250 excess that is placed in escrow.

[0054] Next, the search report is published on the website next to the invention posting, and investors are given the opportunity to request a refund (such as within a specified period of time). Of course, if the search report does not yield results that are likely to prevent a patent from being obtained, then few investors are likely to request refunds, and vice versa. Assume that 10 people request refunds. Because there is sufficient excess to provide full refunds, all are given full refunds. (If there is not enough excess, the remaining excess is divided evenly among or commensurate with all those requesting refunds.) Thus $125 is refunded, leaving another $125 remaining in escrow. Next, if the second threshold is $10,000, then 250 shares of 0.1% could be sold in an auction, such as a Dutch auction, with a minimum or starting price of $40 per share (for a total of 25% sold). Of course, many different variations are within the scope of the present invention, such as selling 1000 shares of 0.02% at a starting price of $10 per share (for a total of 20% sold), or 400 shares of 0.1% sold with a starting price of $25 per share (for a total of 40% sold), and so forth. Alternatively or in addition, the second threshold may be reduced by the excess revenue already raised, such as $125 in this example, so that $9875 needs to be raised by selling 1000 shares of 0.02% each, with a starting price of $9.875 each, and so forth. Assume the auction of 1000 shares of 0.02% each, which might last for any period of time, such as a week, ends at a clearing price of $21.30, such that the revenue collected is $21,300. Adding to the previous escrow amount, the total in escrow is $21,425, of which only $10,000 is needed to pursue a patent. (A different number may be chosen, depending on the invention, to be higher or lower than $10,000. This number could be chosen based on advice from a patent agent/attorney or other professional, complexity or field of the invention, or other factors, and may even be determined after a patent application is drafted. For example, if an invention is sufficiently complex that a patent application costs $7000 to draft, then an estimate for submitting and prosecuting this application may be generated based on this higher application cost, and more than $10,000 total may be set aside and ultimately used to patent the invention, and vice versa for an invention that may be particularly simple and inexpensive to pursue a patent.) Assuming that $10,000 is selected as the money necessary to obtain a patent (and possibly maintain that patent for a predetermined period of time), then the excess is $11,425, and may either remain in the escrow account or may be distributed to one or both of the inventor and the company. What remains in the escrow account may then be used to pay administrative, legal, government, and other fees for drafting, submitting, prosecuting, issuing, and maintaining a patent application to issuance. In this example, the $11,425 is then given to the inventor, or as previously discussed, may be given to the inventor in whole or in part after a certain period of time or after certain events have come to pass, in order to prevent or limit unjust enrichment to a false or dishonest inventor.

[0055] In this example, 10% of the invention was sold to raise revenue for the first stage to meet the first threshold, and another 20% was sold to raise revenue for the second stage to meet the second threshold. Another 5% or 10% is retained by the company (for administrative, legal, processing, or other fees, and/or profit), and the remainder of the interest goes to the inventor. Of course, these numbers may be substantially modified. For example, it may require selling substantially more than 30% of an invention to raise sufficient revenue to patent the invention. However, in one embodiment, the inventor is contractually required to retain a substantial interest (such as at least 10%, preferably at least 25%, preferably at least 40% and more preferably at least 50%) in his invention,