SUNY STARTUP SUMMER SCHOOL

Session 3

WELCOME

CLASS OF 2026

Evaluation of the Opportunity Patentability and Marketability Basics

COURSE SCHEDULE

Week	Date	Course Title	Presenters
✅	May 26, 2026	Entrepreneurship 101 – What It Takes To Commercialize Your Tech	Allison Yacci, DataCicada
✅	Jun 2, 2026	Discover Customer Discovery	Olga Petrova, University at Buffalo Kathryn Cherney, Binghamton University
📍	Jun 9, 2026	Evaluation of the Opportunity – Patentability and Marketability Basics	Joy Goswami, SUNY RF Peter Fallon, SUNY RF Garrett Smith, SUNY RF
4	Jun 16, 2026	How To Win Grants – Mastering Non-Dilutive Funding Sources	Kirk Macolini, InteliSpark
5	Jun 23, 2026	Mastering Startup Agreements & Exit Strategies	Rich Honen, Phillips Lytle
6	Jun 30, 2026	Team Chemistry – Leveling Up Your Company	Doug Benel, SUNY RF Ana-Maria Galeano, Galeano Law Firm
7	Jul 7, 2026	Strategies for Unstoppable Success	Arel Moodie, Reed Oak
8	Jul 14, 2026	Telling and Selling Your Story	Michael Lightman, Hate Your Deck
9	July 20- July 24	1:1 Meeting With SUNY Venture Advisors	
10	Jul 28, 2026	Demo Day and Graduation	You!

COURSE SCHEDULE
WHAT YOU NEED TO KNOW

- **May 26-July 14:** Instructional Zoom webinars will be held every Tuesday from 10:30-12:00 PM ET. Invites have been sent. Recordings will be sent within 24 hours after class.

- **June 29 – July 27:** Virtual I-Corps short regional course. Registration closes TOMORROW, June 10: https://www.tfaforms.com/5217695.

- **July 20 – July 24:** Office hours with Venture Advisors to apply what you are learning and prep for your Demo Day pitch.

- **July 28:** S4 culminates with a Demo Day and Graduation celebration where participants pitch their technology or venture for up to $200k Technology Accelerator Fund Catalyst Investments. Demo Day and Graduation are scheduled to be in person at the University at Albany's ETEC Complex in Albany, NY on July 28.

HOW DO YOU EARN POINTS FOR THE LEADERBOARD

There are many ways to earn points, including:

- Join LinkedIn Group – SUNY Innovation and Entrepreneurship Network
- Introduce yourself and why you are here
- Reply to a classmate
- Weekly attendance
- Weekly engagement
- I-Corps
- Pitch at Demo Day

LEADERBOARD

Leaderboard

SUNY STARTUP SUMMER SCHOOL

	First Name	Last Name	Points
1	Alicia	Smith	6
1	Karlheinz	Strobl	6
1	Ilya	Deadoff	6
1	Obste	Therasme	6
1	Jason	Tepper	6
6	Huiyuan	Guo	5
6	John	Fetse	5
6	Ladan	KhoshbinSarokalaee	5
6	Mason	Tipton	5
6	Jeanette	Sutherland	5
6	Batuhan	Erkat Cohen	5
6	Adan	Gomez	5
6	Alberto	Monegro	5
6	Chong	Cheng	5
6	Eloise	Bihar	5
6	Eric	Mountain	5
6	Patrick	Oduro	5
6	Uttam	Singisetti	5
6	Aaron	Glass	5

Leaderboard By Campus

SUNY STARTUP SUMMER SCHOOL

#	Campus	Points
1	University at Buffalo, SUNY	130
2	Binghamton University, SUNY	53
3	Stony Brook University	46
4	University at Albany, SUNY	39
5	Upstate Medical University	37
6	SUNY College of Environmental Science and Forestry	16
7	SUNY College of Optometry	14
8	Buffalo State, SUNY	8
9	SUNY Oswego	7
10	SUNY Empire State College	6
10	SUNY Brockport	6
10	Monroe Community College, SUNY	6
13	Farmingdale State College, SUNY	5
14	UCAWD/SUNY ATTAIN	4
14	New York State College of Human Ecology at Cornell University	4
16	SUNY Polytechnic Institute	3
16	SUNY Cortland	3
16	FIT State University of New York	3
19	SUNY Canton	2

SUNY TECHNOLOGY ACCELERATOR FUND (TAF) S4 CATALYST INVESTMENT ELIGIBILITY

To be eligible for a TAF S4 Catalyst Investment, teams and/or companies must meet **ALL** of the following requirements:

- Developing technology that is SUNY intellectual property;
- Enrolled in the S4 Class of 2026;
- Participate in the S4 Demo Day pitches on July 28, 2026;
- By December 31, 2026, complete the company formation process if a company has not already been formed; and
- By December 31, 2026, the company receiving the TAF S4 Catalyst Investment must demonstrate that it has an active license or option to the technology it plans to commercialize from a SUNY campus.

QUESTIONS ABOUT S4?

Email Us at S4@rfsuny.org

Let’s jump into our third session!

Evaluation of the Opportunity - Patentability and Marketability Basics

SUNY RF

JUNE 9, 2026

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Meet The Presenters

Garrett Smith

Patent Attorney

Peter Fallon

IP Attorney Life Sciences

Joy Goswami

Technology Transfer Professional

Overview

1. Who We Are & What We Do
2. Innovation Intake and Assessment
3. Intellectual Property Protection
    - Patents
    - Copyrights, Trademarks, Trade Secrets, AI, Software etc.
4. Marketing of technologies
5. Licensing to Startups
6. Other offerings to entrepreneurs our office can assist

SUNY RF

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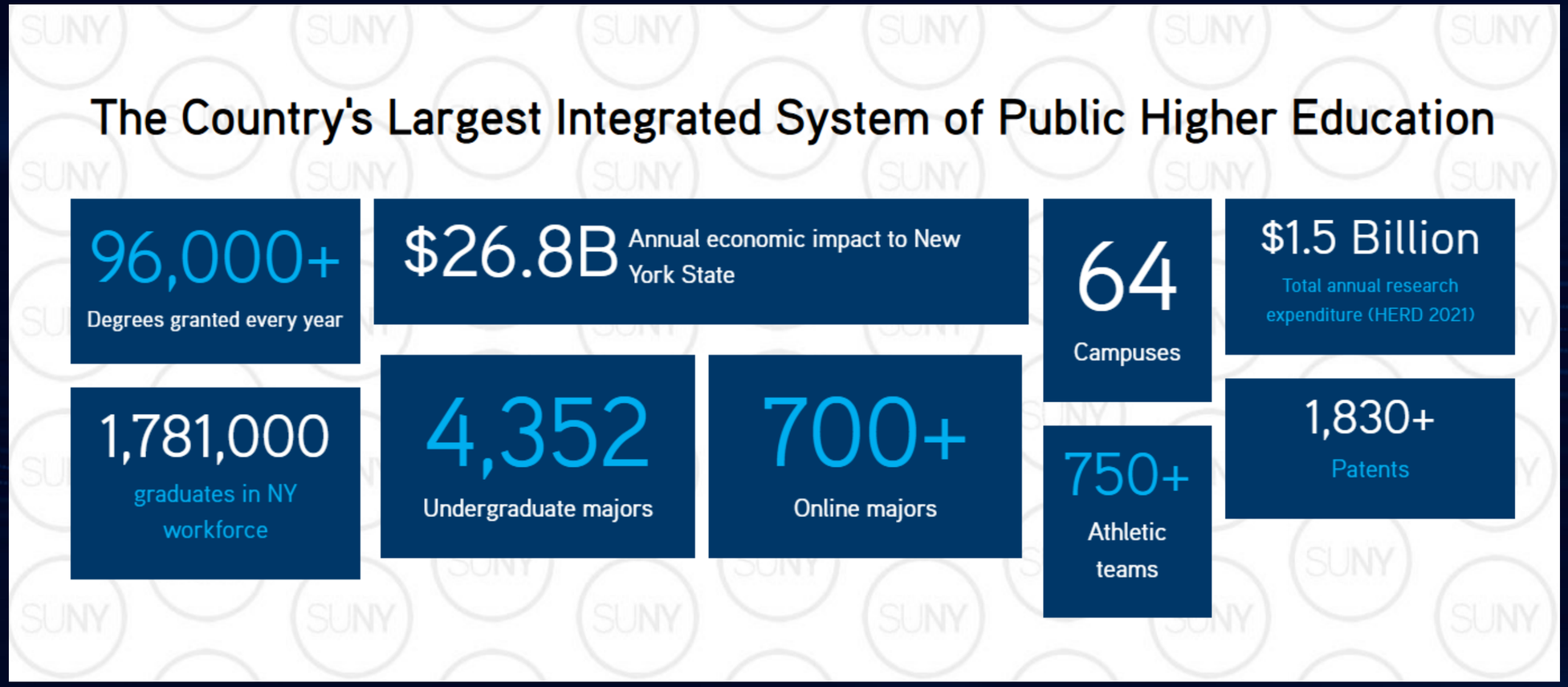
SUNY The State University of New York

The Country's Largest Integrated System of Public Higher Education



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SUNY 75 RF

- Established in 1951
- Largest comprehensive university-connected research foundation in the country
- Created as a private, nonprofit corporation to support and administer externally funded research across the SUNY system
- Provides central infrastructure of people, technology and processes for the:
- Administration of sponsored projects
- Transfer and sharing of intellectual property for public benefit and economic growth.
    - to write and submit grant proposals
    - establish contracts and manage funding awards
    - commercialize intellectual property
- Average of over 10,000 employees

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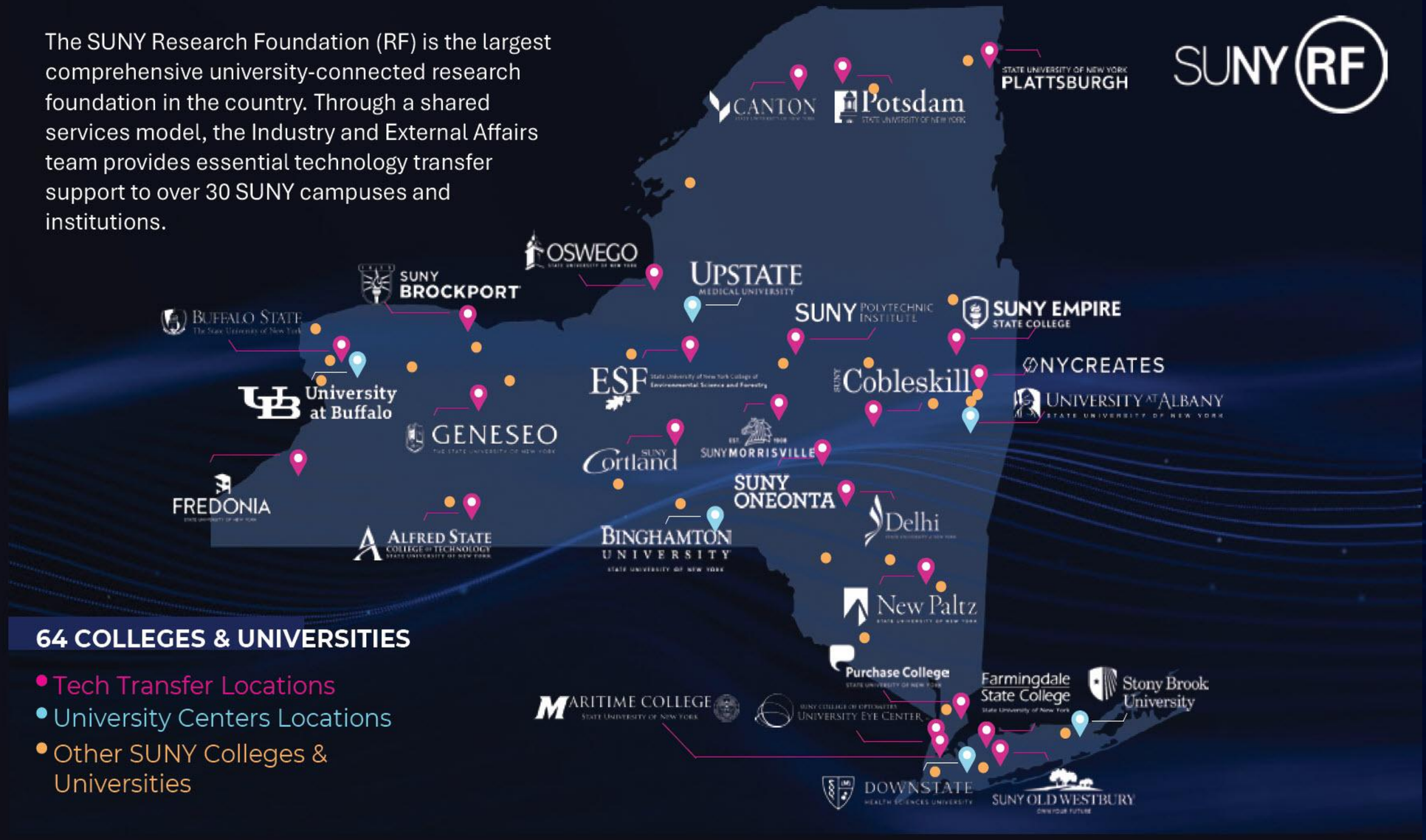
The SUNY Research Foundation (RF) is the largest comprehensive university-connected research foundation in the country. Through a shared services model, the Industry and External Affairs team provides essential technology transfer support to over 30 SUNY campuses and institutions.



64 COLLEGES & UNIVERSITIES

- Tech Transfer Locations
- University Centers Locations
- Other SUNY Colleges & Universities

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THE TEAM

Nicholas Querques

Joy Goswami

Jessica Stanley-Updyke

Sara Goodman

Jen Douglas

Austin Winter

Patrick Nelson

Mahfuz Miah

Ben Clark

Fiza Hashmi

Garrett Smith

Peter Fallon

Doug Benel

Karl-Heinz Schofalvi

Dylan Marx

Intellectual Property & Licensing

New Ventures

Innovation Marketing

SUNY RF

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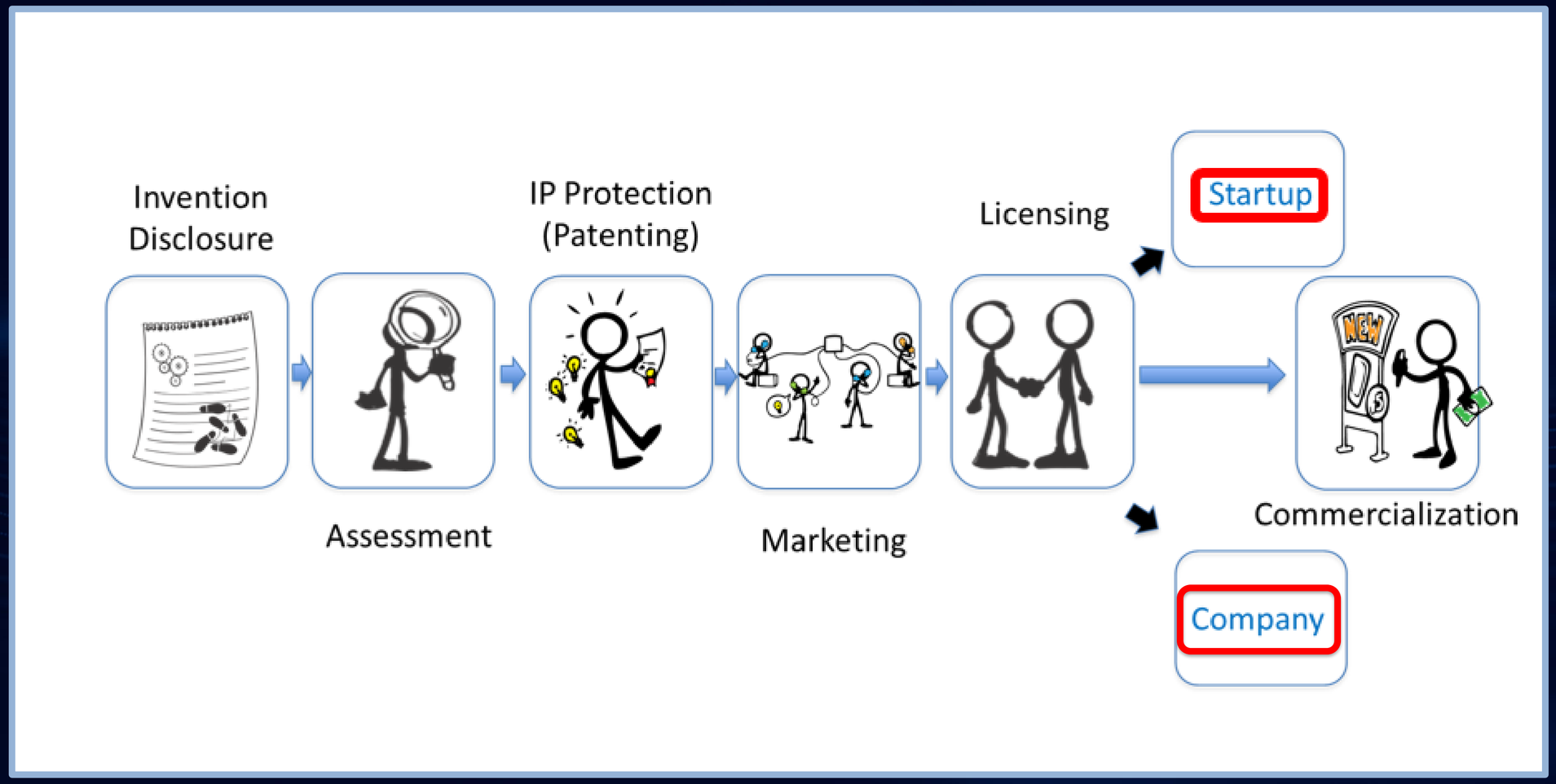
Intellectual Property & Licensing



Technology Transfer Office Support for Faculty Entrepreneurs *Beyond Licensing*

SUNY RF

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NOTABLE SUNY INVENTIONS

1950s
- Heart lung machine (SUNY Downstate Health Sciences University)

1960s
- Technesium – brain imaging agent (SUNY Upstate Medical University)

1970s
- Magnetic Resonance Imaging aka MRI (SUNY Downstate Health Sciences University)

1980s
- Disposable, self-contained antigen detector and concentrator for useful for the detection of HIV (SUNY at Buffalo)

1990s
- ReoPro – the first drug, which inhibits platelet aggregation and used for cardiac angioplasty patients, developed by a SUNY institution and approved for sale by the FDA (SUNY at Stony Brook)

2000s
- Critical improvements in lithography and chemical vapor deposition for computer chip fabrication (SUNY at Albany)

2010s
- First systemic drug to treat gum disease (SUNY at Stony Brook)

2020s
- Nation’s top-rated and most accurate COVID-19 saliva test (SUNY Upstate Medical University)

SUNY RF

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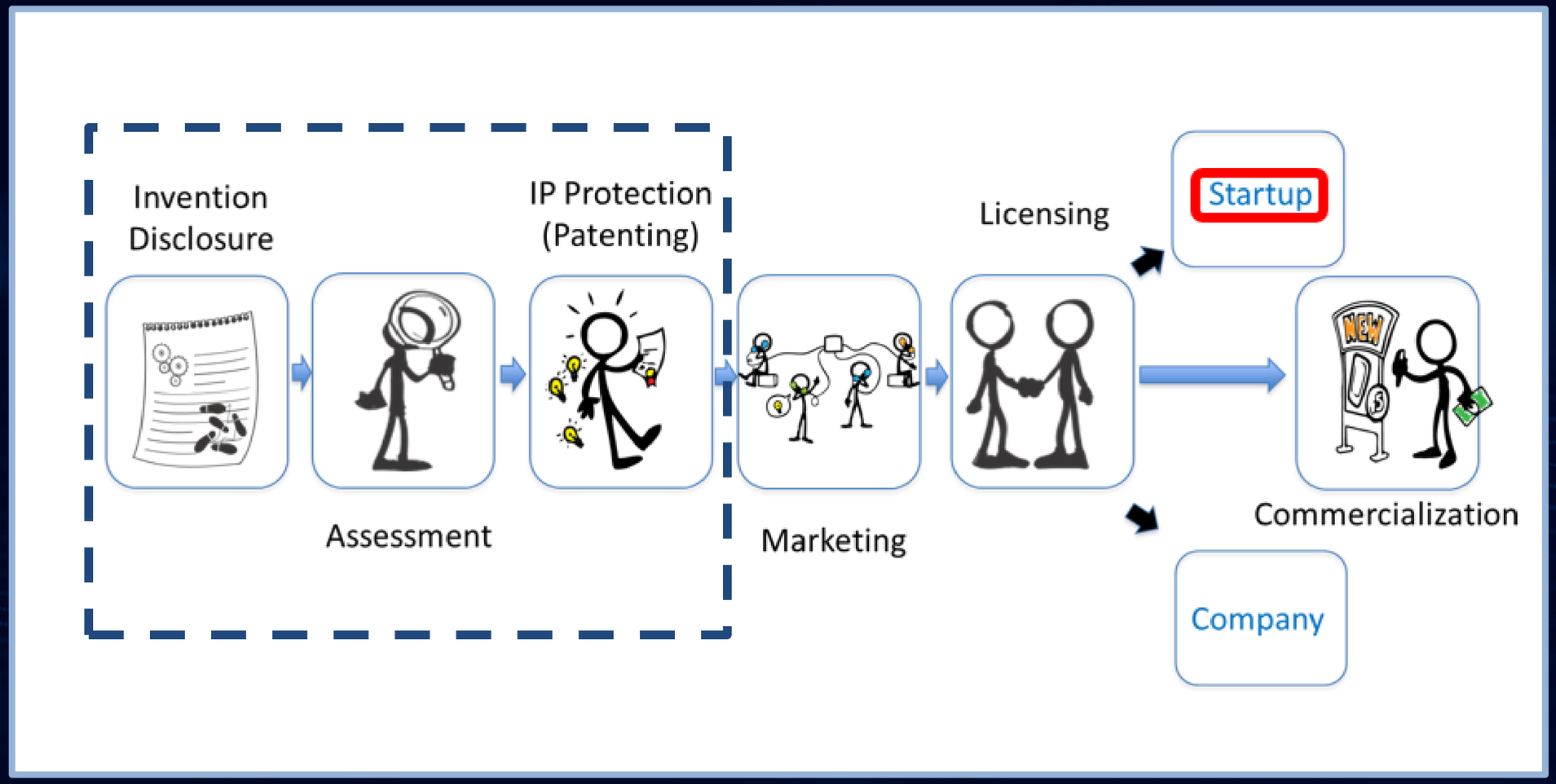
2. Innovation Intake & Assessment

Innovation Intake & Assessment



IP Intake

- **All IP and Technology submissions can be submitted through the SUNY Inventor Portal**
    - **Disclosing begins the formal engagement with the RF – It our goal to support you!!**

- **SUNY Inventor Portal provides medium for describing your IP**

- **Guides and Material**
    - **Inventor Portal Training Videos**

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IP Assessment

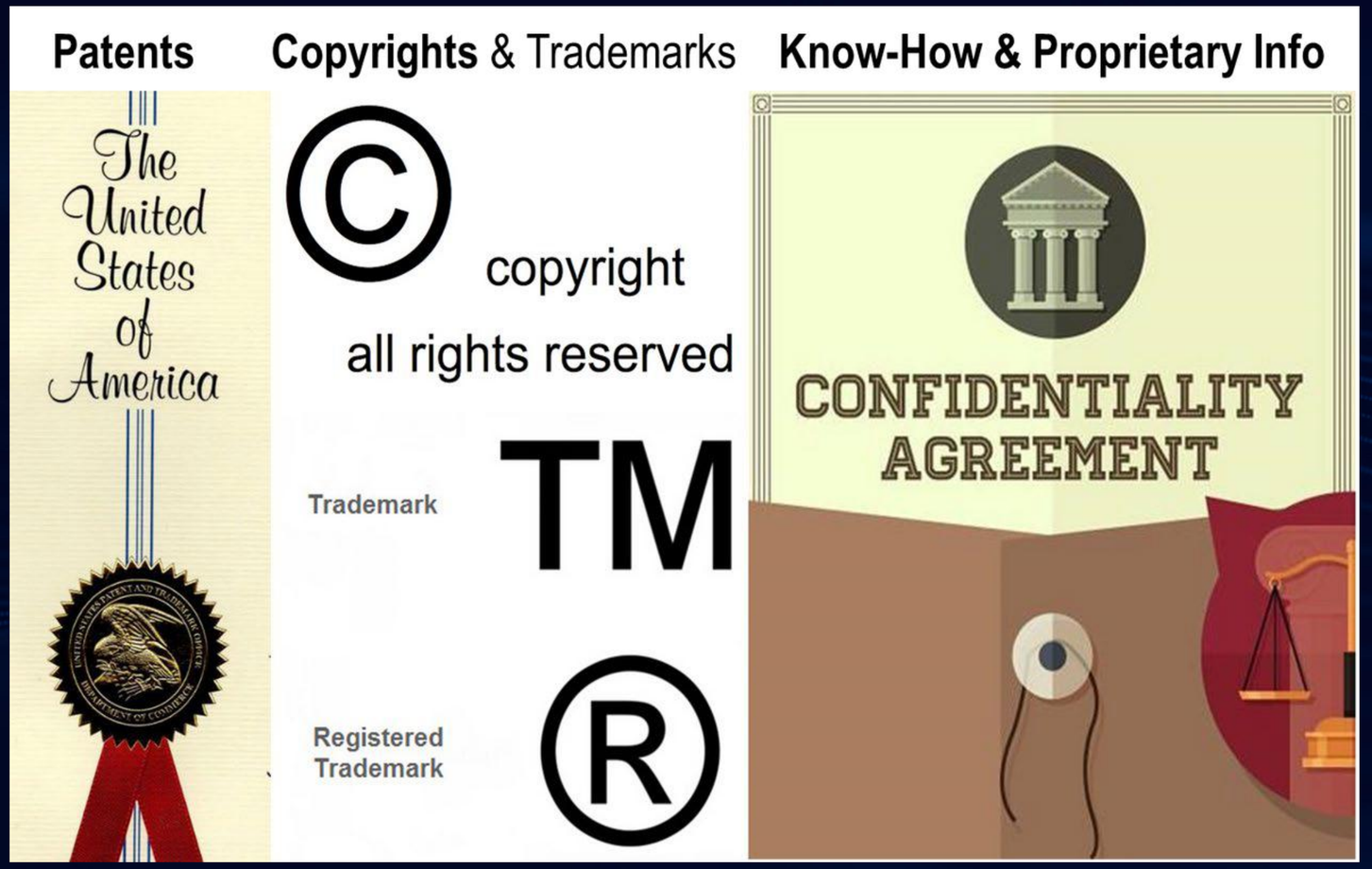
- **Post SUNY Inventor Portal submissions the team begins to evaluate and assess your technology**
    - **Conduct inventor/author intake interview**
    - **What type of IP applies?**
    - **Similar IP in the SUNY portfolio?**
    - **Patentability assessment – prior art search**
    - **Marketability - Commercial/licensing opportunities**
    - ****Formulate IP strategy and protection plan**

3. Intellectual Property Protection

What is Intellectual Property (IP)?

+ Property that enjoys legal protection and stems from the exercise of the mind
    - Created in the mind
    - Intangible (patents) or tangible (copyrights, trademarks)
    - Ownership is a creation of law and public policy

Types of IP


Patents
Copyrights & Trademarks
Know-How & Proprietary Info
The United States of America
copyright
all rights reserved
Trademark
TM
Registered Trademark
CONFIDENTIALITY AGREEMENT

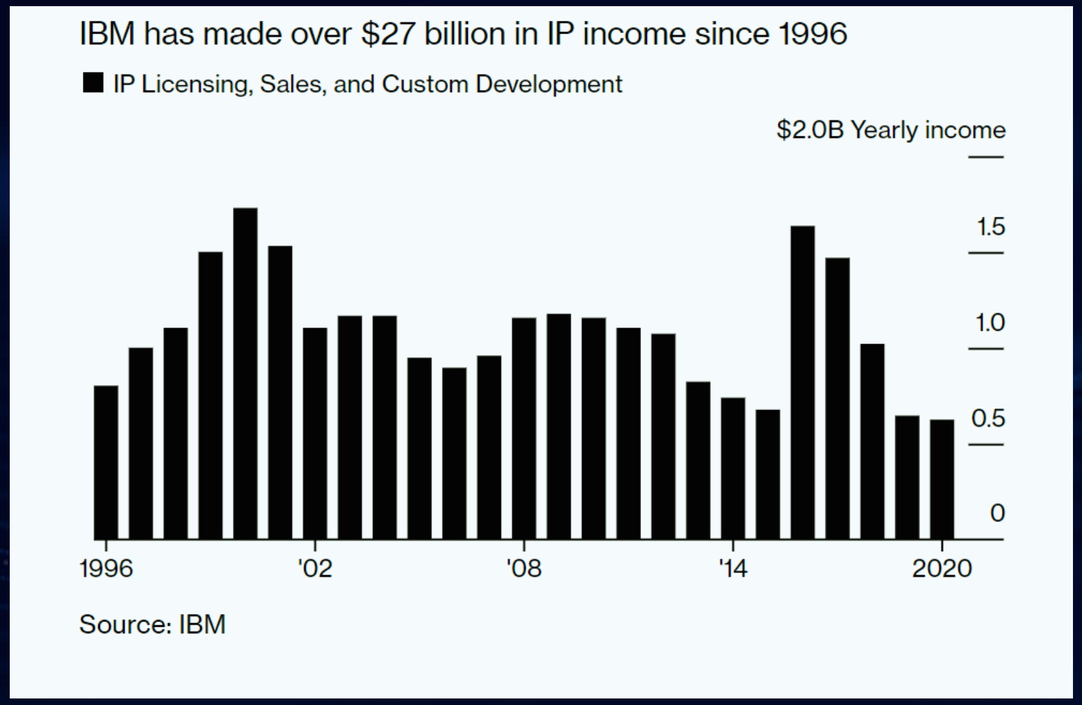
Why is IP important?

+ Creates property assets and adds value to a company from the minds of employees!

+ Gives Businesses Exclusivity in the marketplace

+ Marketing tool / Notice of ownership

Why is IP important?



+ Revenue Stream

- Licensing to others -

IBM $1.3B annually

+ Finance

- Venture capitalists

and banks want to see

IP ownership

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a. Patents

- Obtained by filing with the USPTO
- Each Country/Region has separate system
- Relatively Expensive
  - ($20,000-25,000^{+} to get a granted patent)
- Complicated Process
- Good for 20 years from filing date (Utility)

What is a patent?

A patent is a time-limited, government granted right(s) that allows an inventor to exclude others from commercially exploiting a claimed invention.

A Patent Provides:

- Exclusive rights to an invention
- Public disclosure of technology
- Limited-term protection (typically 20 years)
- A territorial right (country-specific)
- A valuable business and licensing asset

Patents are generally granted only for inventions that are **new, useful, and non-obvious**.

IN DETAIL THE PATENT OWNER/RIGHTS INCLUDE:

- Exclude others from making, using, selling, offering for sale, or importing the patented invention.
- **Enforce the patent** against infringers through legal proceedings.
- **Seek remedies for infringement**, including monetary damages and, in appropriate cases, injunctive relief.
License others to practice the invention under agreed terms and conditions.
Assign or sell the patent to another party.
Use the patent as a business asset, including for investment, collaboration, cross-licensing, and valuation purposes.

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Types of Patents

3 Different Types of Patents

Design

Protects the design or exterior look of an invention.

Utility

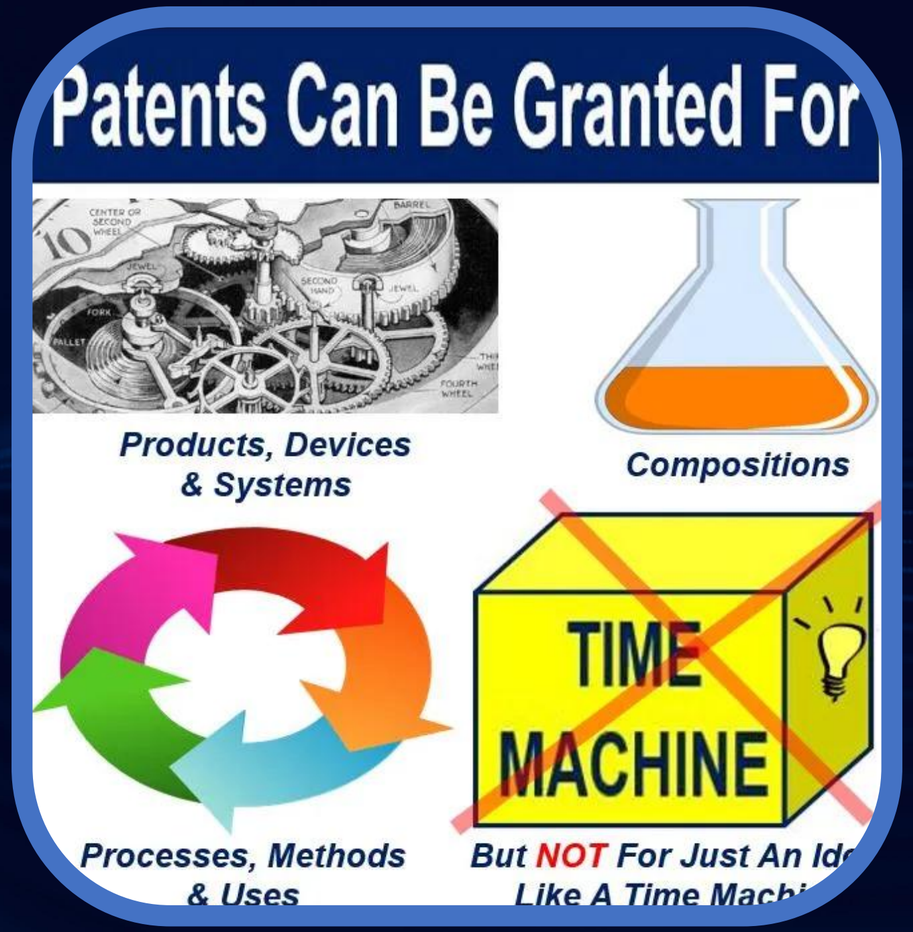
Protects inventions such as machines, processes, or systems.

Plant

Protects the invention of new plant variants.

Can I patent it?

- **What's patentable?**
  - **Compositions of matter**
    e.g., new chemical entity.
  - **Machines**
  - **Articles of manufacture**
    e.g., a medical stent.
  - **Processes**
- **What's not patentable (exceptions)?**
  - **Abstract ideas**
  - **Products of nature**
    e.g., discovering a previously unknown biological mechanism by which a cancer develops or progresses.
  - **Natural phenomena**
    e.g., Lightning.



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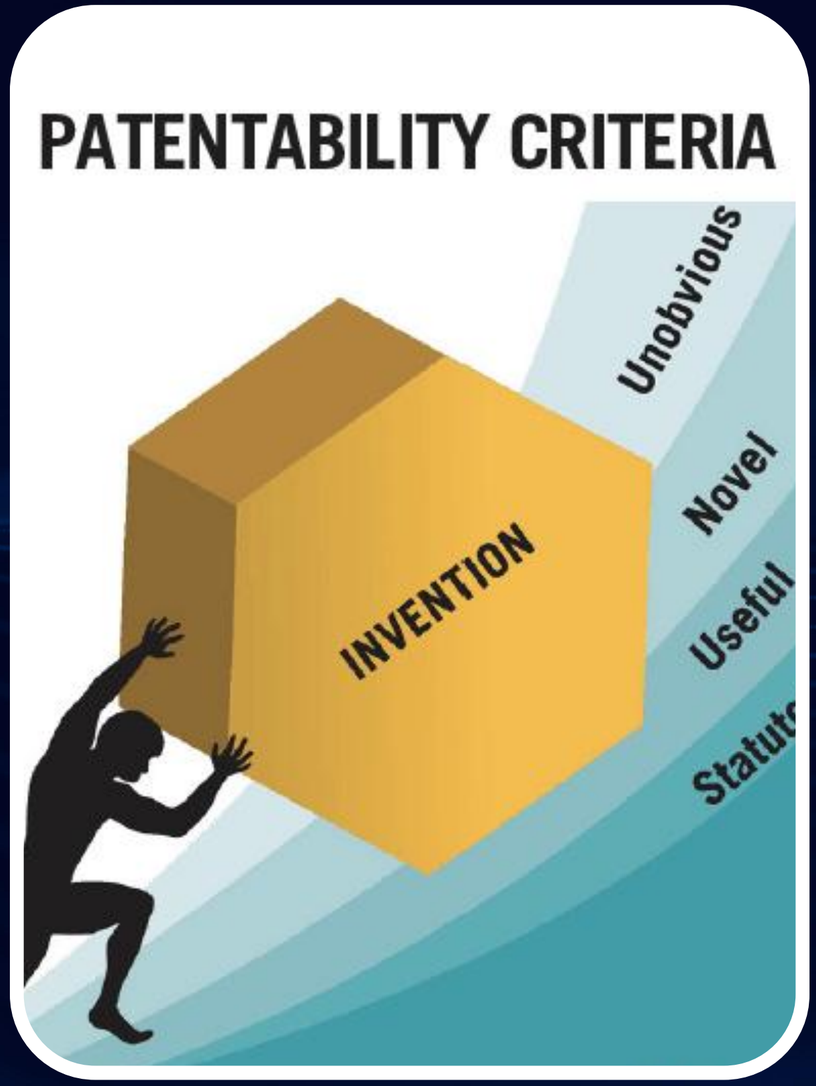
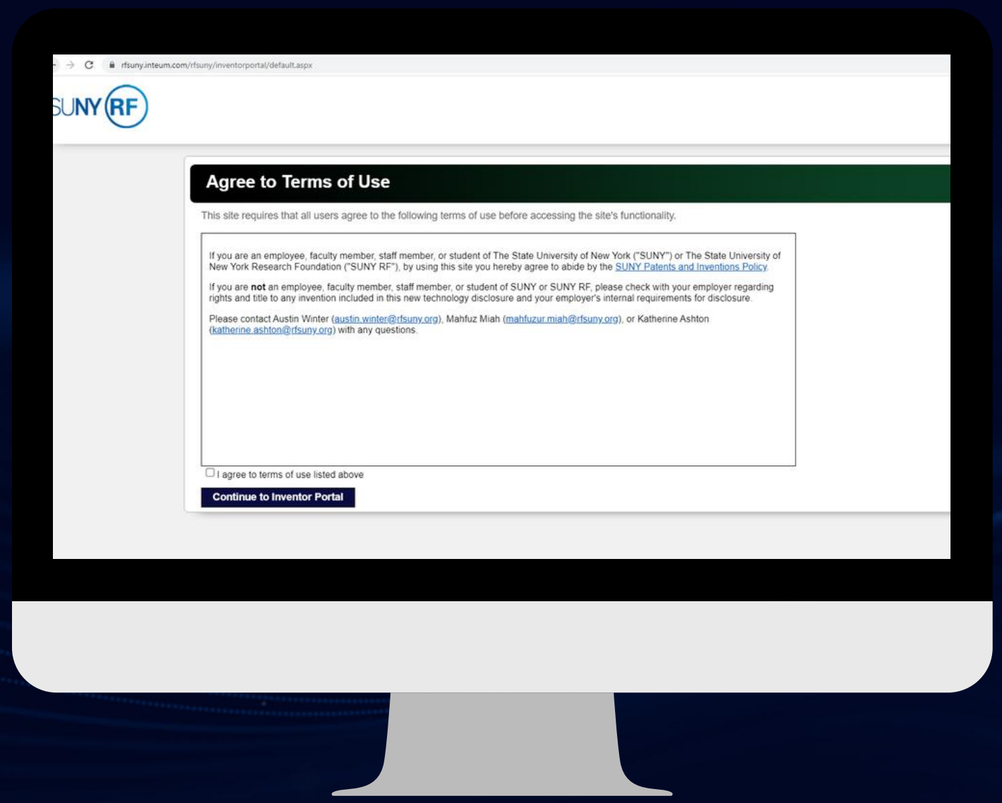
Patents & Public Disclosures

- **To be patented inventions must be <u>novel and non-obvious</u>**
- **US has the benefit of a 1-year grace period however, most of the world = <u>absolute novelty bar</u>**
- **In nearly all other countries, as soon as an invention is disclosed, the inventor/applicant <u>loses their right to file a patent application</u>**
- **What constitutes a Public Disclosure?**
  - **Described in a publication or presentation, on sale, or available to public**
  - **Enables a skilled person to practice the invention**



Patent – Key Take Away



Disclose early, Disclose often (to your tech transfer office).

We are here to advise!

Quiz:

- **ACME Company patents components A, B, C**
- **You patent component D – which relies on A, B, C**
- **Can you practice your invention including A, B, C, D?**

(Example: in a smartphone company A patents, A = touch sensor, B = display technology, and C = battery system. You patent D = a new AI-based power management chip that only works when integrated into A, B, and C systems. Answer: Owning a patent on an improvement (D) does not grant freedom to operate if practicing it requires using other patented technologies (A, B, C); a license may be needed from upstream patent holders.)

Utility Patents

Term of 20 years from earliest filing date to… exclude others from making, using, offering for sale, or selling the invention throughout the United States or importing the invention into the United States

Starting the Patent Process

- In U.S., must file within a year of first public disclosure. If you want international rights, file before any public disclosure.

- You may file a provisional patent application, which gives you a “priority date” you can rely on for up to 1 year while you prepare your non-provisional application

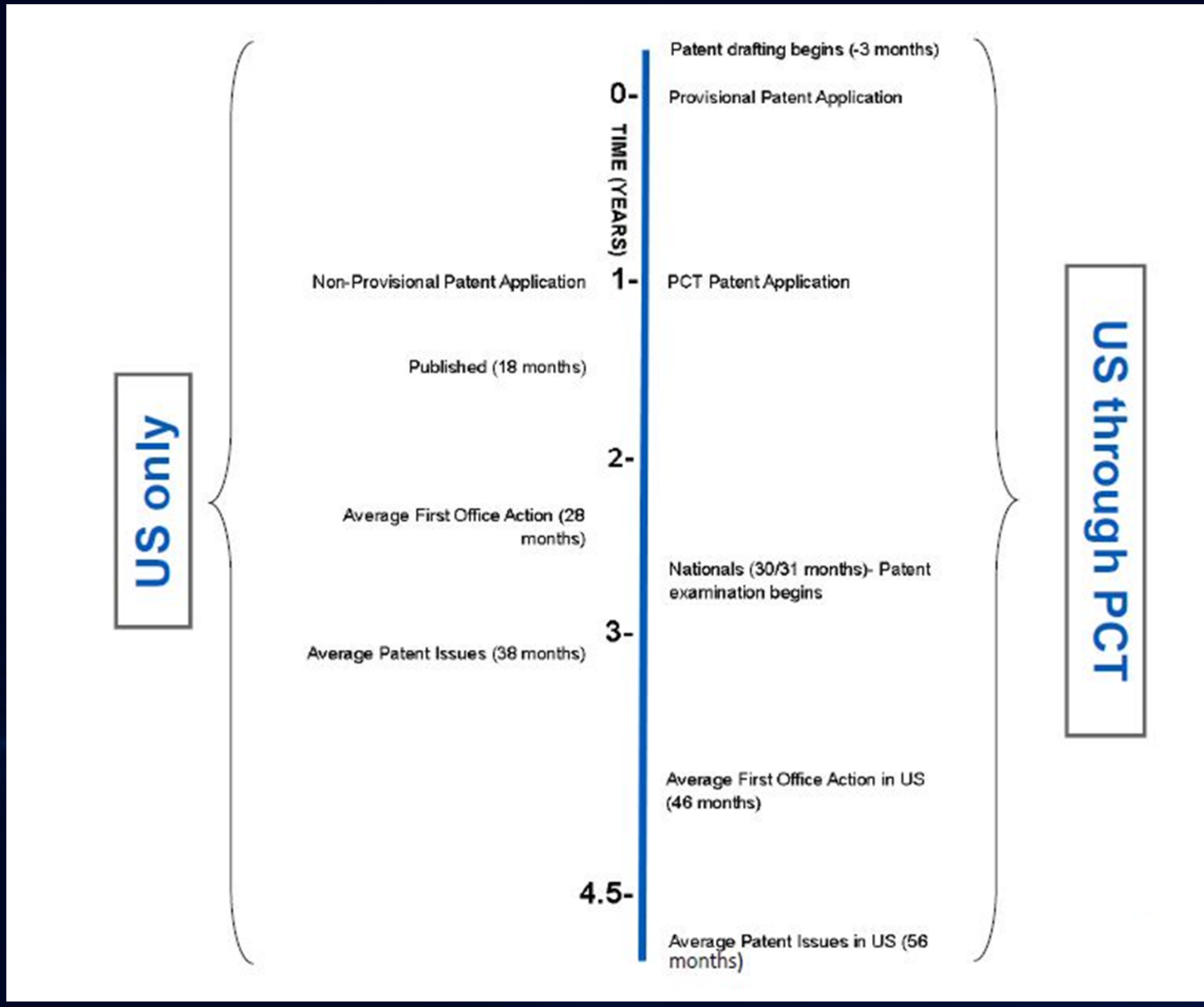
- After provisional, two strategies:
    - If you only want a U.S. patent, file a regular patent application in the US Patent and Trademark Office (USPTO)
    - If you want US and foreign patents, file a Patent Cooperation Treaty (PCT) application

Utility Patent Process

- **APPLICATION PREP AND FILING: (Patent-Pending)**
  - **Application Components: written description, claims, drawings (where applicable)**
- **EXAMINATION AND PROSECUTION:**
  - **Most Applications are initially rejected requiring response(s)/Amendments to Application**
- **PUBLICATION at 18 months from filing date (by DEFAULT)**
- **ALLOWANCE / ISSUANCE (timescale: years after filing)**
- **MAINTENANCE: 3.5 years, 7.5 years, 11.5 years**

<u>Take Away: It is long and costly</u>

Patent Timeline

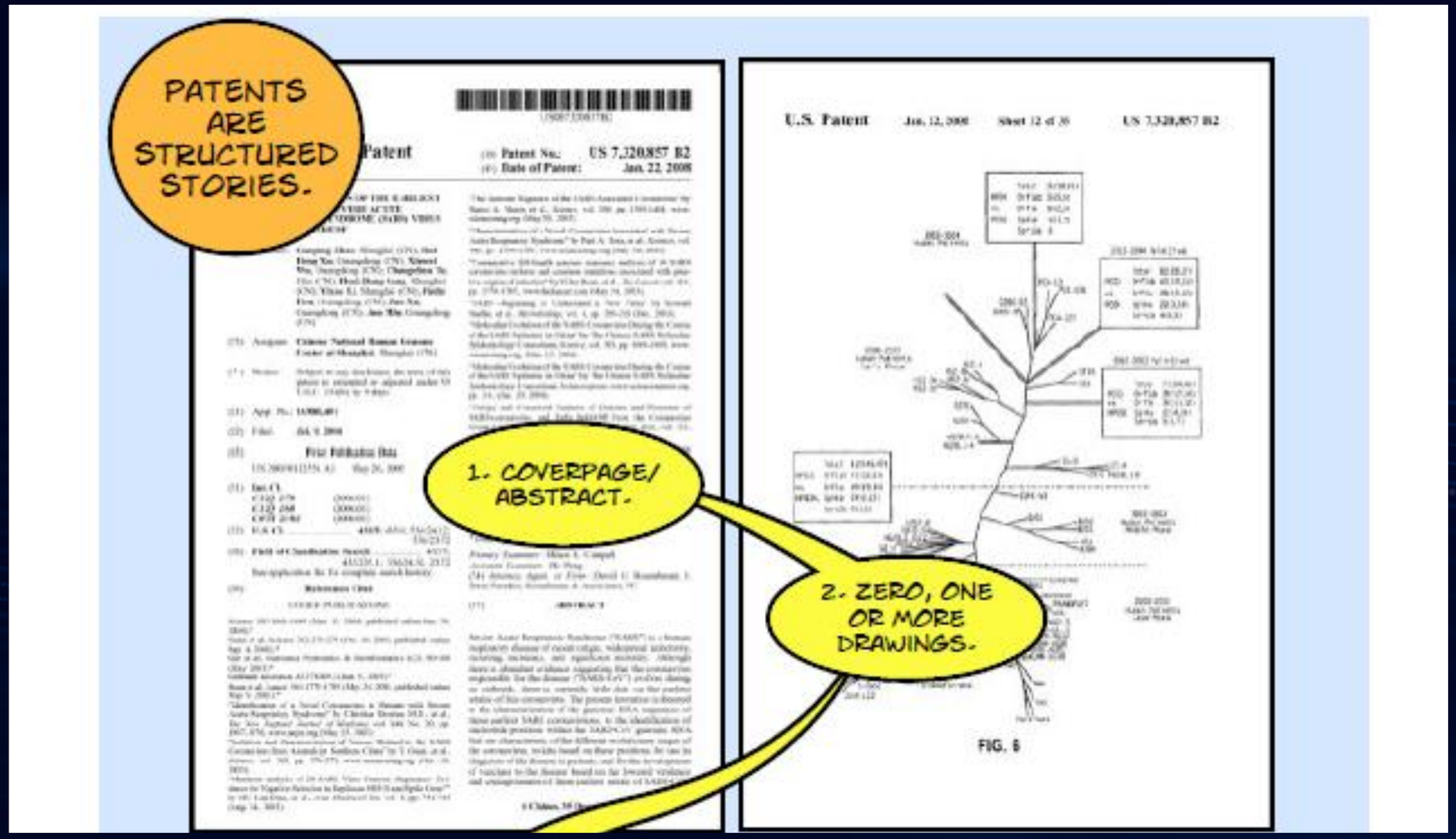


Quiz:

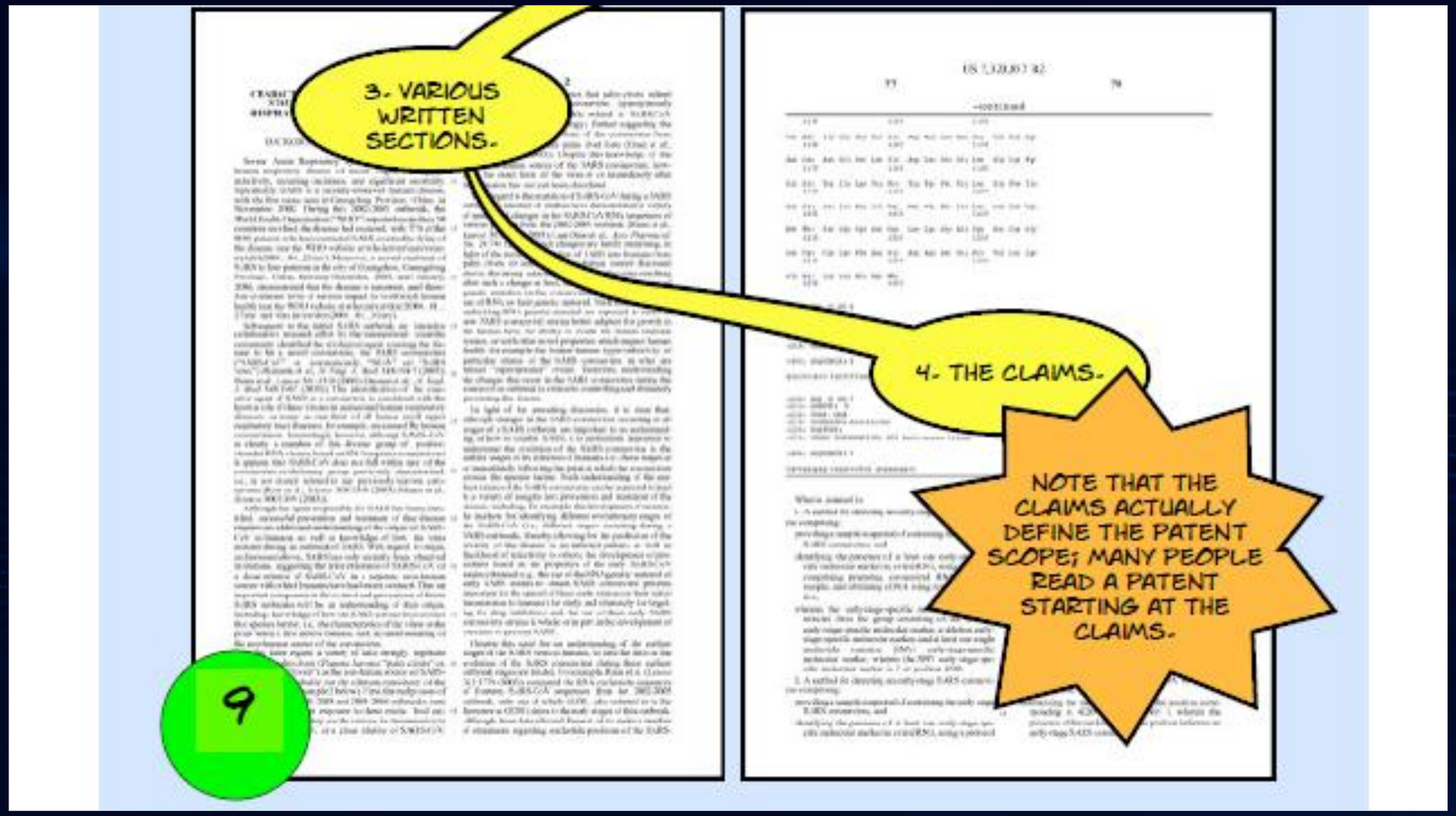
- You develop an inventive process for creating new compound A in March 2021. You disclose to SUNY RF in April 2021. You then submit a white paper that is immediately published (i.e., same day) on June 1, 2021 on the internet. What is the date of disclosure?

  (Answer: Date of Disclosure is June 1, 2021 because the invention was first made publicly available when the white paper was published online. Internal disclosure to SUNY RF was not a public disclosure.)

Anatomy of a Patent



Anatomy of a Patent



Are you an Inventor?

- **Minimum requirement is to contribute to the conception of at least one claim in an issued patent.**

- **In contrast, a person who did not help conceive the invention is not an inventor.**
    - **For example, a person who merely identified the problem is not an inventor unless they also helped conceive the solution. In addition, a person who reduced the invention to practice without helping to conceive it is not an inventor.**

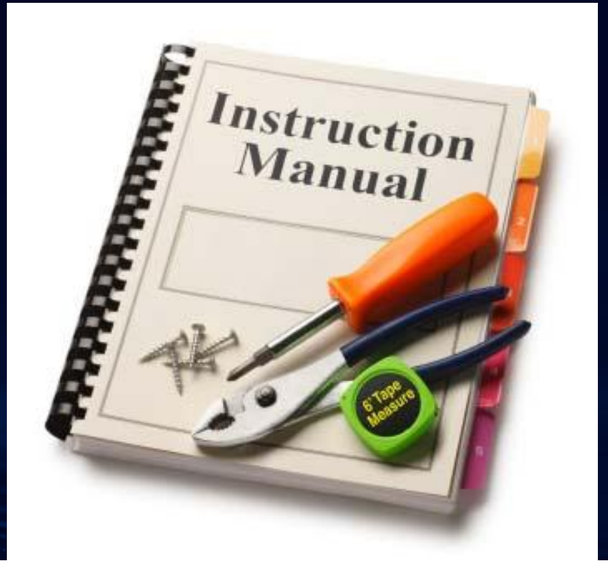
- **Inventions with multiple inventors are owned equally by all inventors, even if conception contributions were unequal (unless a different agreement existed prior to filing)**

- ***Inventorship is NOT the same as authorship***

b. Copyrights, Trademarks, Trade Secrets, AI, Software

Copyrights

- **Protect original expressions fixed in tangible medium**
- **Exclusive right to distribute, copy, prepare derivative works, perform, and display**
- **Last for the life of the author plus 70 years, or if authored by an employer, 95 to 120 years (depending on publication time and status)**
- **LIMITED TO EXPRESSION, NOT ACTUAL IDEAS!!!**
- **Examples: Poem written on paper, music, *SOURCE CODE*, manuals, marketing material, website/APP design, recorded performances, video, mixed media, video games, painting, etc.**



Obtaining Copyrights

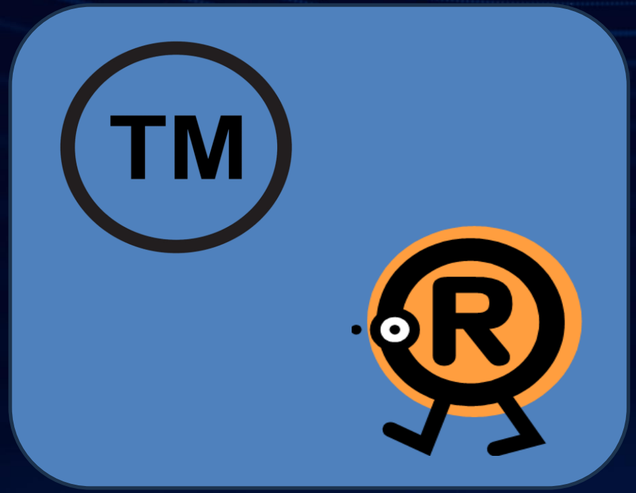
- Registration not required to establish rights
  - Just need something recorded in a tangible medium
- Registration through US Copyright Office gives extra rights … which can be important!!!
  - Registration process is relatively simple and cheap, ~$65
  - Registration important in litigation: can bring standing, up to $150k per infringing work if it's willful
- Infringement Standard includes (1) Access by infringer and (2) "Material Similarity"
  - Access requirement unique to Copyright

Creating Copyright Leverage

- **Register Your Important Works – early and often (e.g., update quarterly)**
- **Always Have Written Agreements when dealing with Contractors**
  - **By default, contractors own copyrights in created works**
  - **REMEMBER - A creator of an original expression in a work is the author, and authors also are the owner of the copyright unless there is a written agreement by which the author assigns the copyright to another person or entity**

Trademarks

- **Identifiers of source of goods and/or services**
- **Word Mark v. Stylistic Mark** **NIKE v.** 
- **Rights: PREVENTS others from using confusingly similar mark**
- **Examples:**
  - **Name – Microsoft**
  - **Design – Nike's "swoosh"**
  - **Color – Tiffany Blue**
  - **Sound – Harley Davidson Motorcycle**
  - **Shape – Peeps**
  - **Scent – Play-Doh (granted 2018)**



Trademark Rights

- Rights available by using the mark in commerce and/or via Federal Registration with USPTO
  - Rights limited to type of goods and services
    - E.g., Apple Computers vs. Apple Records (1978/2006)
- TM for Common Law or ® for Registered
- Likelihood of Confusion Standard for Infringement
- Scope of protection varies
  - Strength of the mark

AIRBUS

Pizza Hut

Apple

KODAK

- Generic – Descriptive – Suggestive – Arbitrary – Fanciful
- Aspirin – Pizza Hut– AIRBUS – Apple – Kodak

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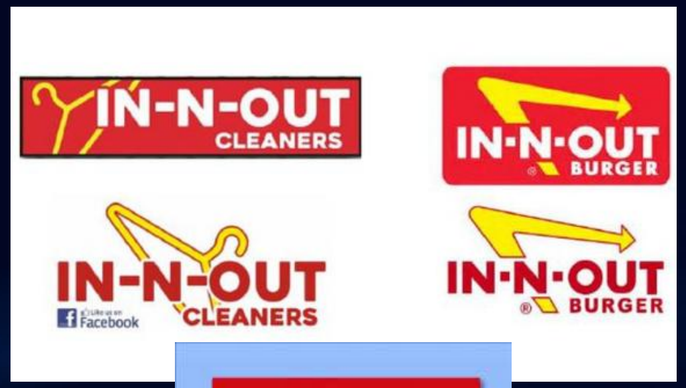
Trademark Infringement



The key test for trademark infringement is whether the defendant's use of a particular mark creates a likelihood of confusion

(1) the similarities of the goods and services involved
(2) evidence of actual confusion
(3) physical proximity
(4) likelihood of product line expansion

Trade Secret

- Any secret information that gives an economic advantage over competitors that do not have access to the secret

- ONLY GOOD IF YOU CAN KEEP SECRET
  - Is reverse engineering possible? How likely is independent creation?
  - Don’t file or register – once the secret gets it out cannot put it back in the bottle

- Requires protection efforts commensurate with the value of the Trade Secret
  - Employment agreements; non-disclosure agreements, need-to-know access; notices on documents; sign in sheets, key card access, security check points, etc.

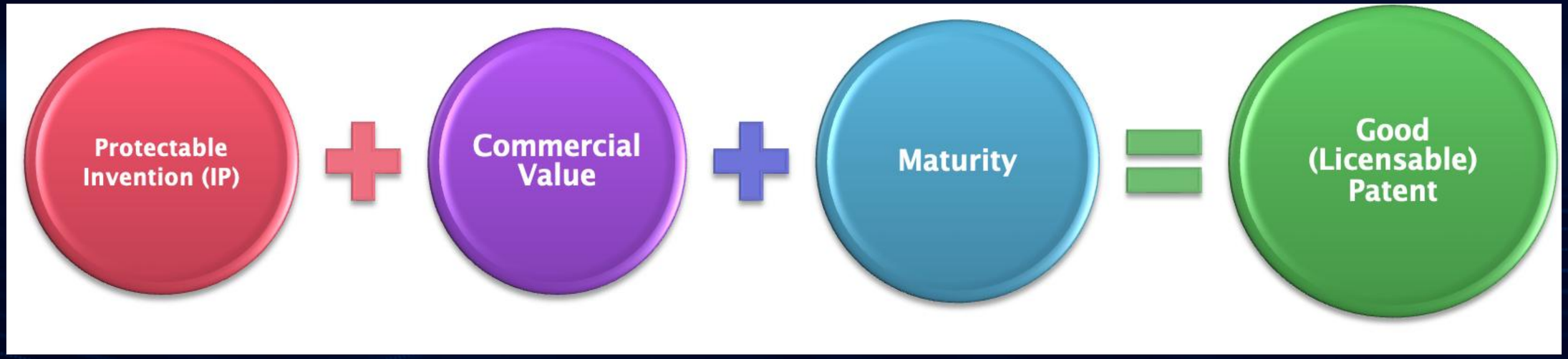
- Examples include, e.g., formulas (Coca-Cola), patterns, compilations, programs, devices, methods, techniques or processes, customer lists, and other confidential technologies

- Misappropriation punishable under law, but damages can be difficult to assess or retrieve

- Best offense is good defensive measure to prevent access and misappropriation

4. Marketing of Technologies

Market Ready Innovation



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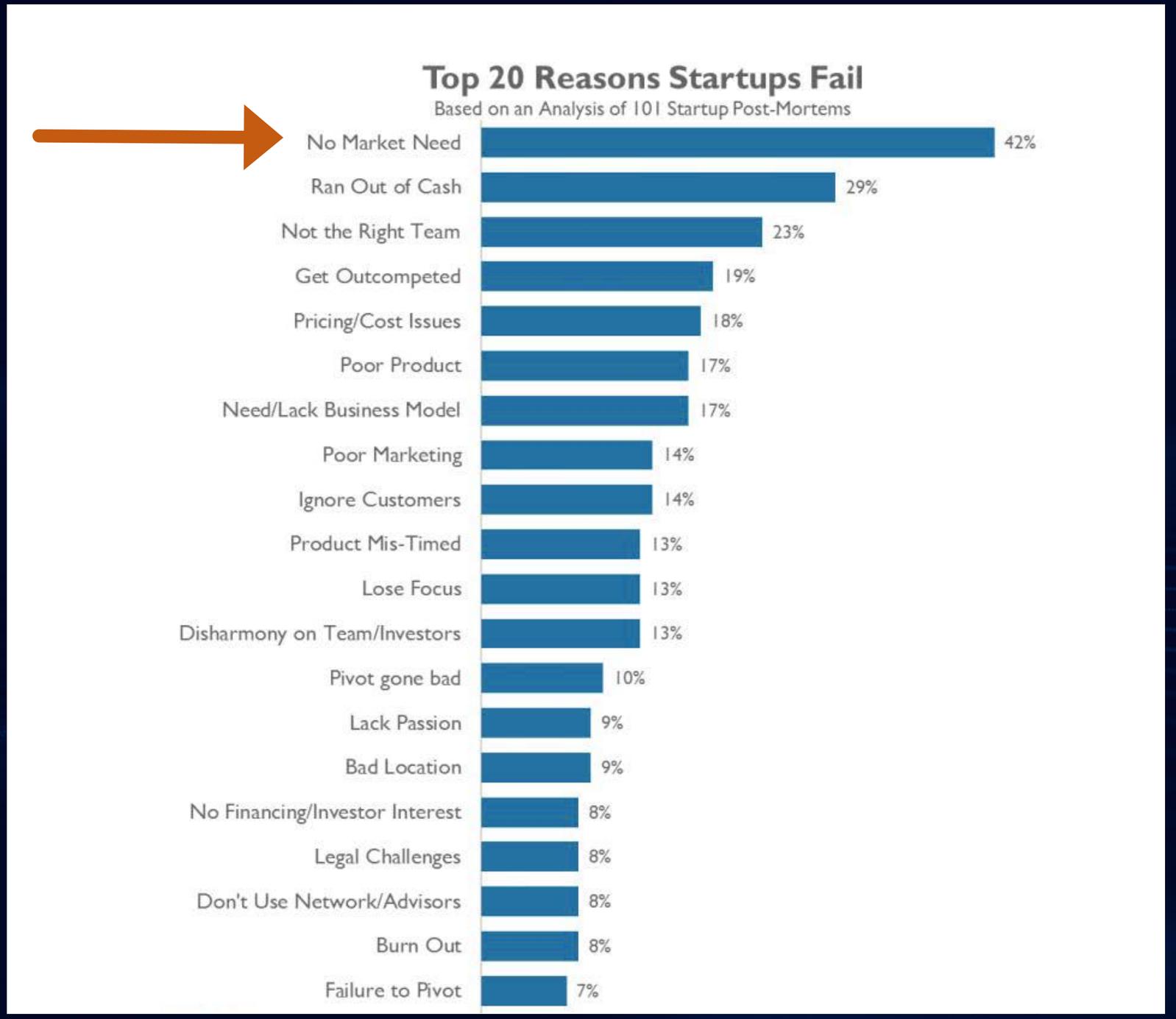
It’s Not All About Your Technology



Marketability

Measure whether a product or service will appeal to customers and sell within a certain price range to generate a profit

In tech transfer, it’s a critical to our prospects of finding a potential licensee willing to try and commercialize a particular technology

5. Licensing to Startups

Licensing Journey to Startup

SUNY RF

6. Other Offerings

I&P SERVICES

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Supporting SUNY's Technology-to-Market Strategy

The RF manages a growing portfolio of programs designed to maximize SUNY's research, innovation, and entrepreneurial capacity and realize the very real and measurable impact it has on the world.

SUNY STARTUP SUMMER SCHOOL

SUNY Startup Summer School (S4) is a virtual accelerated entrepreneurial education, training, and mentoring program that is custom designed to provide every participant with knowledge and networks that will enable them to commercialize breakthrough technology.

SUNY TECHNOLOGY ACCELERATOR FUND

SUNY Technology Accelerator Fund (TAF) helps faculty turn their research into market-ready technologies through early-stage grants and investments that support critical commercialization milestones to improve market readiness of the technology.

SUNY VENTURE ADVISORS

SUNY Venture Advisors are highly experienced business executives and startup founders that provide mentorship and coaching to SUNY-affiliated innovators, entrepreneurial teams, and portfolio companies.

SUNY STARTUP GRANT WORKS

SUNY Startup Grant Works matches high-potential SUNY-affiliated technologies and companies with curated and timely proposal development support to secure non-dilutive funding to de-risk technology, validate markets, and build teams.

SUNY STARTUP DESIGN STUDIO

SUNY Startup Design Studio provides professional design and marketing support to help SUNY-affiliated startups create or refine their logo, tagline, and brand identity.

SUNY STARTUP PITCH LAB

Startup Pitch Lab is an online workshop to help academic based founders become better storytellers to industry partners and investors, with a focus on creating pitch decks that engage audiences by simplifying complex concepts.

SUNY CXO

The **SUNY CxO** program is designed to advance high-potential startups that develop and license SUNY technologies by helping founders attract C-level talent and grow their management teams.

https://www.rfsuny.org/our-work/innovation-and-partnerships/technology-to-market-strategy/

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TECHNOLOGY TO MARKET STRATEGY

Upstate Biotech Ventures
Upstate Medical University

*Programs are developed, coordinated, and managed with SUNY's ORIED and campuses.

SUNY

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Garrett Smith

Patent Attorney

Email: garrett.smith@rfsuny.org

Phone: 518-434-7141

Peter Fallon

IP Attorney – Life Sciences

Email: peter.fallon@rfsuny.org

Phone: 518-434-7061

Joy Goswami

Director of Intellectual Property & Licensing

Email: joy.goswami@rfsuny.org

Phone: 302-650-9710

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THANK YOU

Please answer the Zoom poll question

Recording will be sent within 24 hours

Don’t forget to connect with us on LinkedIn

Reach out with any questions, issues or ideas

Scan to register for I-Corps

SEE YOU NEXT WEEK FOR

How to Win Grants - Mastering Non-Dilutive Funding Sources