

PRECLASS

\* Cost to develop and write a book?

+ 200 days @ \$500/day

+ 200 \* 500 = \$100,000

PRECLASS

\* Cost to develop and write a book?
+ 200 days @ \$500/day

\* Cost per book (assume \$1 to print book)
+ Total volume 1
+ Total volume 10,000
+ Total volume 1 million

PRECLASS

\* Cost to develop and write a book?

+ 200 days @ \$500/day

\* Cost per book (assume \$1 to print book)

+ Total volume 1 -- \$100,001

+ Total volume 10,000 -- \$11

+ Total volume 1 million -- \$1.10

PRECLASS

\* Cost to develop and write a book?
+ 200 days @ \$500/day

\* Cost per book (assume \$1 to print book)
+ Total volume 1
+ Total volume 10,000
+ Total volume 1 million

\* Book sells \$10
+ Value added by writer?
+ Copies sold to break even at \$2/copy to writer?

PRECLASS

\* Cost to develop and write a book?
+ 200 days @ \$500/day

\* Cost per book (assume \$1 to print book)
+ Total volume 1
+ Total volume 1 million

\* Book sells \$10
+ Value added by writer? (\$10-\$1 = \$9)
+ Copies sold to break even at \$2/copy to writer?
+ \$100,000/\$2 = 50,000

ECONOMIC TERMS

\* Production cost – expense to produce

\* Price – what consume will pay for it

+ Value to consumer

\* Profit = Price – cost

**OBSERVE** 

Creative / Intellectual work produces most of value

 At least in volume, physical costs of reproduction is small part of product price PRECLASS CONTINUED

Cost to photocopy 200 page book at \$0.05/page?

Cost to scan book at 10page/minute?

\* Cost to perform a 10s copy onto flash drive?

\* Cost of portion of flash drive used

+ \$8 for 16GB drive, 0.5MB file

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ES

## PRECLASS CONTINUED

Cost to photocopy 200 page book at \$0.05/page?

× 200 \* \$0.05 = \$10

Cost about as much as buying

Cost to scan book at 10page/minute?

200 pages / (10 pages/minute)=20 minutes

\* \$500/(8hrs \*60 min/hr) \* 20 minutes = \$21

Much cheaper than writing! – only do once

Cost to perform a 10s copy onto flash drive?

\* \$500/(8hrs \*60 min/hr) \* (10/60) = \$0.17

\* Cost of portion of flash drive used

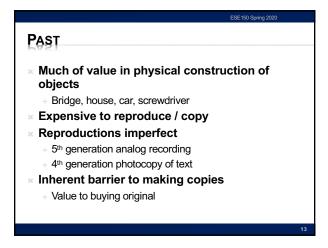
\* \$8 \*(0.5M/16G) = \$8/32000=\$0.0025

» Digital copying makes reproduction cost low!

**OBSERVE** 

With digital representation

+ Cost of "physical" reproduction trends to 0



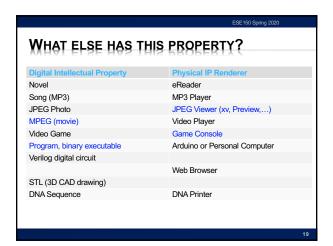
ESE150 Spring 2020	
DIGITAL REPRESENTATION	
DIGITAL REPRESENTATION	
x Can represent perfectly in bits	
+ Including sound, words	
× Can make perfect copies	
Bits are cheapand getting cheaper	
+ Copying "free"	
Intellectual value disconnected from physica	.I
reproduction	
	14

WHAT ELSE HAS THIS PROPERTY?		
Digital Intellectual Property	Physical IP Renderer	
Novel	eReader	
Song (MP3)	MP3 Player	
JPEG Photo		
	Video Player	
Video Game		
	Arduino or Personal Computer	
Verilog digital circuit		
	Web Browser	
STL (3D CAD drawing)		
DNA Sequence	DNA Printer	



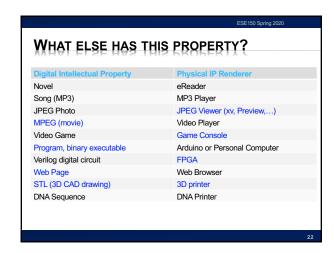
What else has ti	HIS PROPERTY?
Digital Intellectual Property	Physical IP Renderer
Novel	eReader
Song (MP3)	MP3 Player
JPEG Photo	JPEG Viewer (xv, Preview,)
MPEG (movie)	Video Player
Video Game	
	Arduino or Personal Computer
Verilog digital circuit	
	Web Browser
STL (3D CAD drawing)	
DNA Sequence	DNA Printer

What else has th	11S PROPERTY?
Digital Intellectual Property	Physical IP Renderer
Novel	eReader
Song (MP3)	MP3 Player
JPEG Photo	JPEG Viewer (xv, Preview,)
MPEG (movie)	Video Player
Video Game	Game Console
	Arduino or Personal Computer
Verilog digital circuit	
	Web Browser
STL (3D CAD drawing)	
DNA Sequence	DNA Printer









INTELLECTUAL PROPERTY

\* Intangible creations of human intellect

\* Have value

\* Don't necessarily have physical embodiment on their own

INTELLECTUAL PROPERTY CREATORS

\* As Engineers

+ Program, develop algorithms, design circuits

\* Almost everything we create will have this property

+ Value added is intellectual

+ Can be represented digitally in bits

+ Can (increasingly) be copied/reproduced cheaply

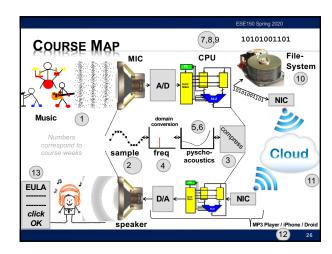
\* Easy to have impact

+ Our solutions can reach millions, billions

- Decreasing physical barriers to propagation of solutions

\* Challenge to protect and reward IP creators





BATIONALE

PRICING CHALLENGE

\* When cost of copying → 0

- Inventor/author must recover development cost

- Price must include develop cost + copy cost

- Copier does not have development cost

- Price = copy cost + epsilon

- Competition of copiers will drive epsilon down near 0

- Inventor/author not compensated for development

- Remove incentive/reward for development

\* Demand: developers need way to exclude others from copying to incentivize creation

ARROW'S INFORMATION PARADOX

Customer not know how to value information until see information (see details of product)

Enough information to decide to buy

Enough information to decide what will pay for it

Once show customer information, sufficient detail, they have enough information to reproduce

Could walk away and produce their own without paying for it

Disclosure of what effectively transfers technology

Demand: protection for developer

Arrow, Kenneth J. Economic Welfare and the Allocation of Resources for Invention, in The Rate and Direction of Inventive Activity, 609 (Nat'l Bureau of Econ. Research ed. 1962).

BALANCE INDIVIDUAL AND SOCIETAL GOOD

Individual should benefit form their own effort
Society advances with the accumulation of knowledge

**US CONSTITUTION** BEFORE COPYING WAS AN ISSUE \* Article 1, Section 8, Clause 8: x Concern that new developments/ideas would be lost when inventor die To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the Techniques could remain secret for decades! exclusive Right to their respective Writings and \* Incentive to make inventions known Discoveries Advance the general welfare MECHANISMS (TO SUPPORT) MECHANISMS FOR PROTECTION × Patents × Messy and imperfect Cover inventions Haven't kept up with technology E.g., Flying Machine (US 821,393), Likely need (and will need) innovation and ENIAC (US 3,120,606), refinement × Copyrights Creative expression + E.g., novel, song, movie INTERLUDE: NIL **PATENTS** NIKOLAI IVANOVICH LOBACHEVSKY

https://www.youtube.com/watch?v=gXlfXirQF3A



WHAT MIGHT BE TRICKY / NON-SATISFYING?

\* First to file? (even invent?)

\* 20 year term?

Identification of problem is part of invention
 Claims

 Define the invention
 Technical coverage

 Requires disclosure

 If really believe no one else will figure it out...or can copy it, maybe better to keep as a trade secret

 License to litigate

 Recover damages is through litigation

Validity of many patents overturned in litigation

Establish violation

PATENT PROCESS

\*\* US have one year from first-public disclosure to file
- Many places – public disclosure prevent patent
- https://www.uspto.gov/web/offices/pac/mpep/s2153.html

\*\* May file provisional patent to get filing date
- File patent with claims

\*\* Reviewed by examiner

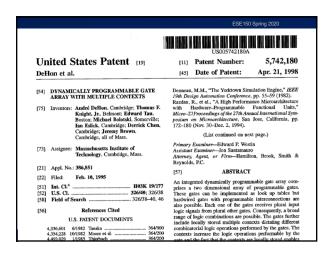
\*\* Examiner reports on what may be allowable
- As-is
- With tighter qualifications
- Not-at-all
- On a per-claim basis

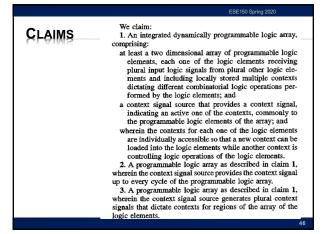
\*\* Typically requires several iterations
- Often year(s) before patent issues
- Filing costs thousands of dollars
- With lawyer/legal fees tens to hundreds of thousands

(12) United States Patent (10) Patent No.: US 10,545,760 B2 (45) Date of Patent: Jan. 28, 2020 (54) METADATA PROCESSING References Cited U.S. PATENT DOCUMENTS (71) Applicant: The Charles Stark Draper Laboratory, Inc., Cambridge, MA (US) 5,201,056 A 4/1993 Daniel 5,377,336 A 12/1994 Eickerneyer (Continued) (72) Inventor: Andre' DeHon, Cambridge, MA (US) (73) Assignce: The Charles Stark Draper Laboratory, Inc., Cambridge, MA (US) FOREIGN PATENT DOCUMENTS (\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days. OTHER PUBLICATIONS (22) Filed: Jun. 7, 2018 Prior Publication Data
US 2018/0336033 A1 Nov. 22, 2018
Related U.S. Application Data Primary Examiner — Sharon S Lynch (74) Attorney, Agent, or Firm — Hamil & Reynolds, P.C. (60) Continuation of application No. 15/695,541, filed on Sep. 5, 2017, now Pat. No. 10,261,794, which is a (52) U.S. CL CPC ...... G06F 9/30101 (2013.01); G06F 9/30072 (2013.01); G06F 9/30998 (2013.01);

What is claimed is:

1. A method of obtaining control flow information for an application. comprising:
executing a loader that loads the application for execution:
by a processor, wherein executing the loader comprises executing a first code portion of the loader that includes one or more instructions configured to trigger methodata processing of a first set of one or more rules in a methodata processing of a first set of one or more rules in the application of the loader transmitted for the application of the set of the processing domain, the methodata processing of a first set of one or more rules in the application of the processing domain and inaccessible to a code execution domain, wherein collecting and storing the control flow information for the application of the information further comprises tagging, by the metadata processing domain, a first target location with first metadata infurther comprises tagging, by the metadata processing domain, a first anget location with first metadata infuritying a set of one or more allowable source locations that are allowed to transfer control to the first target location and storing the first metadata in aportion of the control flow information, wherein each allowable source location of the set is a first surged with a corresponding source metadata processing instructions of the application in the code execution domain, wherein executing the instructions of the application in the code of execution domain, wherein executing the instructions of the application in the metadata to determine whether to allow a transfer of control flow in a first source location on whether the first source location is included in the set of one or more allowable source locations, wherein the second set of rules corresponds to a control flow policy.





# XILINX FPGA US 4,870,302 ABSTRACT

A configurable logic array comprises a plurality of configurable logic elements variably interconnected in response to control signals to perform a selected logic function. Each configurable logic element in the array is in itself capable of performing any one of a plurality of logic functions depending upon the control information placed in the configurable logic element. Each configurable logic element. Each configurable logic element can have its function varied even after its installed in a system by changing the control. after it is installed in a system by changing the control information placed in that element. Structure is prorided for storing control information and providing access to the stored control information to allow each configurable logic element to be properly configured prior to the initiation of operation of the system of which the array is a part. Novel interconnection struc-tures are provided to facilitate the configuring of each logic element.

I claim:

1. An interconnect structure for programmably interconnecting lines within an integrated circuit compris

connecting lines within an integrated circuit comprising.

at least three sets of interconnect line including a first
set, a second set, and a third set;
programmable means, not including said sets of interconnect lines, for connecting at least one of said
lines in said first set to at least one of said lines in
said set on set of said lines in said first set to at least one of said lines in
said third set, and for connecting at least one of said
lines in said second set to at least one of said lines in
said third set, and for connecting at least one of said
lines in said second set to at least one of said lines in
said with set.

2. An array of interconnect structures, each said in
erconnect structure as in claim I, and each interconent structure in said array having its own selected
number of interconnect lines and its own programmable
means for connecting interconnect lines in its own first,
second and third sets.

https://patents.google.com/patent/US4870302A/en?oq=us+4870302

**ENIAC US 3,120,606** 1. MEANS FOR PRODUCING ELECTRIC PULSES IN SEQUENCE 1. MEANS FOR PRODUCING ELECTRIC PULSES IN SEQUENCE, ELECTRONIC MEANS FOR ALTERNATELY TRANSMITTING CERTAIN ONES OF SAID PULSES AS RECURRENT DIFFERENTIATED GROUPS, ELECTRONIC MEANS FOR SELECTING PARTICULAR PULSES FROM ONE OF SAID DIFFERENTIATED GROUPS TO REPRESENT QUANTITATIVE VALUES, ELECTRONIC MEANS FOR SELECTING PARTICULAR PULSES FROM ANOTHER OF SAID DIFFERENTIATED GROUPS TO REPRESENT CERTAIN QUALITATIVE VALUES, READING MEANS RESPONSIVE TO PULSES REPRESENTING BOTH THE QUALITATIVE AND QUANTITATIVE VALUES, RESPONSIVE TO PULSES REPRESENTING BOTH THE QUALITATIVE AND QUANTITATIVE VALUES OF REPROBESED LIPON COMMAND OF AT VALUES FOR READING DATA TO BE PROCESSED UPON COMMAND OF AT LEAST ONE OF SAID QUALITATIVE PULSES, STORING THE DATA THUS READ, AND MAKING THE DATA AVAILABLE IN THE FORM OF DATA PIUSES IN RESPONSE TO AT LEAST ONE OTHER OF SAID QUALITATIVE PULSES, AND ELECTRONIC MEANS FOR RECEIVING SAID DATA PULSES AND RESPONSIVE THERETO FOR PERFORMING ELECTRICAL SWITCHING QUALITATIVE VALUES AND OF A DEGREE DETERMINED BY SELECTED ONES OF SAID QUANTITATIVE VALUES. https://www.computerhistory.org/revolution/birth-of-the-computer/4/99/387

WHAT'S PATENTABLE Not law's of nature × Not abstract ideas  $\times$  Cannot patent pi  $(\pi)$ × Software? Originally not With reference to machine, can often manage « Genetic sequences?... × ...evolving...

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Convenious
COPYRIGHT
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ESE1ED Soring 202

### **COPYRIGHT**

- x Cover particular, original expression
  - + Including software
- Technically don't need to register
  - But should…
  - + Must register before sue for infringement
  - + \$35
  - + No review, just registration
- × Life of author + 70 years
- Work for hire: 95 years from publication

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## TRADITIONALLY: TRANSFER COPYRIGHT ...

#### \* Publish in ACM, IEEE journal

+ Transfer copyright to them, they license you back rights for derived work and post on person web site.

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FPGA '17, February 22 - 24, 2017, Monterey, CA, USA

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 ${\tt DOI: http://dx.doi.org/10.1145/3020078.3026124}$ 

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LICENSING

South Park: Human CenitPad

https://southpark.cc.com/clips/382781/business-casual-g-men

SOUTH PARK: HUMANCENTIPAD

Apple Man 1" You agreed we could take all the blood we needed.
Kyle: What are you talking about?!
Apple Man 1: When you downloaded the last ITunes update a window on your screen popped up and asked you if you agreed to our terms and conditions. You clicked "Agree." Alright, let's get him to the Kyle: The water tank? [gets of the scale and away from the mell, lety! I'm not going with you!
Apple Man 1: You've agreed to all of this! [Kyle runs out of the restaurant] Hey!
Kyle [Off-camera] You guys! [runs onto the basketball court] You gotta help me. These business casual G-men are trying to kidnap mel.
Stan: What?
Kyle: It's crazy, dude! They're saying it's because I agreed to the latest terms and conditions on ITunes!
Stan: Why? What did the terms and conditions for the last update say?
Kyle: Idon't know, I didn't read them!
Butters: You didn't read them?
Kyle: Who the hell reads that entire thing every time it pops up?
Stan: [carrestly] I do.
Clyde: No too:
Kyle: You're te lining me stat every time you guys download an update for ITunes, you read the entire wing the state of the course.
Butters: Well, how do you know if you agree to something if you don't read it?

LICENSE

\* Where have you seen licenses?



PIRECT LICENSING/SALES

PAST

\* Selling a product require huge infrastructure and up-front capital costs

- Manufacture (physical things)

- Marketing

- Distribution

- Sales

\* Demand large business to support infrastructure

\* Not easy for individual

TODAY (EMERGING)

\* Eliminate infrastructure needs with ubiquitous networking, IP products, service businesses

+ Manufacture (physical things) → not issue for IP

\* ...or licensed manufacturing

+ Marketing → still need to get the word out

\* ...can use web at low cost

+ Distribution → not an issue for IP

\* ...leverage common carriers

+ Sales

\* Handle online, eBusiness support

\* Becomes possible for individuals/small businesses to sell IP directly to consumers

DIRECT IP BUSINESSES TORAY

\* Examples?

DIRECT IP BUSINESSES TODAY

\* Kindle Direct Publishing

\* App Store / Google Play

\* AWS Marketplace

\* Café Press

\* Shapeways

SHARING

\*\*Sometimes we want to share

- Isn't it great doesn't cost us anything to give away digital products?

- Isn't it great can build on work of others without necessary cost?

- Cooperation on standards create opportunities for everyone, for an industry

CHALLENGE

\* Patents cost money

\* Business (people making money) will spend money to patent things

+ ...and typically incentivized to patent everything they can

\* Company (individual) could patent something and grant free license

\* How does individual, non-profit, etc.

+ Create something and protect right to share?

\* Variety of Open-Source/Public Domain licenses

CREATIVE COMMONS

\* Framework and set of licenses for clearly expressing intent

\* Issues

+ Attribution
+ Share-Alike
+ (Non-)commercial
+ (No)Derivatives

\* Apps to choose, logos to show, legal backing to define precisely

\* https://creativecommons.org/share-your-work/licensing-types-examples/

NON-RISCLOSURE AGREEMENT (NRA)

NDA

\* Tool for protecting IP

\* Legal agreement that you won't disclose someone information shared with you

+ Prevent loss of IP

\* Typical for collaborating companies

\* Typical for employers

\* In part to make sure sharing with you doesn't count as "disclosure" to preclude patents

\* Define scope of disclosure

ARMINISTRATIVE INTERLURE: EINAL

FINAL

\* Final Office Hours: (see piazza)

+ Saturday 5/9
+ Sunday 5/10

\* Final: Monday (5/11) Online

+ Regulations posted
+ 15% of grade

+ Comprehensive (intent...does tend to weight 2<sup>nd</sup> half)

+ Last few years final and answers linked to Spring 2018, 2019 syllabus

- Probably mix ideas from first and second half

+ Poll for when you plan to take

- So someone might be awake to answer questions...

**FINAL TOPICS Pre Midterm** Post midterm Combinational Logic Data representation in bits × Finite-State Machines Sounds waves × Sampling Stored-Program Processors × Quantization × Processing Requirements \* Process Virtualization × Nyquist Networking × Lossy/lossless compression × User Interface × Common case × Intellectual Property \* Frequency domain **Psychoacoustics** Perceptual coding

WHO OWNS IP?

(10) Patent No.: US 10,261,794 B2 (45) Date of Patent: Apr. 16, 2019 (12) United States Patent (54) TECHNIQUES FOR METADATA PROCESSING References Cited U.S. PATENT DOCUMENTS (71) Applicant: The Charles Stark Draper Laboratory, Inc., Cambridge, MA (US) 5,201,056 A 4/1993 Daniel et al. 6,298,432 B1 10/2001 Goto (Continued) (72) Inventor: Andre' DeHon, Philadelphia, PA (US) (73) Assignee: The Charles Stark Draper
Laboratory, Inc., Cambridge, MA (US)
WO FOREIGN PATENT DOCUMENTS 2519608 A 4/2015 2010028316 A1 3/2010 (Continued) (\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days. OTHER PUBLICATIONS (21) Appl. No.: 15/695,541 t Dhawan, et al., "PUMP: A Programmable Unit for Metadata cessing. In Proceedings of the 3rd International Workshop on dware and Architectural Support for Security and Privacy", Jun. (22) Filed: Sep. 5, 2017 Prior Publication Data US 2018/0011708 A1 Jan. 11, 2018 Primary Examiner — Sharon S Lynch (74) Attorney, Agent, or Firm — Hamilton, Brook, Smith & Reynolds, P.C. Related U.S. Application Data (60) Division of application No. 15/426,098, filed on Feb. 7, 2017, now Pat. No. 9,785,440, which is a (Continued) ABSTRACT (51) Int. Cl.

5,742,180 United States Patent [19] [11] Patent Number: Apr. 21, 1998 DeHon et al. [45] Date of Patent: Denneau, M.M., "The Yorktown Simulation Engine," *IEEE 19th Design Automation Conference*, pp. 55-59 (1982). Razdam, R., et al., "A High Ferformance Microarchitecture with Hardware-Programmable Functional Units," *Micro-21Proceedings of the 27th Annual International Symposium on Microarchitecture*, San Jose, California, pp. 172–180 (Nov. 30-Dec. 2, 1994). [54] DYNAMICALLY PROGRAMMABLE GATE ARRAY WITH MULTIPLE CONTEXTS [75] Inventors: André DeHon. Cambridge; Thomas F. Knight, Jr., Belmost: Edward Tau. Boston: Michael Bolotski. Somerville; Ian Edick. Cambridge; Derrick Chen, Cambridge; Jeremy Brown, Cambridge, all of Mass. (List continued on next page.) Primary Examiner—Edward P. Westin
Assistant Examiner—Jon Santamaturo
Attorney, Agent, or Firm—Hamilton, Brook, Smith &
Reynolds, P.C. [73] Assignee: Massachusetts Institute of Technology, Cambridge, Mass. [21] Appl. No.: 386,851 ABSTRACT ABSTRACT
An integrated dynamically programmable gate array comprises a two dimensional array of programmable gates, and the state of th [22] Filed: Feb. 10, 1995 ...... H03K 19/177 ...... 326/40; 326/38 ....... 326/38–40, 46 References Cited U.S. PATENT DOCUMENTS

WORK SCENARIOS

\* Hired/paid by company to invent
+ Belongs to company

\* Invent on side on free time
+ ...may depend on employment agreement
+ ...whether or not subject matter overlaps with company

\* Consultant
+ By default yours, but consulting agreement may define

UNIVERSITY

\* Based on grant funds and resources

+ Typically goes to university and funding source
+ Right of first refusal...won't always pursue

\* Undergraduate

+ Invent in class, senior-design → yours

\* Graduate students paid RA from grant
+ Typically funded by grant and go to University

\* Undergraduate paid research (employee)
+ Typically funded by grant and go to University

\* Graduate students in class, using class resources
+ Goes to University

LAB DUE

\* Note: Lab due Today (by midnight)

+ Last day of classes (not have due during reading period)

+ Final office hours now to 8pm

\* Remember Lecture and Lab feedback form

BIG IDEAS

\* We (engineers...particularly in computing space) are knowledge workers, producing IP

\* IP carries great value

+ That is less and less tied to physical objects

\* Need to equitably reward and encourage IP creation

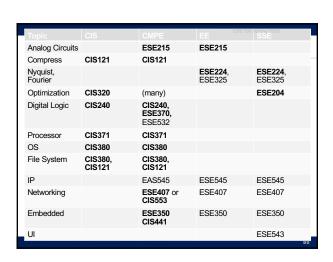
\* Patents, Copyrights, Licenses ...

+ Attempts to provide framework for IP ownership, sharing, monetization

+ ...probably not the final answer, particularly as technology landscape continues to evolve.

LEARN MORE

EAS 507 – IP and Business Law for Engineers
EAS 545 – Engineering Entrepreneurship
Has sections on IP



ESE150 Spring 202

# (NOTES FOR PREVIOUS SLIDE)

- × Bold required
- × Not bold restricted elective
- \* Simplified to fit on one slide
  - + (e.g. should show many more analog circuits courses as restricted-electives for EE)