

SBE TODAY

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Is your Business Idea Patentable? A Guide to What Entrepreneurs Can Patent

By Caron Beesley

Got a great idea for a business? Wondering if you can patent it before someone else comes up with something similar?

Technically, you can't patent an idea for a business – for example, if you have a unique idea for an online store or a new chain of themed restaurants. However, you may be able to protect and patent a method of doing business – if it meets very specific criteria and requirements.

Here's what you need to know about what patent protection can do for your business, and about other intellectual property issues that should also come into play.

What You Can Patent

There are three types of patents you can apply for based on the nature of your invention: utility patents, design patents, or plant (of the green variety) patents.

If you have a business idea that is somewhat abstract, then you may be eligible to apply for a utility patent. A utility patent may be granted to anyone who invents or discovers any new and useful:

- Process
- Machine
- Article of manufacture
- Composition of matter
- Any new and useful improvement of these.

That's a pretty broad bucket of innovation. But the U.S. Patent and Trademark Office (USPTO) is also very specific about the requirements for these patents. Your idea or invention must be:

- Novel
- Non-obvious – meaning anyone else with the same skills in this area could not have come up with the same idea
- Clearly explained and documented so that someone equally skilled could make and use the invention

The Patenting Process

If you are confident your idea falls within the definitions and requirements above, check out the next steps, which will include checking

for previously filed patents, and are described here by the USPTO. If you're not clear whether your idea falls within these boundaries, read USPTO's "How do I Know whether my Invention is Patentable?"

Either way, it's worth taking time to consult with a patent lawyer. If you choose to proceed, be prepared. This can take time and using the services of a patent attorney to help you meet the precise documentation and filing requirements is going to cost you. If you are seeking outside investment and have established that your business idea or invention is patentable, it may be worth rolling the cost of getting legal help into your business plan and seeing if your investors will cover the costs.

Other Ways of Protecting Your Business Idea

Even if your idea isn't patentable, there are still important assets of your business you can protect. For example, web content can be copyrighted. You can also trademark, and should do so if you want to claim and protect your product or business name. Here's a quick overview of these two forms of protection and how to register for them:

Copyright – If your business involves creating original written works, music, or videos, these can be covered by copyright laws. Copyright can be claimed through the U.S. Copyright Office for a small fee. Note that copyright does not protect ideas, concepts, systems, or methods of doing something. While you can express your ideas in writing or drawings and claim copyright in your description, copyright will not protect the idea itself.

Trademark – A trademark is different from a patent because it only protects words, names, symbols, sounds, or colors that distinguish goods and services. Trademarks, unlike patents, can be renewed forever as long as they are being used in commerce. Trademark infringement can carry a high cost for your business. Before you pick a name, use the U.S. Patent and Trademark Office's trademark search tool to see if a similar name, or variations of it, is trademarked. If your chosen name is unclaimed you can then register for the trademark online (for a fee).

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REQUESTS FOR BIDS & SUB-BIDS

All Qualified DBE Subcontractor/Vendor Bids Requested

Caltrans Contract 07-1218W
Rte 5/Empire Avenue in Burbank
For Construction on State Highway (Rte 5)
in Los Angeles County in Burbank from
West Magnolia Blvd Overcrossing to 0.3 mile North
of Buena Vista Street/Winona Ave Undercrossing
Bids October 4, 2012

Description of Work: Aggregate Supply, Architectural Surfacing, Asphalt Paving, Bridge/Road Joint Seals, Cast-in-Drill Holes, Clear and Grub, Concrete Barrier, Concrete Pavement, Concrete Supply, Demolition, Disposal of Contaminated Soil, Dowels, Earthwork, Electrical, Erosion Control, Fence, Grout, Landscaping, Metal Beam Guard Rail, Minor Concrete, Misc. Iron and Steel, MSE Walls, Painting, Pavement Markings, Piling, Potholing, Precast, Precast Prestressed Concrete Panels, Prestressing, Rebar, Signs, Soundwalls, Storm Drainage System, Striping, SWPPP, Tie Bars, Trackwork, Traffic Control, Trucking.

Atkinson Contractors, LP

27422 Portola Parkway, Suite 250
 Foothill Ranch, CA 92610
 Phone: 949-855-9755 • Fax: 949-855-9923
Contact: Jan Bohm

To see plans, specs and addenda go to:
http://www.dot.ca.gov/hq/esc/oe/weekly_ads/project.php?q=07-1218W4

Atkinson will assist in obtaining necessary equipment, supplies, materials or related services. We will split items of work (refer to project specs for full list of bid items) and provide assistance for bonding, LOC and insurance where needed. 100% Performance & Payment Bonds from approved sureties will be required for subcontractors greater than \$100,000. Atkinson will pay the cost of bonds up to 1.5%.

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I-805 North Improvement Design Build Project Caltrans Contract No: 11-2T2004

Current and ongoing procurement opportunities for the I-805 North project are available through Skanska's Procurement website

Please visit:
www.usa.skanska.com/I805North

Bid packages will be posted to the site on a continual basis. Plans, Specs and additional information are also available on the site.

Requests proposals/quotes from all qualified and certified DBE subcontractors, suppliers, and truckers for the following project:

GUADALUPE CORRIDOR –
TPSS REPLACEMENT PROJECT
VTA Contract C12096F / FEDERAL PROJECT/
GRANT FTA CA-05021005
Bids: October 23, 2012 @ 2pm
DBE GOAL – 5%

Demo; Temporary Fences; Traffic Control; CIP Concrete; Portland Cement Concrete; Metal Fabrications; Aggregate Base Concrete; Substation Bldg Foundation; Rebar; Electrical; Communication Equipment; Central Control System Programmable Logic Controllers; Metal Clad & DC Switchgears; Traction Power Transformer; Wire & Cables

Proven Management, Inc.

712 Sansome Street, San Francisco, CA 94111-1704
 Phone: 415-421-9500 • Fax: 415-421-9600

Bonding, insurance, lines of credit and any technical assistance or information related to the plans & specifications & requirements for the work will be made available to interested DBE suppliers, subcontractors & truckers. Assistance with obtaining necessary equipment, supplies, materials, or related assistance or services for this project will also be offered to interested DBE certified business suppliers, subcontractors & truckers.

100% Payment & Performance bonds will be required from a single, Treasury-listed surety company subject to PMI's approval. PMI will pay bond premium up to 1.5%. Subcontractors awarded on any project will be on PMI's standard form for subcontract without any modifications. For questions or assistance required on the above, please call.

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A Joint Venture in Association with LAN I TY Lin

Santa Clara Valley
Transportation Authority
Design-Build Contract DB1102F
Silicon Valley Berryessa Extension
Project C700

Procurement opportunities through Skanska-Shimmick-Herzog will be diverse and ongoing.

Please visit:
www.sshjv-c700.com

frequently to see procurement opportunities and project contacts in the Bid Packages folder. Plans, specs, drawings, etc. can be found on the procurement web site.

EEO

RGW Construction Inc. is seeking all qualified DVBE subcontractors and supplies for the following project:

Alameda County in Livermore, Dublin and Pleasanton from 0.2 Mile East of Greenville Road Overhead to 0.3 Mile West of Hacienda Drive Overcrossing
Caltrans Contract No. 04-2908V4
Engineer Estimate: \$30,000,000
480 Working Days
Bids: October 5, 2012 @ 10:00 AM

Certified DVBE firms are encouraged to provide a quote to RGW for all items of work listed on the bid list, particularly these: AC Dike, Cold Plane, Electrical, Fence, Hydroseeding, Erosion Control, Grinding, Rebar, Sign-Structures, Striping/Markers, Trucking & Sweeper, Soundwall/Masonry Precast, Joint Seal, Concrete Barrier, Concrete Minor, Demolition/Bridge Removal, Fabric and Oils, Metal Beam Guard Rail, Pile Driving, Clear & Grub, Roadside Signs and CIDH Piles.

Scope of Work: Widen freeway, bridges and HMA surfacing

RGW Construction, Inc.

Contractors License A/B 591940
 550 Greenville Road • Livermore, CA 94550
 Phone: 925-606-2400 • Fax: 925-961-1925

Plans and Specs are available to view and copy at our office or the Caltrans website <http://www.dot.ca.gov/hq/esc/oe/>. Contact Derrick Woods 925-606-2400 for any questions, regarding bonding, lines of credit, insurance or material & supplier information. Subcontractors should be prepared to submit payment and performance bonds equal to 100% of their quotation.

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Requesting Sub-bids from Qualified MBE/WBE/Subcontractor/Vendors for:

Department of Water & Power
The City of Los Angeles
Request For Proposal (RFP)
No. 90085
Bid Deadline 10/11/12

Seeking: Medical Bill Review, Preferred Provider Organization Network, Check Writing, eBilling, Utilization Review, Pharmacy Benefits Management, Durable Medical Equipment Ergonomics, and Hearing Loss, Nurse Case Management and Home Health, Radiology Network, Dental Network, Physical Medicine Network Services

GENEX Services, Inc.

888 S. Disneyland Drive, Suite 510
 Anaheim, CA 92802
 800.477.2069 x4107 | 562.897.1515 (mobile)
Contact: Schadel Elizalde, Regional Acct. Executive
schadel.elizalde@genexservices.com

For information on the availability of plans and specifications and the bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit, and/or insurance, please contact our office.

REQUESTS FOR BIDS & SUB-BIDS

SKANSKA

is interested in soliciting in Good Faith all subcontractors as well as certified DBE companies for the following project

**I-215 Widening from 60/91/215 Separation to Orange Show Road
District 8 on I-215**

Contract No.: 08-OM94U4

DBE Goal: 6%

Bid Date: Oct 11, 2012 – 2:00PM

Email: Ham.Kazerooni@skanska.com

Plans and Specifications are available for view at our main office in Riverside, on our project website: www.usa.skanska.com/I215HOVWidening

Quotes requested for supplies and services including, but not limited to: Biological Monitor, Construction Site Management, Storm Water Pollution Plan, Street Sweeping, Construction Area Signs, Traffic Control System, Flashing Area Sign, Type III Barricade, Fencing, Erosion Control, Portable Delineator, Temporary Pavement Marking, Temporary Traffic Stripe, Channelizer, Temporary Railing, Portable Changeable Message Signs, Temporary Crash Cushion Module, Metal Beam Guard Railing, Roadside Signs, Abandon Culvert, Cold Place Concrete Pavement, Remove Concrete (Structure), Concrete Barrier, Bridge Removal, Clearing and Grubbing, Roadway Excavation, Develop Water Supply, Structure Excavation, Structure Excavation (Bridge), Structure Excavation (Retaining Wall), Structure Backfill, Sand Backfill, Rock Blanket, Erosion Control, Fiber Rolls, Corrugated Steel Pipe Conduit, Class 2 Aggregate Base, Lean Concrete Base, Hot Mix Asphalt, Place Hot Mix Asphalt Dike, Tack Coat, Concrete Pavement, Seal Pavement Joining, Furnish & Drive Steel Pile, CIDH Concrete Piling, Prestressing CID Concrete, Ballast, Structural Concrete (Bridge), Structural Concrete (Retaining Wall), Class 1 Concrete (Box Culvert), Minor Concrete, Soundwall Barrier, PTFE Bearing, Joint Seal Assembly, Joint Seal, Bar Reinforcing Steel (Bridge), Bar Reinforcing Steel (Retaining Wall), Furnish Sign Structure, Install Sign Structure, Furnish Laminated Panel, Furnish Single Sheet Aluminum Sign, Metal (Barrier Mounted Sign) Roadside Sign, Install Sign, Alternative Pipe Culvert, Reinforced Concrete Pipe, Plastic Pipe, Corrugated Steel Pipe, Welded Steel Pipe Casing, Alternative Flared End Section, Precast Concrete Pipe, Rock Slope Protection, Slope Paving, Minor Concrete, Rock Slope Protection Fabric, Miscellaneous Metal, Miscellaneous Iron and Steel, Bridge Deck Drainage System, Wrought Iron Fence, Chain Link Fence, Survey Monument, Chain Link Railing, Pipe Handrail, Tubular Handrail, Concrete Barrier, Cable Railing, Transition Railing, Terminal System, Crash Cushion, Concrete Barrier, Thermoplastic Pavement Marking, Thermoplastic Traffic Stripe, Paint Traffic Stripe, Pavement Marker, Signal & Lighting, Lighting & Sign Illumination, Interconnection Conduit & Cable, Fiber Optic Conduit, Electric Service (Irrigation, Traffic Monitoring Station) Closed Circuit TV System, Ramp Metering System

All interested subcontractors: Please call if we can assist you in obtaining bonding, lines of credit, insurance, necessary equipment, materials and/or supplies. Please indicate all lower tier DBE participation offered on your quotation as it will be evaluated with your price. In order to assist DBE subcontractors and suppliers, we will divide total requirements into smaller packages, tasks or quantities and establish delivery and construction schedules which will permit maximum participation when feasible. Please visit our website listed above for detailed contracting requirements. Quotations must be valid for the same duration as specified by the Owner for contract award.

Skanska is an Equal Opportunity Employer

Skanska Estimating Dept: 1995 Agua Mansa Rd, Riverside, CA 92509

Ph: (951) 684-5360 • Fax: (951) 788-2449

REQUEST FOR SUB BIDS FOR
QUALIFIED DGS CERTIFIED SMALL BUSINESSES AND MICRO BUSINESS
SUBCONTRACTORS AND SUPPLIERS FOR THE FOLLOWING PROJECT:

**Upper Guadalupe River Reach 7 Building Demolition and Soil Remediation at Willow Street and
LeLong Strong**

Owner: Santa Clara Valley Water District

Bid Date: 10/10/12

DGS Certified Small Business and Micro Business Wanted For The
Following Items But Not Limited To: Soil Remediation, Trucking, Tank Removal

Please contact Paul Verga for additional information (plans, specs, etc.)

Ferma Corporation

1265 Montecito Avenue, Suite 200 • Mountain View, CA 94043

Phone: 650-961-2742 • Fax: 650-968-3945

Attention: Paul Verga • Email: pverga@fermacorp.com

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SUB-BIDS REQUESTED FROM
QUALIFIED SBE
SUBCONTRACTORS & SUPPLIERS:

**Project: Phase 2A Alignment –
Pasadena to Azusa, Design-Build Project**

Owner: Metro Gold Line Foothill Extension Construction Authority

Quotes requested for supplies and services including, but not limited to: Drilling of Overhead Communication System (OCS) light pole foundations and Cast-In-Drilled Hole (CIDH) foundations, Asphalt Paving, Fencing, Concrete for Maintenance & Operations (M&O) Facility, and Waterproofing for M&O Facility.

All responsive subcontractors must possess a valid California contractor's license and provide acceptable insurance. Responsible subcontractors are expected to provide bonding for 100% (if required) of their contract. Foothill Transit Constructors will reimburse bond premiums. Firms performing onsite labor must be signatory to the appropriate union labor agreement governing their onsite work.

Foothill Transit Constructors intends to conduct itself in good faith with all SBEs and all other business enterprises regarding participation on this project. For further information or questions regarding subcontracting opportunities and to receive a bid package, or to discuss requirements of the contract, licensing, project scheduling, insurance or bonding, please contact our project office:



1300 West Optical Drive, Suite 500, Azusa, CA 91702

*** Phone: (626) 610-0300 *** Fax: (562) 206-0630

Contact: **Son Tran**, SBE Coordinator

Email: son.tran@kiewit.com

Requesting Sub-bids from Qualified
DBE Subcontractor/Suppliers for:

**LACMTA Lightrail Crenshaw/
LAX Transit Corridor RFP**

Project No. C0988

Bid Date: 11/20/2012

Respond By: 10/8/2012

URS • Dragados • Flatiron

Design-Build Team

915 Wilshire Boulevard, Suit 700

Los Angeles, CA 90017-3437

Phone: 213-996-2200

Contact: Dr Giovanna Brasfield

This is a request for potential subcontractors to register with the design/ build team to receive a bid package.

Register at

<http://www.wgint.com/CrenshawCorridor/opportunities.php>

by completing the form and submitting on line

PUBLIC LEGAL ADVERTISEMENTS



CITY & COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

Contract No. 1936J
(ID No. FCE13025)

PAVEMENT RENOVATION, STREETScape, AND WATER MAIN INSTALLATION - GREAT HIGHWAY AND POINT LOBOS AVENUE

Sealed bids will be received at 875 Stevenson Street, Rm. 420, San Francisco, CA 94103 until **2:30 p.m. on October 17, 2012**, after which they will be publicly opened & read. Digital files of Bid Documents may be downloaded at no cost from the Department of Public Works (DPW) Electronic Bid Documents download site at <http://bsm.sfdpw.org/contractadmin>, or purchased on a CD format from 875 Stevenson St., Rm. 420, San Francisco, California 94103, telephone 415-554-6229, for a non-refundable \$15.00 fee paid by cash or check to "Department of Public Works".

Addenda & other bid changes will be distributed by email only to plan holders with email addresses, & will

be posted on the Bids and Contracts page at the City's Office of Contract Administration website address:

<http://mission.sfgov.org/OCABidPublication/>

The Work to be done is along the Great Highway and Point Lobos Avenue & consists of demolition, pavement renovation, landscaping & irrigation work, water main installation work, & sewer and drainage work, & all other related work. The time allowed for completion is 270 consecutive calendar days. The Engineer's estimate is in excess of \$5,750,000. For more information, contact the Project Manager, Ramon Kong at 415-554-8280.

Pursuant to San Francisco Administrative Code (SFAC) Section 6.25, "Clean Construction" is required for the performance of all work.

The Specifications include liquidated damages. Contract will be on a Unit Price basis. Progressive payments will be made.

Bid discounts may be applied as per SFAC Chapter 14B. Subcontracting goal is **25% LBE**. Call Selormey Dzikunu at 415-558-4059 for details. In accordance with SFAC Chapter 14B requirements, all bidders, except those who meet the exception noted below, shall submit documented good faith efforts with their bids and must achieve 80 out of 100 points to be deemed responsive. Bidders will receive 15 points for attending the pre-bid conference. Refer to HRC Form 2B for more details. Exception: Bidders who demonstrate that their total LBE participation exceeds the above subcontracting goal by 35% will not be required to meet the good faith efforts requirements.

A pre-bid conference will be held on **October 3, 2012, 1:30pm** at 1680 Mission St., 3rd Floor.

For information on the City's Surety Bond Program, call Jennifer Elmore at (415) 217-6578.

A corporate surety bond or certified check for ten percent (10%) of the amount bid must accompany each bid. SFAC Sec. 6.22(A) requires all construction contracts awarded by the City and County of San Francisco to include performance and payment bonds for 100% of the contract award.

Class "A" license required to bid.

In accordance with San Francisco Administrative Code Chapter 6, no bid is accepted and no contract in excess of \$400,000 is awarded by the City and County of San Francisco until such time as the Mayor or the Mayor's designee approves the contract for award, and the Director of Public Works then issues an order of award. Pursuant to Charter Section 3.105, all contract awards are subject to certification by the Controller as to the availability of funds.

Minimum wage rates for this project must comply with the current General Prevailing Wage as determined by the State Department of Industrial Relations. Minimum wage rates other than applicable to General Prevailing Wage must comply with SFAC Chapter 12P, Minimum Compensation Ordinance.

Right reserved to reject any or all bids & waive any minor irregularities.

9/27/12

CNS-2382401#

SMALL BUSINESS EXCHANGE



CITY & COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

REQUEST FOR QUALIFICATIONS APC13036 -

AS-NEEDED ARCHITECTURAL SERVICES

Building Design and Construction (BDC), Department of Public Works (DPW), City and County of San Francisco (City) announces a Request for Qualifications (RFQ) for the provision of architectural services on an as-needed basis for public building projects, including, but not limited to renovation, relocation, adaptive re-use of existing facilities, modifications to life safety systems and other infrastructure, and new facilities.

Proposals will be received at 30 Van Ness Avenue, Suite 4100, 4th Floor, San Francisco, California 94102 until **2:30 P.M. Pacific Time, November 15, 2012**. Consultants shall submit proposals as required in the RFQ package. Late submittals will not be considered. Digital files of the RFQ Package may be downloaded at no cost at <https://stgint.sfdpw.org/biddocs>. Please visit the DPW's Contracts, Bid Opportunities and Payments webpage at www.sfdpw.org for more information. Notices regarding Addenda and other proposal changes will be distributed by email to Plan Holders.

Building Design and Construction is seeking to engage four (4) architectural firms and/or joint venture teams to be selected through this RFQ. The product of this RFQ and the selection process will be a Master Agreement (Contract) with each selected firm or team. Each Contract will have a

five-year term. Individual Contract Service Orders (CSO) must be certified for services on specific projects during the first three years of the five-year contract. The final two years of the contract term may be used for completion of services certified during the first three years. The aggregate fee cap for all As-Needed Contracts is \$4,000,000; the fee cap for each Contract will be \$1,000,000. Higher ranked firms may be awarded a higher fee cap than lower ranked firms. Work will be distributed based on the best match of qualifications and expertise to particular projects, and the firms' past performance on City projects, at the discretion of the City.

As-Needed services will include, in general, the full range of professional architectural planning and design services including services of sub-consultants, typically required for architectural projects in the public sector. Core Disciplines required to be included in each proposal are as follows: Architectural (Prime Consultant), Structural, Electrical, Mechanical and Plumbing Engineering, Resource Efficiency, and Cost Estimation. Larger and more complex projects may require additional subconsultants, as described within the RFQ. Services requested under the as-needed contract may include one or more of the following: condition assessments, feasibility studies, architectural programming, design, construction documents on CAD, construction administration, cost estimation, scheduling, ADA compliance, historic preservation, and LEED Certification, as well as associated engineering and/or consulting services such as geotechnical, civil, structural, electrical, mechanical, elevator, fire protection, code compliance, waterproofing, roofing, landscape architecture, and facilities' furnishings/ interior design.

Rating bonuses will be applied as per San Francisco Administrative Code Chapter 14B. Certified

Local Business Enterprise (LBE) firms are encouraged to submit proposals. The LBE Subconsultant participation goal is **20%**. Call Selormey Dzikunu at 415-558-4059 for details. In accordance with Chapter 14B requirements, all Proposers, except those who meet the exception noted below, shall submit documented good faith efforts with their proposals and must achieve 80 out of 100 points to be deemed responsive. Proposers will receive 15 points for attending the pre-proposal conference. Refer to HRC Form 2B for more details. Exception: Proposers who demonstrate that their total LBE participation exceeds the above subcontracting goal by 35% will not be required to meet the good faith efforts requirements.

A pre-proposal meeting will be held on **October 11, 2012 at 3:30 P.M.** at the Building Design and Construction, Main Conference Room, 30 Van Ness Avenue, 4th Floor, San Francisco, California 94102.

Questions regarding the RFQ must be submitted no later than 5 business days before the RFQ due date, by email to the Contract Manager, Robert Nist, at: Robert.Nist@sfdpw.org.

In accordance with San Francisco Administrative Code Chapter 6, no proposal is accepted and no contract in excess of \$400,000 is awarded by the City and County of San Francisco until such time as (a) the Mayor or the Mayor's designee approves the contract for award and (b) the Director of Public Works then issues an order of award. Pursuant to Charter Section 3.105, all contract awards are subject to certification by the Controller as to the availability of funds.

9/27/12

CNS-2384394#

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