

Class Starters & Enders

Making the Most of Instructional Time Five Minute Lessons

Class Starters and Enders help utilize the last minutes of class when a lesson ends but there is not enough time to start another, or for an interest approach at the beginning of class. Mini-lessons correlate to GPS in the programs areas below.

Copycat-Proof Your Product

Program Areas: Marketing

Instructions: Read the material and make notes of important points, answer questions, and be ready to discuss this topic.

We've all seen the commercials for the Snuggie, advertised heavily in **infomercials** as "the blanket with sleeves." The Snuggie, however, is a **copycat** of a previously invented product called the Slanket. The Slanket was produced by Gary Clegg and Allstar Productions Group. The Snuggie, promoted in commercials and **endorsed** by celebrities such as Oprah Winfrey and Ellen DeGeneres, has been admitted to being an unoriginal idea.

A similar situation occurred with products called FootzyRolls. FootzyRolls are flat shoes that roll up and fit in most purses. Sarah and Jennifer Caplan, co-founders of the brand, now spend much of their time reinventing the product – giving it new colors and styles. This is because, like the company that stole the idea for the Slanket and made the Snuggie, a big-name brand copied the FootzyRolls idea

and **marketed** them as Dr. Scholl's First Flats. Dr. Scholl's marketed First Flats as the easy alternative to high-heels for a night out.

One way companies can avoid having their product ideas stolen is to **patent** the product. Patenting is giving exclusive rights granted by a national government to an inventor for a limited period of time in exchange for **public disclosure** of an invention. Ways to get patents depend on the country, but typically a patent application includes **claims** defining the invention is new, non-obvious, and useful or industrially applicable. Essentially, a patent is the right to prevent others from making, using, selling, or distributed the patented product or information without permission.

Patenting is not a complete **safeguard** – if a company likes an idea and can change it enough so that it does not fall under the original patent they can sell it – but it can help. The cost of filing a patent is \$1,000 although small businesses and individuals are eligible for a 50 percent discount. Firms also need to hire legal help in filing the patent which can cost \$5,000 and up.

Having the protection of a patent is great, but it needs to be monitored. If others **infringed** upon a company's patent, the company needs to send out a **cease and desist letter** or file a **lawsuit**. Even then there is no fail-safe way for the company to protect the product. The company should avoid divulging information about the product without making people sign a **non-disclosure form**, and should try to stay ahead of its competition by continually reinventing the product.

Review Questions

1. What is the Snuggie a copycat of?
2. How was the Snuggie marketed?
3. What company is the main competitor of FootzyRolls?
4. How can companies avoid having their product ideas stolen?
5. What does a patent application typically include?
6. What is a patent the right to do?
7. How much does it cost to file a patent?
8. If a company infringes on a patent, what should the inventor do?
9. How can a company stay ahead of its competition?



The idea for a blanket with sleeves was first created as the Slanket. However, because the Slanket was not patented, another company copied the idea and marketed the Snuggie.

Language Connection

Define the following terms.

Cease and Desist Letter	Marketed
Claims	Non-Disclosure Form
Copycat	Patent
Endorsed	Public Disclosure
Infomercials	Safeguard
Infringed	
Lawsuit	

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