

Questionnaire for the author

Since this document is solely intended
for authors of creations, inventions and innovations,
please identify yourself below,
prior to answering USD-System's personalized questionnaire,

Feel free to answer every question!
You are not required to disclose any of your secrets

Name..... Given name.....

Date of birth day..... / month..... / year..... Profession.....

Nationality..... Address: (Street n° / ave / Blvd / other)

City..... Prov. or State.....

Country of residence..... Postal code.....

Telephone..... Email.....

Are you a designer, an inventor or a creator?

~ Check the boxes that match your situation ~

1st Question: Do you think that your original idea results from your imagination and/or intelligence?

YES NO

2nd Question: In order to put your original idea into concrete form, which physical medium did you use: paper, computer program, etc?

YES NO

3rd Question: Did you find a technical and/or technological process that allows your creative idea to be used and/or did you find a method that allows your service to be used?

YES NO

4th Question: Did you respect the criteria of literary art when you described your process and/or service?

YES NO

Consequences

If you answered " YES " to the 1st question, you are aDesigner

If you answered " YES " to the 2nd question, you are a Creator

If you answered " YES " to the 3rd question, you are an Inventor

If you answered " NO " to the 4th question, you are not the..... Author
of a literary and/or artistic work

In which case, your creative idea can not benefit from the copyright act

Copyright is free: it provides solely to the owner of a creative literary and/or artistic work
(also called a *Work of the Mind*) the exclusive rights to produce and reproduce © such work for commercial purposes, for his entire life-time + 50 to 70 years after his death.

Additional questions

Do you want to have free of charge the world-wide exclusive right to produce and reproduce your creative work?

YES

NO

You must become the world-wide owner of your creative idea. Is that what you want?

OUI

NON

In this case, purchase your literary and/or artistic book and enjoy such ownership.

Do you want more information concerning the Intellectual Passport CB Omnibus ?

YES

NO

**If you answered " YES " to the last question,
continue with the questionnaire**

* For further information concerning the meaning of the words used in this questionnaire, please refer to the chapter: " **Literal definition of the words** " at the end of the present text.

Please specify the discipline that best suits your creative concept

Comment: *If your creative concept applies to more than one discipline, please check the appropriate boxes below*

- Biology applied to agriculture, science and industry
- Horticulture and forestry, gardening and lanscape design
- Energy from any source and of all kinds
- Chemistry applied to industry, agriculture, science and photography
- Pharmaceutical, veterinary medecine, hygiene and food science
- Alcoholic and mineral beverages
- Aeronautics and space navigation
- Research and development
- Metallurgy/smelting, metal construction, furniture, buildings and others
- Mecanics, machinery and tools, electrical and electronic units
- Scientific instruments and tools, recording equipment, digital and computer equipment
- Surgical, medical and orthopedic instruments and tools
- Non-metal materials, furniture, buildings and works of art
- Fire arms and pyrotechnics
- Jewellery, kitchen utensils, household appliance and dishes
- Musical and any other instruments, and all kinds of products for artists
- The textile industries, clothings and decorative products and services
- Education, teaching, sport and entertainment
- Games and toys
- Advertising, marketing, management, administration and the like *bureaux*
- Civil engineering, cleaning and maintenance
- Law, insurance and finance
- Telecommunication, service and supply
- Transport of all kinds
- Restaurants, hotels, lodgings/apartments and medical services
- Security/safety of all kinds

Time is money! If you wait too long, you could lose your market share! ...

Indicate your actual condition

Reminder: If you have a patent, an industrial design or a trademark, you are the holder of a payable title for a determined period on a defined territory. If you are the author of an original literary and/or artistic work, you are the indisputable world owner of your work. The resulting Copyright (*Author's Rights*) is free, as well as valid for life and several decades after your passing.

1 – You never registered a title or a copyright: for your own safety, obtain as soon as possible your book (*you may adapt it as your idea becomes a tangible and growing product or service*) and conquer your share of the market with the means, both legal and business-wise, to claim worldwide property!

2 – You already hold a national title of commercial monopolistic exploitation (*utility, design or plant patent, etc...*): obtain your book as soon as possible in order to claim worldwide ownership!

3 – You already hold an international title: if there are still some Nations where you might want to register a title, obtain your book and thus enjoy worldwide property!

4 – You already hold copyright on a software: this specific copyright is subject to restrictions that limit the use of literary and artistic copyright; further, this restrictive copyright does not provide you with the means to commercially exploit your idea (*i.e. business forecast and contracts*). You must therefore obtain your book in order to enjoy greater safety!

5 – You already hold a copyright © or ISBN number granting a so-called copyright on a methodology, a rule of a game, a craftsman's tricks of the trade, a recipe, etc...: Always bear in mind that it is not the copyright or ISBN number that provides you with a true (*i.e. literary and artistic*) copyright. Only a true Work of the Mind can provide such copyright. The copyright or ISBN number only serves to certify the date of registration and record that the work exists. If you have nothing else than these administrative registrations, a third party with sufficient means might be able to prove before a court of law that the description of your concept and its related business strategy do not meet the criteria governing the art in question. In this case, obtain your book in order to prevent such an unfortunate outcome!

Comment: Since one cannot logically describe an original idea without including an adequate graphic representation, three cases are possible:

1st case: You never registered a title: Include your graphic work in your book and thus conquer your share of the market by enjoying worldwide property!

2nd case: You hold a national registered drawing (*design patent or other*):
Obtain your book in order to enjoy worldwide property!

3rd case: You hold an international registered drawing:
Obtain your book in order to have all the means required for worldwide exploitation!

Comment: Whichever case applies to your present situation, always bear in mind that a registered drawing (*which discloses your secrets*) is temporary and has limited applicability! Only an original and truly artistic drawing ~ *as with an original and strictly literary text* ~ provides the author with worldwide and permanent intellectual property..

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Defining key words literally

Design: v. tr. [imp. & p. p. {Designed}{p. pr. & vb. n. {Designing} [F. D[e]signer to designate, cf. F. dessiner to draw, dessin drawing, dessein a plan or scheme; all, ultimately, from L. designare to designate; de- + signare to mark, mark out, signum mark, sign. See {Sign}, and cf. {Design}, n. {Designate}.. make or work out a plan for; design a new sales strategy; conceive or fashion in the mind...

Design: n (cf Dessin, Dessein)... The creation of something in the mind ...

Comment: *As long as it is not put into concrete form onto a physical medium, the concept belongs to the realm of ideas and no one can claim it as his own... As soon as the concept is put into concrete form onto a physical medium (paper or any other), it belongs to the realm of creation and the author can claim it as his own, provided his creative idea is described in a literary or artistic work.*

Invent: v. t. [L. inventus, p. p. of invenire to come upon, to find, invent;] 1. : to search out or come upon... to come up with (an idea, plan, explanation, theory, or principle) after a mental effort, "excogitate a way to measure the speed of light"... **Comment:** finding something that already exists in the absolute or the collective thought, and which no one had previously found... **According to the international criteria of patentability:** finding an original technical process **that can be industrialised** and: **a)** allows to commercially exploit a concept or **b)** provides a new means of manufacturing a product that already exists, and **c)** which the presumed author claims as a precedence.*

Invention : n. [L. inventio: cf. F. invention See {Invent}.]: an act of finding or of finding out (Syn. discovery)... **Comment:** a person who finds a prehistoric cave or a treasure comes up with a discovery, i.e. an invention. **According to the criteria of patentability:** finding a new technical process **that can be industrialised**.*

Comment: *Prior to actually making the invention (patentable or unpatentable), the author begins by putting it into concrete form onto some physical medium (e.g. paper or other)... From that moment, prior to any further modification, he performs a creative act; he can always claim this creative act, as long as it is literary or artistic.*

Create: v. [L. creatus, p. p. of creare to create) make or cause to be or to become; {syn. make}}
2: bring into existence; to make out of nothing and for the first time.

Creation: n. (Latin creatio): n 1: the human act of creating [syn: {creative activity}] ... something that is created... an original work of art or of the imagination.

Comment: *Once the terms conceptual design, invention and creation are clearly understood, there is no doubt that a conceptual designer (inevitably) puts his creative concept into concrete form onto a physical medium in order to actualize it; likewise, an inventor follows the same path: namely, he begins by creating a concept and thereafter he fine-tunes the initial concept technically (whether or not the end result can be industrialised)... Only through this sequential order can one prove the precedence of an original idea, hence the precedence of the invention resulting therefrom. When the inventor includes the description of his invention in a literary and/or artistic work ~ i.e. a Work of the Mind ~ his invention definitively becomes a creation, and as its author he can claim rightful and legal ownership.*

Work of the Mind: From **work** *n.* [OE. *work, werk, weorc*, AS. *weorc, worc*; akin to OFries. *werk, wirk*, OS., D., & G. *werk*, OHG. *werc, werah*, Icel. & Sw. *verk*, Dan. *v[æ]rk*, Goth. *gawa* [ʰu]rki, Gr. *'e`rgon*, [digamma]e`rgon, *work*, "re`zein to do, 'o`rganon an instrument, 'o`rrgia secret rites, Zend *verez to work*]; 1: something produced by the exercise of creative talent or expenditure of creative effort; "*The symphony was hailed as an ingenious work*"; "*he was indebted to the pioneering work of John Dewey*"; "*the work of an active imagination*"; Comment: In the realm of intellectual property, Works of the Mind are classified as creative works of art (*figurative, even ornamental, or abstract*) that are creative and literary and/or artistic. An excellent artist who copies other works (*e.g. a plagiarist*) does not create. A work of art that does is not creative is not a Work of the Mind since it does not emanate from creative intuition... Moreover, in order to provide its author with a non-transferable property resulting in exclusive rights "copyrights", such a work must, in order to be understood, be created according to the specific techniques and rules that govern a given art, notably in the realm of literary or musical writing. The same principle applies to graphic art. Merely writing sentences or drawing shapes is therefore insufficient to establish an author's work as a work of art, let alone a **Work of the Mind**.

Comment: *A Work of the Mind is the property of its author by the mere fact that he created it. It is free and, even unregistered; the resulting copyrights are legally valid. Nevertheless, in order to officialise the date of its creation, the author may register his work either at a government institute or at a law firm, or even at some other duly mandated organisation. In case a conflict arises with third parties regarding the identity of the author and/or the exact date when the work was created, evidence proving authorship and/or the date of creation is vital for the author's case before a court of law. In order to claim the copyrights inherent in the ownership of a Work of the Mind, the inventor or originator should therefore put his innovative concept into concrete form onto a physical medium according to the criteria, rules and techniques governing literary and artistic art.*

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* In most English dictionaries, notably Webster's Dictionary, there is a tendency to confuse *inventing* with *creating*, thus misleading the reader into thinking that one can actually "*invent*" a new idea. If one consults the Latin roots, it becomes clear that *invents* means to find, find out or discover, i.e. something that already exists. A new idea performe is a creation.