

## Military OneSource Podcast — Entrepreneurship Resources Part 1: A Discussion With the U.S. Patents and Trademark Office

### **Episode transcript**

#### **Intro voiceover:**

Welcome to the Military OneSource podcast. Military OneSource is an official program of the Defense Department with tools, information and resources to help families navigate all aspects of military life. For more information, visit [militaryonesource.mil](http://militaryonesource.mil).

#### **Bruce Moody:**

Welcome to the podcast. I'm Bruce Moody. We are pleased to have with us today Kathi Vidal, undersecretary of commerce for intellectual property and director of the United States Patent and Trademark Office. Ma'am, welcome to the podcast.

#### **Kathi Vidal:**

Thank you. It's a pleasure to be here.

#### **Bruce Moody:**

We're just so happy to have you with us. This is going to be a really interesting discussion. Let's just begin by learning a little bit about yourself and where you work. Also, add in there if you would, your connection to the military.

#### **Kathi Vidal:**

I'm happy to do so and I'm so thrilled to be here. I will say that I just have such an affinity for the military and those who serve. Bruce, I want to thank you for your service. Like you, my dad was a 20-year Navy veteran. I grew up in a military family all over the world, including in the Azores islands off the coast of Portugal, Germany, Panama and multiple bases in the United States as well.

And so I know some of the things that folks in the military have to deal with. I know about the issues with military spouses moving from base to base, trying to maintain a job.

And so everything that we do as an agency is work that can actually impact Navy veterans as people move from the military, military spouses, to help them be entrepreneurs and come up with innovations and create businesses outside of the traditional role of businesses that don't move with you when you move from place to place.

**Bruce Moody:**

This is very interesting. As we were preparing for this podcast, I would say, "Oh, we're working with the U.S. Patent and Trademark Office." And people were saying, "Why?" And this is really interesting, and I'm so glad that we're having this conversation. So please give for us a brief overview of what the U.S. Patent and Trademark Office does.

**Kathi Vidal:**

So one of the things that people refer to us as is America's Innovation Agency. And that sounds a little bit more accessible than the Patent and Trademark Office. I will say that I think you could almost also call us America's Entrepreneurship Agency. So we are one of the agencies within the U.S. government that's really here to support people who have ideas and want to bring them to reality.

People who have ideas for starting a business and want to know how to go about it. We're not the only agency in U.S. government that does that, but we're one of the places where you can intersect with us first, you can talk to us, and we'll make sure that we bring all of our resources to you, as well as connecting you up with other parts of government.

So to step back a little bit, what we do is we issue U.S. patents on ideas you may have to protect your innovations. And we also register U.S. trademarks. And so both of those are tools to protecting your ideas, your brands so that you can bring products to market and start businesses.

**Bruce Moody:**

Got it. OK. So then why should the military community know about the work that you do?

**Kathi Vidal:**

The military community should know about it for a couple reasons. One, as I mentioned before, for military spouses, I know how hard it is when you go from station to station. The average time that somebody's at a base is about two and a half years. It's hard to have a traditional career path.

And so our agency, you should know about us for two reasons. One, we hire from the military and we're mostly remote. So we hire military spouses, we hire veterans. And most of those jobs are remote, so if you are moving from base to base. But in terms of our core competencies, we can help you establish a company, create a startup, figure out how to monetize your inventions so you can have more of a less traditional career path.

And I will say that the statistics are fascinating. So U.S. veterans own nearly 2 million businesses in the United States. And military spouses own about 26,000. And the reason for this is that being in the military or being a military spouse, you actually develop the exact skills that you need to be an entrepreneur. You're facile. You know how to adapt to new environments. You know how to jump from job to job and take on different tasks.

So we're really the agency that can help you harness all those great skills that you earned in the military or as a military spouse, and put it to really great use as an entrepreneur or innovator.

**Bruce Moody:**

What are some of the common ways that anyone in the U.S. can interact with your office?

**Kathi Vidal:**

Oh, there's so many ways to interact with us. First of all, we offer a lot of programming that's targeted directly to the military. We have a military entrepreneurship program. We are doing road shows around the country and overseas. So those are great ways to tap into our resources. I will say that even when we do the road shows, whether it's the work we did at Hanscom Air Force Base or Fort Campbell or Rota, Spain, we also provide those remotely so that everybody can benefit from them.

And then in addition to that, we also have resources that are available generally when it comes to learning about patents, learning about trademarks so that you can familiarize yourself with our resources and figure out how you can use our resources to start a business. And I'll also say you're welcome to contact us directly.

I know sometimes this can seem a little bit overwhelming if you're just trying to figure out where do I start? Feel free to email me directly at [director@uspto.gov](mailto:director@uspto.gov) or you can use our military email box at [militaryoutreach@uspto.gov](mailto:militaryoutreach@uspto.gov). We've got so many resources, and we're really here to help.

**Bruce Moody:**

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Wonderful. There are a lot of resources and there's a lot to learn. We're actually working on another podcast episode with a member of your team, where we get deep in the weeds about trademarks and patents and all of that. But could you, for this conversation, give us a little bit about what's a trademark and what is not?

**Kathi Vidal:**

Really good question. So first of all, I will say that we get those questions all the time from everyone. So it's a really smart question. And as a result of that, one of the things that we've developed is something called an IP, which is intellectual property identifier. So if you're wondering what is a trademark? Do I need one? What's a patent? What are other forms of IP? We actually have a tool on our website you can use to figure that out.

But just to step back a bit, a trademark is really something that identifies what you're offering, whether it's a good or service. So you can think about when you go online shopping, everything that you buy has a trademark affiliated with it. It has a name, sometimes it has a logo so that you know exactly what you're purchasing.

So that's what a trademark is. It's any word, phrase, symbol, design. It can even be a scent or a color. You can imagine if you go to purchase jewelry, there may be a certain color that reminds you of a certain maker. And so when it comes to trademarks, it's anything like that that identifies your goods or services. Now, some things you cannot trademark. And so this is information that when you go deeper in our next session and when you connect with our resources, we will certainly explain all of this to you. But we don't trademark things that would cause confusion.

So what we want to make sure is that trademarks really indicate the source of the goods and indicate what your business is about. We don't want somebody to get another trademark that's too close to that one so that people get confused and they're not sure who they're shopping with.

We also don't trademark generic names. So if you started a computer company and you called it Computer Company, we wouldn't trademark that because it doesn't really differentiate you from anybody else. And then certainly surnames are a little bit challenging as well. So I will say that to get a good idea of the trademark, just think about all the great brands that you purchase from. Think about what you buy for your kitchen, and are there certain brands that come to mind? Those are what trademarks are.

And it's so important that you file with us for your trademark because we offer a federal trademark that applies across the entire United States. And by filing with us, first of all, you would check to make sure that nobody else already owns that. The last thing you want to do is start a business, come up with a really clever name, put a whole lot of money into it, a lot of investment, your sweat and tears, and then you later come to us and we say, "Oh, I'm sorry, somebody already has that. You're going to have to pick a different name." So that's what we're here for.

**Bruce Moody:**

What would be some examples of popular industries that people have registered trademarks for?

**Kathi Vidal:**

First of all, I would say every industry is popular when it comes to trademarks, but there are certain ones that really stand out to me. I would say technology is a big one. So if you think about the technology you purchase, whether it's your phone or your computer or your television, you probably know what brand it is. Also cosmetics, that's one where most people gravitate to certain brands, they have good success with them. Maybe they're buying a new type of cosmetic, but they go to the brands that they know the best, that they feel really represent what they're looking for in a product.

And clothing as well. I mean, sometimes people identify by the clothing they wear, and certainly they're attracted to certain brands. But I will say overall, everybody needs trademarks. DOD has its own trademarks. USPTO has trademarks. It's just really important to make sure that people know when they're buying the real thing.

**Bruce Moody:**

Got it. So how does a trademark differ from a patent?

**Kathi Vidal:**

Good question. And again, let me plug our IP identifier, because it's a place you can go and answer questions about what you're envisioning for your business or your idea. And it can help direct you to whether you need a patent or trademark or other forms of intellectual property.

So on the trademark side, as I mentioned, that's really about your brand. What's the source of the products? And that's really to prevent people from ripping you off down the line.

So for example, I represented in my private life before I came into this role, a company that once they started to get successful, they had people from overseas starting to use their same coloring of their packaging, their same name. So they were able to stop that because they had a trademark.

Now, patents are completely different. Patents are really about protecting your idea. So if you have an idea for formulation for soap or for some sort of a gadget that can help

around the house. Those are things, those are ideas, technological in some way, they don't have to be overly technical, where you could actually apply for a U.S. patent. And that protects the actual idea.

So for example, the company that I dealt with were making certain types of bedding. And they had the trademark on the bedding, the color of the packaging, the trade dress, what it looked like, the brand. But they also had a patent on the way they actually designed the bedding, the actual stitching on it and the design of the bedding. So that's more of a patentable idea.

**Bruce Moody:**

This is really interesting. I think that entrepreneurs have a special gene inside of them that make them just gravitate toward all of this. And I know this exists within the military spouse community. So I wonder if you could share with us a couple of success stories of military spouses who have registered a trademark.

**Kathi Vidal:**

Well, and I think you nailed it, Bruce, that it's really about the gene. And I do think that that comes in spades when it comes to the military. I will say when we go base to base; we've been to 10 bases already. It's not just the military spouses, it's people in the military themselves who have great ideas outside of the military. Obviously if it's within the military, they've got to talk to the military about that idea. But it's everybody within the military because you're coming into new environments, you're thinking about ideas, you're thinking about solutions, and they can be big or small. All of those are protectable.

And if it's something people haven't done before, if there's a market need for it, it's easy to start a business. And that's why we see the military, military spouses, being so successful in this area. So I will share just a couple stories about people who've really done an amazing job.

One is this woman Ruth Young-Loeza, who's a military spouse and inventor of a product called Neet Sheets. And she shares a story publicly, including at a military base in San Diego. Ruth was working in the hospitality industry and was making beds. And what Ruth realized was it took a lot of time to change sheets.

And so Ruth saw a problem, and she came up with an idea for a different bedding system that would reduce the time of changing beds by 47%. And would reduce mattress lifting efforts, so lifting a mattress to change bed is a lot if you're doing it all day long, by 75%.

So Ruth connected in with our services and started just availing herself of our innovation courses, our information on patenting, and as a result, she learned that if she patented her idea, she could protect it and create a business. So she created Neet Sheets.

She now has three U.S. patents on her bedding and three patents in other jurisdictions. And she is out there proselytizing all the time on what great services the USPTO offers and how we really helped step her through the process so that she could protect her innovation in the sheet industry with patents.

And let me just give you one example on the trademark side. So again, two military spouses, Cameron Cruse and Lisa Bradley. They founded a company called R. Riveter. So these were spouses that were moving from base to base, and they decided that they wanted to create their own company that they could run no matter where they were, whichever military base they were at.

So they created R. Riveter, which is a handbag and accessory company. And they employ fellow military spouses to actually create these bags. They've got a website and a really strong brand with a federal trademark that they use so that when you think about their products, which are often made from military materials, they recommission different military outfits and create purses and handbags with them. When you think of R. Riveter, you know that you're buying the real product from them.

**Bruce Moody:**

It's so interesting. What would be the return on investment for those who are considering applying for a trademark?

**Kathi Vidal:**

I would say on the return on investment, it's just so critical that you think of the federal trademark. And I'll tell you another story. So I was in Florida at a military base, and I was talking to a woman who had a mentoring program. And she put a lot of sweat and tears into developing her program.

She created this, it started to become a really popular brand, and she at that time did not file with us. So she did have a local trademark, so she was able to protect her brand locally. But then as a military spouse, she was being stationed with her husband at a different location, so she wanted to expand her tutoring to that new location.

So as a result of that, she finally came to us to get a federal trademark. And what she found out was that it was already taken. So she had to rebrand her entire company, which is really difficult once people get to know your brand.

So if I think about the return on investment, it doesn't cost that much money to secure a trademark. We're here to help. We're in libraries across the country. You can find us if you go on to the [uspto.gov website](https://www.uspto.gov) and look for where we are. We've got librarians

willing to help you. We have a Trademark Resource Center ready to help you. Not much investment on the back-end, but the return is phenomenal. First of all, by filing for a trademark and getting a trademark with us, you can put the little R symbol at the back of your name to show that you're legit, it keeps people away, for the most part, from using your trademark.

You can go onto online services, online stores, and if somebody starts to use your trademark or compete against you, you can ask that online resource to take the other company down. And you can also register that trademark at the Customs and Border Protection, U.S. Customs and Border Protection, and keep the goods from coming into the country.

So the system isn't perfect, but I will say once you have that federal trademark, you just have such a strong weapon because when you get popular, people are going to want to emulate you. It's the story of everyone's lives. So you just really need that federal trademark to make sure that you're protecting everything that you're doing.

**Bruce Moody:**

That's a really great point. And I'd like to stick with federal trademarks for a bit because I would imagine there are a lot of spouses who say, "I'm going to create a business. It's just going to be a small business. I know." But maybe they need to fit trademarks into their overall business strategy and look forward. What would be your recommendation here?

**Kathi Vidal:**

Absolutely. And I will say great to start small. A lot of people think of that in the first instance. I mean, kids start lemonade stands. We all want to be entrepreneurs. We all think small in the first instance, but realize that if you've got a good idea, it is not going to stay small. And it doesn't necessarily just have to be you.

So I'll give you this example as well. I was talking to some women ... and by the way, men do this too, I know a lot of my examples are women. But I was talking to some women in Massachusetts when we were up there in a military base, and they had created a handbag, and they got a patent on this handbag, but it was a handbag where there's a flap. So you could put your shoes in the handbag, your heels that you don't want to wear around, but you need to put on later, in the bottom of the handbag and then put a flap down so your shoes don't get all of your other items dirty.

So they came up with this great idea, they got a trademark on it, they got a patent on it. They didn't necessarily want to go much bigger, but what they found out was that people started ripping them off on the internet and selling a bag that was very similar. And so what they did, first thing they thought about was what I just talked about, which



is they went to the online reseller and basically said, “We need you to take them down.” And then they realized, wait, they leaned back in their chair and twiddled their fingers and said, “I don't need to take them down. I could make money not only when I'm selling, but also when they're selling.”

So what they did was they actually licensed their trademark and patent to these other companies so that they could also sell the product. And now they say, “I can just sit back in my BarcaLounger and whether I'm making the product or the other company's making the product, I'm making money.” So there's just so much to getting the rights to your patent and trademark no matter what you're doing. Because you can use it to protect your own services. You can decide that you either just want to stay small, or maybe you move on to a new idea, and you can license it to other people.

**Bruce Moody:**

Got it. So that's the value of it, but how does the United States Patent and Trademark Office work with applicants to make the registration process easier?

**Kathi Vidal:**

First of all, that is our number one goal. We actually just created a new business unit all about that. Our goal is to make it easy for you to register your trademark or to issue you a patent on your idea. So I will say trademarks is something you need to think about as soon as you're thinking about putting a good in commerce.

So think about it early to make sure you get the brand and that you don't start investing before you've got that brand. So on the trademark side, we have a Trademark Assistance Center. Again, get the real deal with us as well, [uspto.gov](https://www.uspto.gov), look up our Trademark Assistance Center. We're there to support you, whether you're a first-time filer or whether you've done this over and over again or you're a lawyer representing somebody.

Additionally, we believe strongly that if people are under-resourced and can't afford lawyers, they should be given lawyers to help them. So we have schools, universities across the country, that offer trademark resources at no charge. We also have assistance centers that help people filing for patents at no charge. So you can check out those resources as well on our website.

And then generally our website, again, [uspto.gov](https://www.uspto.gov), is a fantastic resource just to start to take some classes, get some familiarity in these areas. We have the ability to learn the basics about trademarks. You can use our trademark search system to determine if somebody already has a name or brand that's a little bit too similar to what you'd like to use. You can find out how to file a trademark and how to protect yourself against scams.

We also have a downloadable Trademark Basics Registration Toolkit and a Trademark Basics Bootcamp. So there's so much availability of resources, and we have the same resources on the patent side.

And I will say just generally, check out our resources for entrepreneurs or innovators because they talk about not just the trademarks themselves or the patents themselves, but we try and hit the whole ecosystem. How do you know when you're ready to become an entrepreneur? What are your first steps? How do you think about not just intellectual property, but getting the funding you need? What kind of mentorship might you need? And what are the other resources that the U.S. is bringing to bear to help you?

Not just the USPTO, the Small Business Administration, all of the other resources that are out there. We're there to connect the dots to help you not only with the IP, but to make sure that you have all the resources that you need to be successful.

**Bruce Moody:**

This has been a really amazing conversation. I hope that we are just exciting the entrepreneurs, the people who are looking at creating a business or just somebody who says, "I have an idea, and I'm looking to take the next step." So what would you tell someone who may feel overwhelmed or intimidated by the trademark registration process?

**Kathi Vidal:**

So I would say, "Just do it," but then I'm using somebody else's trademark. So what I would say is we're here to help you. So bring your friends, oftentimes you're talking to other people about your ideas of starting a business. Tap into all of our resources. We're here to help. And I will say, you will feel so good when you have either a trademark or a patent.

I mentioned Ruth a little bit earlier. We had an event in Phoenix where we had a women's entrepreneurship event, which is another line of our programming that men and women are both welcome to attend. She was in San Diego. She drove to Phoenix to share with me her three patents. She had her patents in her car. She got a flat tire on the way, could not fix it, and drove the rest of the way on a flat tire just to show me how proud she was of her patents.

So you would not believe the community that you'll be brought into with a trademark, with a patent. There's so many community groups around inventors. We're all here to serve you, and we just want you to be part of this innovation and entrepreneurship ecosystem.

We know and value all you give to the country and just know this is one of the many things the U.S. is doing to support you. And everything from the Biden Administration with President Biden's executive order to support you, to what the First Lady is doing around the military. We're all here to support you and all you need to do is pick up the phone, send us an email, connect in to us, and we will help you on your journey.

**Bruce Moody:**

Ma'am, it has been a pleasure having you with us today. And I also want to say that it has been a pleasure working with your team. We have other podcast episodes from your office that are in the works and it's just a great team we work with and really powerful and important information for our military audience. So ma'am, thank you so much for joining us today.

**Kathi Vidal:**

And thank you. And I have to say, our team is composed of people who know the military, including military spouses. So these are your own people here at the USPTO. I do want to say one other thing, so please do think about entrepreneurship and innovation and connect with us.

Also think about joining our team because we've got a phenomenal team. In fact, on June 17, we officially became a partner with Military OneSource for the Military Spouse Employment Program. So we're here in any capacity, join us, come on board, work with us at the USPTO, no matter where you are across the United States, or let us help you become a successful innovator or entrepreneur.

**Bruce Moody:**

Wonderful. Excellent. Thank you so much for joining us today.

**Kathi Vidal:**

Thank you, Bruce. Appreciate it. And thank you all for your service.

**Bruce Moody:**

Thank you. Kathi Vidal is undersecretary of commerce for intellectual property and the director of the United States Patent and Trademark Office. I want to remind everybody that Military OneSource is an official resource of the Defense Department. We always like to hear from you. There's a link in the program notes. You can send us a question, a comment, maybe an idea for a future episode. And to be sure to subscribe to this

podcast wherever you listen to your podcast because we cover a wide range of topics to help military families navigate military life. I'm Bruce Moody. Thank you for joining us today. Take care. Bye-bye.