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Demystifying Google's New Patent

By Michael Goldstein, Esq.

On August 22, 2006, Google's latest patent (#7096214) was approved. This patent is extremely interesting in light of the recent excitement surrounding social search. The patent if broken down into its most simplistic form states, Google is going to take their existing algorithm and temper it with shared book marking sites and other trust networks.

The Patent itself is called, "System and method for supporting editorial opinion in the ranking of search results". What does this all mean? If your web site has gained and lost significant ranking over the past month, it is very likely due to your inclusion or not in trust networks, such as links from

www.myspace.com

,
<http://del.icio.us>

, Google Co-op and others. Though the patent does not go into

detail on which sites are trusted sites and which are not, it is likely that the trusted sites are the ones that are being talked about heavily with in the social networking arena.

It is also important to note, that just having a patent approved does not necessarily mean that you must use the patent. Filing for a patent further does not mean that you have disclosed everything there is to know an invention. For example, it is common practice to withhold all trade secrets from any patent application, because a patent becomes public knowledge and anyone can read it.

Prior to filing the aforementioned patent application, Google used a computer generated algorithm which did not take human editorial comments or votes into its ranking, with the exception of links from relevant web sites. The new patent, takes the search results that would appear previously, and then checks to see if any of the sites in the results "relate to a list of favored or non-favored sources", or whether any of the web sites correspond to at least one major category of favored web sites.

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The patent makes reference to a plethora of claims. However, a select few claims express very telling statements. In claim #3, Google speaks to how it will determine a score of a web site that is not linked to on either favored or non-favored sites using a primary set of logical parameters (the general algorithm). The claim goes on further to state Google will determine a score for web sites that are referenced by Google's list of favored or non-favored sites, using that same set of parameters and then takes into account an editorial option, and ranking the final search results based on the score. This seems to implicate that a web site which is listed on a favored site, and has solid editorial opinions will rank higher than a site which is not referenced by the favored or non-favored sites, even if it is still keyword dense, has great titles and all other factors that has been used in the past to rank a site.

In the next few claims the patent backs up claim #3, by stating the editorial opinions cause the rank of those web sites, Flash movies, images etc. that correspond to favored sites to be increased while those corresponding to non-favored sites will be decreased. Claim #10 goes on to restate how Google will score a web site based on its relationship to a favored or non favored web site and if so, that the ranking will be further fine tuned by an editorial opinion of those favored sites.

The statements about these favored and non-favored sites as well as editorial opinions leads one to believe that Google is simply referring to good and bad neighborhoods, which have been used in the past. The editorial opinions leads one to believe Google is looking for specific positive or negative content on shared book marking sites and human reviewed directory sites such as Myspace. Myspace is especially high on this attorney's list of sites Google may be relying on based on their recent

acquisition of ad space on myspace.com.

What is the reasoning behind this new patent of Google? There must be a way to fine tune the results of general searches. For example, a search for printers will come up with thousands if not millions of results. Why not utilize the experience of web users, and enhance the ranking of search results by integration editorial opinions into the scoring of web sites, then applying the score of an overall web site to each individual page, which will be relevant to a keyword search.

It appears as if Google has made huge strides in exploiting the social networking craze that is sweeping the SEO world. Yahoo has already done so, with their local search, Yahoo Answers, Flickr, Trip Planner and other programs, but Google is the one who has come out and actually documented what they are doing and provided search engine marketers a manual of sorts to better optimize their client's web sites for the most popular search engine on the planet.

The above entry was written by Michael Goldstein, Esq. of Goldstein and Clegg, LLC. A

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Massachusetts trademark law firm Disclaimer: Attorney

Goldstein is not a member of the United States Patent Bar, and his opinions should not be taken as legal advice in any shape, mean or manor, nor should his opinion be legally relied upon.

The Importance Of Getting A Patent

By Edward Bryce

Even if you don't invent things for a living, you might still have a great idea. Chances are, if you actually pursued your invention you will have found that you don't exactly have the resources necessary to produce it yourself. Any plans you create will need to be shipped off to someone else. How, though, can you protect your idea from being stolen?

1. What A Patent Means

First of all, you should know that a patent is significantly different from a copyright. All a a patent means it that you have the exclusive rights to profit from a physical invention. Not all inventions are physical. The most common use for patents is for pharmaceuticals and plastics. Things like chemical formulas like drain-o have their own patent for the formula, for example, but the name drain-o will be protected by a copyright instead.

2. Not Everything Can Be Patented

It might be impossible to get a patent if you show off your physical product before you patent it. Furthermore, the more technology and expertise is required to produce the product, the better. Inventions that seem like a no-brainer are more difficult to get a patent for. For example, silly putty.

3. Banned Items

You can't apply for patents on many items – a scientific or mathematical theory or method, a work of art (books, plays, etc. - computer programs are included), a way of doing things (eg. a new business method). Many of these things are, instead, covered by copyright.

4. How To Apply For A Patent

You need to visit a patent office to get a patent. First, apply for a patent for your country with the help of a lawyer under a strict non-disclosure agreement. Depending on where you live this can be absurdly expensive or quite cheap. Next, file for patents you might want for the rest of the world. Yes, you have to file individually for every country in the world. Alternatively, you can use the patent co-operation treaty that allows you to apply once and eventually receive protection in all 126 countries signed up to the treaty.

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