



Remembering Nathan Breen, AAADM Legal Counsel

Nathan Breen, who served as AAADM's legal counsel, passed away on Dec. 3, 2023, after suffering a stroke. Nathan was a partner at the law firm Howe & Hutton and represented AAADM since 2019. He was well known to readers of this newsletter as author of the Legal News column.

Nathan succeeded Naomi Angel, who served as AAADM's legal counsel for many years. Naomi has come out of retirement to assist Howe & Hutton as it transitions Nathan's caseload. She was also a close friend of Nathan's.

"Nathan had a sharp legal mind and cared deeply for his clients," said Naomi. "But there was a lot more to him, too. He was a devoted family man, a gourmet barbecuer, mixed a mean margarita, and loved music."

He'd even played guitar in a rock band since 2005. Little Big Fat achieved some renown in the Greater Chicago area, existing in the jam band realm just like Nathan's beloved Phish.



Nathan was born in 1974 and spent his entire life in the Chicago area. Naomi was struck by how many friendships had endured throughout his life. "There were people at his funeral from his third-grade class. One even spoke during the service. That says a lot about the kind of person he was."

"I'll miss my friend," said Naomi. "Relaxing at his home as he made us homemade pizza, keeping us laughing with his wry humor."

Nathan is survived by his wife Anne, two daughters, Emily and Chelsea, and his mother and stepfather.

Nathan's daughter Emily is a freshman at Xavier University in Cincinnati and Chelsea is a freshman in high school. Education funds have been set up for the girls. Donations can be made [here](#).

Christina Pannos, who worked with Nathan for many years as a partner at Howe & Hutton, will step in and serve as AAADM's legal counsel.

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THIRD ANNUAL MEETING

**Wednesday - Thursday
May 1-2, 2024**

**The Westin Cape Coral Resort
at Marina Village
5951 Silver King Boulevard
Cape Coral, FL**

An agenda will be sent to the group about one week prior to the meeting. Look forward to seeing you in Cape Coral.



"I'm looking forward to seeing everyone at our annual meeting "

PRESIDENT'S MESSAGE

Welcome spring! In the spirit of "spring cleaning," there are several housekeeping issues I'd like to address.

First, our latest round of testing for AAADM certification renewal is drawing to a close. I trust our AAADM Certified Inspectors are getting used to the new protocols. I know we got off to a late start last year and had other delays while everyone was getting used to the revised renewal process, but with your patience I believe we've worked out most of the bugs. Our plan is to start all future renewal exams two months before the January 31 expiration date, so please mark your calendars.

Before then, don't be surprised if a pop quiz comes your way. It won't be graded our count against your certification ... but it will be a good way to know how well you're interpreting and retaining information.

Why all this emphasis on training and testing? Because AAADM Certified Inspectors are an elite team; the keepers of knowledge of the ANSI standards to which our industry's products strive. It's vital that their ranks are well-educated, tested, and proven performers.

Next, I'd like to remind all AAADM Certified Inspectors to let us know when they change companies. Because we email ANSI updates and other pertinent information directly to you, and because many of you use work emails as your contact info, we need to make sure we have a current contact info. In fact, you might even consider using a personal, non-work email address for AAADM communication. The easiest way to change your email address is by using the portal on MyAAADM.com. If you are having trouble logging in, send a message to AAADM with your AAADM number and preferred email address to AAADM@aaadm.com.

You can also use this address to let us know how we are doing or ask a question. Speaking for the AAADM board and the all the AAADM committees, we want to hear from you. Your feedback is valuable. Is there an ANSI interpretation you would like clarified? Insight on the proper way to perform an AAADM inspection? Is there something we can do better? All comments and suggestions are kept private.

Finally, I'm looking forward to seeing the other board and committee members at our annual meeting May 1-2 at the Westin Cape Coral Resort at Marina Village in Cape Coral, Fla. We have a fantastic program planned and I know it will be a valuable time of learning and reconnection.

Dave Timmerman.
AAADM President

AAADM COMMITTEE UPDATES

AAADM has formed committees to oversee and develop various projects. Following is a summary of some recent committee activity:



Government Affairs Committee

CHAIR: TIM BLANKE

AAADM.com Public Policy Tab: A Treasure Chest of Shareable Content to Promote Your Business

Are you taking advantage of the Public Policy tab on AAADM.com?

We encourage all members to frequently visit the website section. It is updated regularly with new content related to government affairs, legislation governing building access, and public issues regarding attitudes and developing interest in automatic doors.

All content on this tab is shareable. Member companies would be wise to spend a few minutes each month reviewing this section for information pertinent to their customers, constituents, and states of residence. Promote and share what is relevant and encourage employees to do the same.

The information is often a catalyst for engagement and also fuel for sales presentations, as it demonstrates the important role automatic doors play in granting physical access to public buildings.

Here is a roundup of recent updates on the Public Policy tab.

Spotlight: School Safety, Security AND Accessibility

This article includes information about the Partner Alliance for Safer Schools (PASS), which has developed safety and security guidelines for schools. Members of the American Association of Automatic Door Manufacturers (AAADM) can help schools meet the requirements for accessibility.

The content is valuable to your customers, such as architects who may have schools as clients, and also to your own sales force as a tool to incorporate automatic door benefits to schools into presentations.

Legislative Updates are constantly updated as various bills make their way through legislative chambers at the state and federal levels. It's worth setting a calendar reminder to track legislation in your company's home state and those of your customers and employees, as there are often opportunities to make your voices heard to lawmakers and actually shape the direction of accessibility laws.

Issues highlight specific items in the news relevant to the automatic door industry.

Recent additions include articles about the number of colleges and universities that remain inaccessible to people with disabilities, a legal ruling that requires the largest school district in the United States to properly maintain its automatic door opener (which could have ramifications for some of your customers), and a Centers for Medicare & Medicaid Services (CMS) report on physical accessibility in healthcare facilities.

Every page inside the Public Policy tab has easy links to share content across your social media platforms. We've made it as easy as possible for you and your employees to get involved in spreading the word about how automatic doors are impacting our world. So get reading ... and get sharing.



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Marketing Committee

CHAIR: KAREN MASLOW

AAADM Featured in Construction Specifier Magazine

We're pleased to share that AAADM contributed significantly to an article in an upcoming issue of the Construction Specifier magazine focusing on physical accessibility in schools. The article traces the patchwork of federal laws covering school accessibility and how far behind many schools still lag in making their buildings accessible for all students and staff.

In covering school construction with disabled students in mind, navigating the laws in play, and resources available,

the article discusses the accessibility and mobility benefits of automatic doors. It also highlights AAADM's involvement in the recent update to the International Building Code (IBC) to mandate inclusion of automatic doors for entrances to public buildings.

The Construction Specifier is the official magazine of the Construction Specifications Institute (CSI) and is read by professionals in facility management, procurement, building design, architecture, and more.

The article is due to be published in an upcoming issue of the magazine. AAADM will heavily promote it across our social channels. We encourage all members to also promote and share the article.



Certification Committee

CHAIR: DAVE TIMMERMAN

New Certification Program Rolls Out

We launched our new online certification website last year – MyAAADM.com. This is the first year of testing conducted with the new online portal, which allows individuals who are already certified to access their accounts, print certification ID cards, pay recertification fees, and update contact information.

In many ways, AAADM Certified Inspectors are the backbone of our automatic door industry. By performing inspections on installed automatic door equipment, they help ensure that installations in the field comply with the relevant ANSI standards. This is why it's so important that Inspectors remain current on their certification – and why AAADM requires annual renewals with a testing component.

Testing helps us ensure that Inspectors understand the current ANSI standards to which they are inspecting. Further, renewal exams are essential measures of the competency of an individual to conduct the inspection. The AAADM testing program is a necessary step to maintain quality and consistency in the field, which strengthens the performance and brands of all our member companies.

Annual renewals also help us keep in touch so we can provide Inspectors with the latest information.

To access your account via the new site, simply log onto myaaadm.com, click on the "MyAAADM Account" tab, and follow the prompts. You will be able to update your contact information and order renewal certificates and ID cards. These can be printed directly from the site. To help get you started, we have prepared a demonstration video that shows you how to use the new site. You can view it [here](#).

If you have any questions or need assistance with your account, please contact AAADM.



LEGAL NEWS

By Christina Pannos, Esq., NCCA Legal Counsel

Artificial Intelligence (“AI”) has infiltrated so many industries. Everybody’s doing it. Everybody’s talking about it. So, can manufacturers and designers use AI to create inventions that can be patented? Who is the inventor - AI, or does it have to be a person? Can it be both? Is there a percentage of permissible use of AI – a magic number?

On February 13, 2024, the United States Patent and Trademark Office (“USPTO”) issued a statement on the patentability of AI-assisted inventions which seeks to answer the questions posed above. The USPTO’s guidance, “Inventorship Guidance for AI-Assisted Inventions,” aims to clarify previous court decisions such as *Thaler v. Vidal*, where the court held, “only a natural person can be an inventor, so AI cannot be.” The guidance indicates that AI may be used as a tool, but still maintains that AI cannot be the sole producer of an invention. There must be some form of human contribution, and the USPTO requires that contribution to be significant. The USPTO states, “Patent protection may be sought for inventions for which a natural person provided a significant contribution to the invention, and the guidance provides procedures for determining the same.” The question then is, what is a “significant contribution”? The USPTO indicates that each application will be assessed on a case-by-case basis but offers principles to highlight what contributions may or may not be significant.



“AI systems can be part of the invention process”

USPTO Guiding Principles

1. Just because a person uses an AI system to create an invention does not mean that person cannot be considered an inventor for the purposes of patent protection.
2. Solely presenting a problem to an AI system, which then produces an invention identified from the output of such AI system, may not be categorized as a significant contribution. But the way the person constructs the questions it asks the AI system in view of a specific problem to elicit a particular solution could be categorized as a significant contribution.
3. A person who takes the output of an AI system and makes a significant contribution to the output to create an invention may be considered a proper inventor. Alternatively, a person who conducts a successful experiment using the AI system’s output could also demonstrate that the person provided a significant contribution to the invention.
4. In some instances, the person who designs, builds, or trains an AI system in view of a specific problem could be considered a proper inventor, where the designing, building, or training of the AI system is a significant contribution to the invention created with the AI system.
5. A person who simply owns or oversees an AI system that is used in the creation of an invention does not make that person an inventor.



In short, the USPTO has not changed the previous case law regarding inventorship. The human inventorship requirement remains; inventions created solely by AI are not protectable. But in keeping with the times (and technology), the USPTO has opened the door to permit a new generation of invention. AI systems can be part of the invention process. While there may not be a magic number or percentage of allowable AI usage, we now have some guidance to rely upon when contemplating patenting an invention. By the way, did you know you can use AI to fill out your patent application?

These articles are provided solely for informational purposes and do not constitute legal advice. If you have specific questions or concerns about a legal issue, consult your company's legal counsel for guidance.