

Why Did IBM Skip the Loo?

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Ever wonder why IBM got out of potty patents? Maybe its experience with its recently issued and abandoned business method patent 6,329,919 is a clue.

Now, IBM takes patents and licensing seriously. They made \$1.5 billion off them in 2001. So, it's no surprise they are alert for new, patentable methods. Like its "revolutionary" first-come, first-served number priority system for using airplane restrooms. IBM's patent basically said, You buy a ticket early, you get first dibs on using the restroom. One wonders how Western Civilization managed to get this far without this breakthrough.

Some of you readers might say, "This is nothing new. I learned to line up for the bathroom in kindergarten. I buy bratwurst at the deli by taking a number." You see, that's why we're patent lawyers, and you're not. When it comes to doo-doo in the can, patent lawyers have a "can do" attitude. And it helps that Patent Office examiners had stilted childhoods and don't get out much.

But as I said, the public heat on IBM became too intense, and the idea went down the toilet before it took off. But imagine how excited their Marketing Department must have been. Perhaps they debated a "Be no. 1 for no. 2" theme. Or maybe they tried a softer focus, on freedom over the air ways: "Wherever you go, we're there for you."

And let's not forget trademarks. The early favorite, I heard, was to call it **GeeWizz™**. No, critics said, too 'Fifties, too Ozzie and Harriet. Others argued for promoting it as the **Oui, We Wee™** system, in deference to the French connection of their overseas subsidiary that invented method. No good, other critics contended. That sounded like some kind of Bohemian group activity.

So, finally IBM – famous for its hidebound, traditionalist mentality – opted instead for the understated, elegant and obvious: **I / BM™**.

And even though the campaign never got off the ground, that may be exactly how I may think of the company from now on.