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AVS Technology™ is Integral to e-Commerce
by Anthony W. Hawks, Chief Legal Officer, e-LYNXX Corporation

AVS Technology™ is an automated procedure for selecting vendors of custom goods and services that must be defined by production or performance specifications at the time of purchase. This procedure is used both by system providers of procurement or supply chain solutions and by the buying organizations themselves. It applies to all computer-operated systems that match vendor attributes with project specifications to identify vendors qualified to bid on custom goods and services.

The technology is based on a series of patents that the U.S. Patent Office awarded to e-LYNXX Corporation, including Patent No. 6,397,197, Patent No. 7,451,106, post-Bilski Patent No. 7,788,143, and Continuing Application 12/8885,423 (collectively, the "AVS Technology™"). This thicket of patents covers all custom goods and services, not just print.

Custom and other specification-defined goods and services differ from pre-stocked or inventoried items in that they must be specifically manufactured or provided to meet particular buyer requirements. Consequently, custom goods and services cannot simply be purchased off the shelf at fixed prices appearing on standard price lists. Instead, their prices are established after the exact goods or services are actually specified. Only then can the manufacturer or service provider assess the precise production or performance specifications required to do the project.

AVS Technology™ covers any custom goods and services that are ordered to precise and unique specifications and produced following confirmation of order. AVS Technology™ has universal application and is not restricted to any industry or area of spend management. Examples are commercial print, direct mail, labels, marketing materials, publications, packaging, creative services, temporary staffing, textiles, automotive and other machined parts, specialized tools, medical instruments, extruded products, transportation, trucking, construction services and many more.

AVS Technology™ is the basic procedural component of any automated solution for buying custom goods and services that must be defined by production or performance specifications at the time of purchase. It includes the following steps:

- **ENTER** vendor attributes
- **ENTER** project specifications
- **MATCH** vendor attributes to project specifications to determine sub-set of qualified vendors
- **SEND** project specifications to sub-set of qualified vendors
- **RECEIVE** a bid response from at least one vendor

When these steps are applied using a computer-operated system, a unique competitive bidding environment can be established where vendors of custom goods and services are now willing to offer their lowest prices to fill idle production capacity. This strategy is called "contribution pricing". When vendors bid work (even when bidding well below normal rates), any income obtained above out-of-pocket costs "contributes" to fixed costs and overhead and, when absorbed, to their bottom lines.

Licensing AVS Technology™ should be viewed as both a strategic benefit and a legal requirement. Any organization with a computer-operated system that procures custom goods and services, by following the steps outlined in AVS Technology™, is required to obtain a license to use (or continue using) the patented procedure protected by AVS Technology™. This applies to systems that are developed internally as well as those used through third-party brokers, procurement services and system providers. Organizations should check with their system or service providers to ensure that the system being used is in compliance with AVS Technology™ licensing requirements.

About e-LYNXX Corporation

e-LYNXX Corporation patented the technology integral to e-commerce. Endorsed by Educational & Institutional Cooperative Purchasing (E&I) and Printing Industries of America (PIA), e-LYNXX drives results through its three divisions.

- AVS Technology™ licenses the patented automated vendor selection procedure used in e-commerce and procurement systems.
- American Print Management provides web-based system, services and patented AVS Technology™ to reduce substantially the procured costs of direct mail, marketing, publications, packaging, labels and other procured print.
- Government Print Management offers effective U.S. GPO bid services and strategies. www.e-LYNXX.com – 888-876-5432

About the Author



Anthony W. Hawks, chief legal officer of e-LYNXX Corporation and division president of the AVS Technology™ division, is responsible for legal matters affecting e-LYNXX Corporation and oversees patent licensing and enforcement. He is responsible for preparing congressional testimony, analyzing pertinent federal and state legislation and providing strategic counsel to government and procurement clients of e-LYNXX.

Mr. Hawks graduated from Tufts University with a B.A. degree (magna cum laude) and an M.A. degree from The Fletcher School of Law and Diplomacy. He earned his law degree from the Georgetown University Law Center, where he was a member of the National Moot Court Team and won the school's most prestigious award for appellate writing and advocacy, the Leahy Prize Argument. Following graduation, he clerked for United States District Judge Albert V. Bryan, Jr. of the Eastern District of Virginia and then practiced in Northern Virginia and Washington, D. C., as a commercial litigator and government contracts attorney.

Mr. Hawks joined e-LYNXX in 1997 and has served as vice president, general counsel, division president and member of the board.