

# She Built a Hit Product... Then It Was Stolen // Episode 8 SCOT

## **Laura Dow**

Okay, so we're live. Welcome back to CPG's podcast, The Supply Chain of Thought. I am CPG's business director, Laura Dow. Today's episode is one that every founder and product developer and sourcing professional should pay close attention to because we're talking about intellectual property. Specifically, what happens when your product gets copied.

And in recognition of International Women's Day this month, I'm pleased to welcome Juliet Fassett. Juliet is an entrepreneur and she is the inventor of the Flippy Pillow, a product that saw rapid commercial success and then shortly after, direct competition from Copycat Versions. So Juliet, welcome to the show. It's really pleasure to have you here. We've worked together, I believe since...

## **Juliette Fassett**

Thank you, Laura.

## **Laura Dow**

2018 or 2017, is that correct?

## **Juliette Fassett**

Yes, yes for forever. guys have had CPG has been there for the whole ride.

## **Laura Dow**

Yeah, and it's been an exciting but also challenging ride. And that's what we're here to talk about today. So today we're going to cover, I do want to cover all things about your journey, not just your IP challenges from your initial idea to the product and developing that product, what early success looks like and all that excitement. And then the shift to what you're dealing with now, the IP challenges and

## **Juliette Fassett**

Certainly has. Yeah.

## **Laura Dow**

the reality of defending your IP once your product hits the market. Okay. because I think that in my mind, it's for many people, it's relatively straightforward to protect an idea with patents, copyright confidentiality agreements. It's quite a bit harder to protect a product once it's out in

the market. And I must say very successful. Is that correct? Okay. So.

Just to kick us off, Juliette, how did Flippy come about? Where did the idea come from?

**Juliette Fassett**

So I had had a bunch of businesses all in consumer products since I was in my 20s and

One company that I had was a handbag business. had a bunch of clients. It was a really nice company. It failed in the recession of 09 and I was doing a couple of things. had another business that I was in the startup phase with and I was in touch with one of my previous buyers from catalog company and that buyer said, you know, we're looking at this

of stands for tablet use and we think that that's going to be an expanding category of product and if you wanted to come up with an idea around a new tablet stand we would be interested in looking at it. So they kind of gave me the spark to try to solve that problem and

That's how I got the idea to even pursue it. I had never created a product from the ground up myself. I had always had like brand plays and sort of my handbag business was built around really sort of novelty designed tote bags. So we didn't do anything completely new in the design of the bags themselves. Mostly it was.

print driven and design from a textile color graphic design standpoint. So this was kind of a new challenge for me and I just set about to solve the problem.

**Juliette Fassett**

So that's kind of where the kickoff was. wasn't that, I mean, I was using tablets, but it wasn't until someone said, I think there's a business opportunity in this category that I set out to try to solve a problem there.

**Laura Dow**

Laura Dow (04:22.594)

That is so interesting to me. I have not heard that story from you before. And I find it particularly interesting because I think that to me there would be added pressure if someone said to me, solve this problem. even thinking of tablet stands, I'd be thinking of something that sits on a table. And so the fact that not only did you have that extra pressure to solve this problem and then you came up with something that was really innovative.

**Juliette Fassett**

you

**Laura Dow**

I think that's interesting because I think a lot of inventions and innovation solve a problem, but it's one of those things that usually it's like a spark that comes to you maybe when you're lying on your couch, not something that a larger company says, solve this problem and come back to

me with ideas. So for me, that would be added pressure. I'm impressed with what you came up with. I assumed it was something related to you're laying on your couch using a tablet, that sort of thing.

**Juliette Fassett**

Right.

No, it was actually a business opportunity. And the thing that was interesting was they didn't pay me for any, you know, they weren't, I wasn't retained for any product development. So it was all, there wasn't that much pressure in the sense that I wasn't being paid to do it. Right. It was just like, if you come up with something, then we would, and you know, I kicked things back and forth with them for a while. And then they actually were really interested in what I came up with, but they wanted an exclusive on it.

and I wouldn't give them an exclusive. So I decided to go ahead and just take it. I felt so strongly about it. I thought, I'm going to see if I can take this to market myself. And so I did.

**Laura Dow**

Laura Dow (06:08.654)

Okay, and that sounds simple.

**Juliette Fassett**

Juliette Fassett (06:11.038)

Well, I have to laugh because you said earlier, you made a comment about early success with the product, but there was absolutely no early success with this thing. I think I started working on it in 2011 and then it took years. mean, it took years and years and years to get through the patent process, the trademarks.

figuring out the manufacturing. There were so many arguments about how to make it and where it could be made. just it was really a long, a long time. And then people kept slamming the door in my face saying, I mean, I had so many people that sold to QVC, so many QVC reps that said no.

And I was like, I don't know what the matter with these people is. It's a great product. Excuse me. But it took a, it took a while to find the right people. And then my friend, Bern, who I knew from business back in, you know, Bern. So Bern introduced me to.

**Laura Dow**

Laura Dow (07:06.936)

Bye.

**Laura Dow**

Laura Dow (07:21.464)

Right. Yep.

**Juliette Fassett**

Juliette Fassett (07:31.028)

Doug Dunn, who at the time was a QVC rep, and he just got it. He understood it. He knew the

people inside QVC to show it to, and he finally got it done. But that was, you know, it was a seven-year journey.

**Laura Dow**

Laura Dow (07:48.578)

And I love that too, and I'm glad you clarified that because from an outside perspective, it does appear to be early success or quick success, but as we all know, that often is not the case. And many founders and developers, innovators have been working behind the scenes for a decade, you know, for you, it was under a decade, but that's good to know, right?

**Juliette Fassett**

Juliette Fassett (08:11.124)

Yeah. Yeah. And it's like that expression, you know, it took me 30 years to become an overnight success. I mean, that's exactly what it was. It was the culmination of everything that I had learned and all my businesses and over decades of work, you know, of trial and error and the abject failure that finally sort of coalesced in this product.

**Laura Dow**

Laura Dow (08:39.967)

It does that.

**Juliette Fassett**

Juliette Fassett (08:39.998)

And it still wasn't easy. It still was super hard.

**Laura Dow**

Laura Dow (08:45.166)

Right. So I early in my days at CPG back in, well, I guess it was 2020. I did a client spotlight on you. And so I'm sort of circling back and referencing some of the things mentioned in that. It seems like around 2017, you started selling on QVC.

**Juliette Fassett**

Juliette Fassett (09:07.648)

We started testing on QVC in 2017 and then in 2018 they really went for it and we had a big show in November of 2018 and that's when we sold out.

**Laura Dow**

Laura Dow (09:20.226)

Amazing. in that, so I know that I guess there was a quick transition, correct me if I'm wrong, from selling out and that success that you achieved to the IP concerns or IP challenges. Was there any point in time that you were just sort of flying high before you realized there were challenges? When did you know that you had an issue?

**Juliette Fassett**

Juliette Fassett (09:43.072)

That's a really good question. So the first time that I knew I had an issue was in, so we sold out in November of 2018 and the first time that I knew I had an issue was in January of 2019. So two months. And the reason and how I found out was because I contacted the buyer from Bed Bath and Beyond. And

I sent him a note and said, hey, I've got this product. I understand you're the buyer for this

category. Sold out on QVC in November. I've got financing. I've got the supply chain. I've got, you know, vendor compliance nailed. Like we're ready to rock and roll and put this thing out there. Can I send you samples? And he replied saying, we wouldn't be interested in bringing that product in.

And that was such a bizarre response that my spidey sense kind of went up. And I responded saying, like, basically, I don't remember exactly what I said, but something like, are you sure? is there another buyer, like another category? Because this is this is a hit product. And he said, no, not, you know, wouldn't do that product.

And that's when I and I and I have records of my emails to my my business partner, my investor saying this is very weird. Something is wrong here. That was January. In February, my girlfriend called from L.A. and said there's a flippy ripoff on late night television. And that's when I knew we were screwed. And it just went from there.

**Laura Dow**

Laura Dow (11:38.574)

Wow. And so because of that timeline sink, happened so soon after you sold out. Obviously this other and do we are we saying them on air? Do you want to say the name of these other companies?

**Juliette Fassett**

Juliette Fassett (11:50.036)

Yeah, it's Ontel Products, Ontel Products Corporation, Based in Fairfield, New Jersey, yeah.

**Laura Dow**

Laura Dow (11:54.008)

So they, okay, okay. And they must have started the process of producing it a while before that, correct?

**Juliette Fassett**

Juliette Fassett (12:02.558)

Well, so what they do, this is their pattern. And I can't say for sure that this is what they did with my product because we're still in the process of learning exactly what happened with my product. But their pattern is to get a product.

and then buy samples. we have the data where Ontel bought samples. So Ontel is run by Chuck Kubani, and Telebrands is run by AJ Kubani. And we have the data where both of these companies bought samples of the product. I have that data. They bought these products on Amazon. They bought about three.

**Laura Dow**

Laura Dow (12:48.162)

Your samples, your product on Amazon.

**Juliette Fassett**

Juliette Fassett (12:50.048)

They bought our product before the QVC sellout. They bought some samples in October of 2018, and they bought a bunch of samples in November of 2018. They bought about 30

samples in total.

**Laura Dow**

Laura Dow (13:04.718)

Wow.

**Juliette Fassett**

Juliette Fassett (13:08.926)

What they normally do is they take a product, they cover up any identifying logos or marks, and then they make what they call a dry test, which is where they make a video, they make an ad, they buy time on late night cable, and they don't have product to sell. What they're doing is confirming the interest in the product.

So they put up an ad, they see how many people go to order, and then of course when you go to order the product, you see this due to unprecedented demand, there's going to be a delay in shipping your order, right? So they're basically pre-selling product that they don't even know if they're going to manufacture yet unless it hits the numbers. Well, obviously our product hit the numbers. So

In between the time that my girlfriend saw the ad on Late Night Cable, which was February, by June, I walked into Bed Bath & Beyond and there was a wall of the product in Bed Bath & Beyond. I went over to Walmart.

wall of product in Walmart, and it just kept going and going. it took them. I mean, talk about unbelievable speed to market. It took them from the time they discovered the product till the time they had blanketed the U.S. retail landscape with a product that is, you know, it's sizable. It ships. You have to ship it. It's made in China and it has to ship in containers.

They made thousands and thousands and thousands of units.

**Laura Dow**

Laura Dow (14:54.69)

Wow. So they were able to do that because you had done the upfront work of testing and design because they were, it was very similar to your design, right? But not identical.

**Juliette Fassett**

Juliette Fassett (15:06.802)

No, it was basically identical. People couldn't tell the difference. The consumers couldn't tell the difference except that their product was \$10 less than mine. I mean, absolutely infringing in multiple different ways.

**Laura Dow**

Laura Dow (15:23.136)

It's, did you cry? think I don't even know how I would have reacted in seeing that.

**Juliette Fassett**

Juliette Fassett (15:27.69)

Well, didn't know. Actually, that's another interesting thing. I didn't cry then. I knew that when QVC hit, I knew that we would have competition. I expected competition. I did not expect

outright blatant theft and infringement. So I was not in a mindset that I had to be worried about.

like that. You know what I mean? I knew that, you know, competition's great, right? Competition is healthy. It keeps everybody on their best game. But this is not competition.

**Laura Dow**

Laura Dow (16:01.187)

Right.

**Laura Dow**

Laura Dow (16:06.094)

Of course.

**Laura Dow**

Laura Dow (16:14.232)

So, and it also illustrates, unfortunately, your experience, this real major challenge, which is a euphemism in this instance, I think.

**Laura Dow**

Laura Dow (16:28.458)

It, I'm losing my train of thought. see. It's, it's illustrates an issue that I think most developers don't think about product developers or innovators because we have, published this blog around the same time after you had these issues, seven steps to protect your IP. And in them, we talk about patents, copyright protection, confidentiality agreements, NNN, non-disclosed, non-use, non-circumvent.

molding and tooling agreements. We also talk about separating production. So not only not one manufacturer has your final design, you know, you might you might do assembly in US. But more importantly than anything else is the suppliers and finding trusted suppliers that love your idea and want to take it to market and are going to protect your IP and keep it from their competitors. So these would be Chinese manufacturers. So

Let's just assume for a second that we did all those steps. In your instance, once your product hit Amazon, it wouldn't have made a difference. They bought them up and they just reverse engineered and did the whole thing. so what we've often say, even though you do all these steps, you're not going to be fully protected if your product is very, very hot and it's completely popular.

there is a chance that this will happen. But I think in your instance, goes far beyond, I mean, just blatant theft and infringement. I mean, it's just so far beyond what I think most people would expect or.

**Juliette Fassett**

Juliette Fassett (18:04.2)

Yeah, so one thing you said there's at least a chance that it's going to happen. I don't even think it's a chance anymore. I think that once you any kind of significant sales, any kind of significant attention to your product, there is nothing you can do besides, you know, be backed by a billionaire.

**Juliette Fassett**

There's nothing you can do to really counter the problem. There is a good example of someone that was able to challenge the Kubani family, not on tell so much as telebrands.

There's another inventor, his name is Josh Malone. He's an engineer from Texas. And Josh created a product called Bunch of Balloons. He got ripped off by the Telebrands company that is owned by AJ Kubani. And very early I met Josh.

because the first thing that happens when you get ripped off by the Kabanis is you meet a whole bunch of other people that got ripped off by the Kabanis. I know a woman that got ripped off by the Kabanis in 1989. So this has been going on for decades, but it's become much more brazen. Josh was actually able...

to litigate against telebrands. And the reason he was able to litigate against telebrands is because he had already licensed his product to a company called Zuru, which is a multi-billion dollar Hong Kong based, now Hong Kong based manufacturer of toys. And they were not going to put up with this crap from telebrands. So they got into litigation and they went.

**Juliette Fassett**

Juliette Fassett (20:02.59)

you know, six rounds, six years of litigation, including multiple trips to the PTAB, which is the Patent Trials Appeal Board, which is a sort of administrative court within the USPTO. And they spent, the estimate is over \$20 million in litigation. And they won. They got a 30 plus million dollar settlement.

but it took years and it took millions and millions of dollars. this is, mean, these guys win just by virtue of their size, right? So they don't, one of the things they look at is what's the size of the company that's putting this product out. And they knew.

**Laura Dow**

Laura Dow (20:43.309)

Right.

**Juliette Fassett**

Juliette Fassett (20:51.648)

looking at my company, this is a teeny tiny company. Of course, it's privately held, so they can't see how much funding I have, what the investment looks like, but it's obvious it's a small business. And they figured my chances of being able to successfully fight them are very slim and that they're just going to get away with it.

And even if I do manage to litigate, they're going to make so much money in the meantime that that's just a, the litigation becomes just a cost of doing business.

**Laura Dow**

Laura Dow (21:28.44)

So a bit, I know it's probably a tough topic, but you're in the midst of this litigation right now. And you started it, how many years ago?

**Juliette Fassett**

Juliette Fassett (21:38.944)

So it took many, many years to find the right attorneys to help with the litigation, mostly because my business is so small. But I finally found, of course, woman. Actually, she found me. I was interviewed for, it's not really a podcast, but I was interviewed for an organization called In of the Court. And they were interested in speaking with someone who had

used the Amazon Apex program. It's a bunch of IP attorneys. So I did this interview with them and they distributed the interview to their chapters around the country. an attorney named Tamara Frazier, who is based in the Palo Alto office of Squared Patent Bugs.

she reached out to me and said, I think I know how to help you. And so Tamara and I dug in and a year later we added another attorney to the team and we filed suit in New Jersey court in October of 24.

**Juliette Fassett**

Juliette Fassett (22:55.37)

Finally.

**Laura Dow**

Laura Dow (22:55.43)

And so that process, filing the suit, took a couple years.

**Juliette Fassett**

Juliette Fassett (23:01.214)

Yeah, took years to find the attorneys to figure out how to get it done. And then it took years to organize it and get it filed. And we filed many lawsuits. We filed in New Jersey. We filed in Texas. we're litigating against Walmart and CVS and all these big retailers in addition to Ontel.

**Laura Dow**

Laura Dow (23:29.07)

Okay, and so for those of us who are not too familiar, can you just explain high level how to get it done? Just that what considerations were you looking at when you decided how to go about it?

**Juliette Fassett**

Juliette Fassett (23:41.364)

Well, problem with patent infringement is that it is really, really expensive. And there are a variety of reasons why patent infringement is so expensive to litigate, but it's complicated. There's a lot of depositions. There's a lot of expert testimony. You get multiple jurisdictions going. So you've got lawsuits all over the country.

**Juliette Fassett**

The litigation has been taken over a lot by big tech in the patent space. So it's not a game for small players. So this goes back to my comment about them thinking they're going to be able to dispatch with me pretty easily.

**Laura Dow**

Laura Dow (24:21.134)

Mm.

**Laura Dow**

Laura Dow (24:25.218)

Mm-hmm, I see.

**Laura Dow**

Laura Dow (24:38.018)

Little did they know who they're dealing with.

**Juliette Fassett**

Juliette Fassett (24:40.256)

One of my investors likes to say, they had no idea who they were picking a fight with. No, they hadn't. know, I mean, it's not over, right? I mean, we're far from getting any kind of resolve on this, but also it is not a trip that I would wish on anybody. It is.

**Laura Dow**

Laura Dow (24:46.872)

They had never met Juliet.

**Juliette Fassett**

Juliette Fassett (25:09.396)

the stress and the pain and the sort of like...

**Juliette Fassett**

Juliette Fassett (25:21.886)

The way it destroys your interest in belief in how our system works, you know, when it's so we all know that there's corporate greed. We all know that corporations are, you know, behave badly. We all know this.

**Juliette Fassett**

But when they're blatantly stealing from you personally, something that took you your entire life to build, it just is really...

**Juliette Fassett**

demoralizing in kind of a meta way. And so, you know, there was some really dark times, really dark. And like, I almost gave up multiple times. And, you know, my friends and my family are like, and a lot of strangers are like, you should just give up, you should just move on. And I'm like, well, if I move on, where's the deterrence?

**Juliette Fassett**

This is why they've been able to do what they did to me is because there hasn't been any deterrence before me. Even though they have been sued, mean, collectively, these two companies have been sued over 100 times for a variety of infringements. So obviously, we're dealing with bad actors here. And

**Juliette Fassett**

Juliette Fassett (26:48.392)

It is really hard to hold these people liable criminally. really, the only, what you're stuck with is civil litigation, which is expensive. So it's been going on for decades and decades.

**Laura Dow**

Laura Dow (27:07.726)

You make a good point though, if you don't fight and inventors like you don't fight, then there's essentially no chance for other inventors after you to have any success. So you're sort of in a way, paving a way, a potential way for smaller companies. And is that your life?

**Juliette Fassett**

Juliette Fassett (27:25.832)

Well, yeah, I mean, that's kind of what this is about, right? mean, besides, besides trying to claw back a little bit of what I mean. So it's kind of like these guys stole this thing that I had had worked toward my entire life, right? So they stole my moonshot. I'm not the only one. This happens to people all the time, right? But unless we

**Laura Dow**

Laura Dow (27:30.296)

Great.

**Juliette Fassett**

Juliette Fassett (27:53.852)

try to address this problem.

**Juliette Fassett**

It's just going to keep happening and happening as it has been. So not only am I trying to get some financial compensation and justice for what has been done to myself, all my business partners, my investors, my team, right? We all lost. And then there's this extra circle outside of that, which are the organizations that we were supporting when we had, when business was doing well, we were giving money to our literacy partner.

**Juliette Fassett**

were using one of our warehouses, employees, developmentally challenged adults, all that good stuff, that all went away. All of it. It just went away. So if we don't push back and try to fix this problem, and it's only getting worse,

**Laura Dow**

Laura Dow (28:35.246)

Right, right, right.

**Juliette Fassett**

Juliette Fassett (28:49.556)

There's no reason for people like me to build businesses around products. There's no reason for people to try to solve problems. All these people that had these great ideas. I I meet with people all the time that have fantastic ideas that under some sort of balanced...

**Juliette Fassett**

marketplace should be able to monetize their ideas. But I'm such a Debbie Downer these days. I'm like, you know, unless you are able to license this product to a big company before you market it, or you can get some backing from somebody with really deep pockets, or you can just fly under the radar and get low sales and just try to peter it along without having it explode.

**Laura Dow**

Laura Dow (29:38.414)

Thanks.

**Laura Dow**

Laura Dow (29:41.998)

Right.

**Juliette Fassett**

Juliette Fassett (29:44.56)

Even then, I think it's just too easy for things to get copied.

**Laura Dow**

Laura Dow (29:52.568)

So last time we spoke, believe you said you were confident you would win though. So you do see a light at the end of the tunnel. Is that on good days you feel that way or are you confident that you will be made whole eventually?

**Juliette Fassett**

Juliette Fassett (30:05.854)

Well, know, anything can happen in litigation. mean, there's no, it's extremely high risk. But I can tell you this, we are really looking forward to going to trial.

**Laura Dow**

Laura Dow (30:19.254)

Is there a date set for that?

**Juliette Fassett**

Juliette Fassett (30:20.948)

We do not have trial. We do have our Markman hearing at the end of April in New Jersey. So the Markman hearing is a very important part of the patent litigation process. So I will actually be in New Jersey for the hearing and we'll see how that goes.

**Laura Dow**

Laura Dow (30:40.65)

I would like to have gone to support you. I'm going to be out of the country visiting our team in China during that time. Otherwise, mean, could I have attended to support?

**Juliette Fassett**

Juliette Fassett (30:52.256)

I think people can go to it. I'm not sure, but I think people can go to it.

**Laura Dow**

Laura Dow (30:57.248)

Mm-hmm. Mm-hmm.

**Laura Dow**

So just a couple final questions and then I want you to be able to discuss any other topics that perhaps I didn't ask yet. So feel free to fill in what I might have missed. But you mentioned this other company that was backed by a larger group that won against Ontel. Have there been companies your size that you know of that have won? Or are you going to be the first, hopefully?

**Juliette Fassett**

Juliette Fassett (31:19.828)

Yep. Yeah.

**Juliette Fassett**

Juliette Fassett (31:28.574)

Well, so there have been so many lawsuits and we do know that most of these lawsuits get settled. I don't know how many of those companies were as small as mine. I have no idea. But I do know that there have been a lot of lawsuits that have been settled. So that's the data that we have on that. I think there are a couple of things here.

**Laura Dow**

Laura Dow (31:52.568)

Yeah, yeah.

**Juliette Fassett**

Juliette Fassett (31:59.24)

A lot of these companies seem to be owned or run by women. I think because in consumer products, this is a category where there are a lot of women participating in the process in the industry.

**Juliette Fassett**

That kind of really makes it in some ways even worse. Hang on, I'm gonna sneeze. Excuse me. So.

**Laura Dow**

Laura Dow (32:28.11)

Because it's in type.

**Juliette Fassett**

Juliette Fassett (32:38.28)

Yeah, I don't know what else I can say about that.

**Laura Dow**

Laura Dow (32:44.046)

Okay, so I guess just looking back, knowing what you know now, where we are today, not where we might be when you win. I'm just going to be optimistic and say when you win.

**Laura Dow**

It sounds like you wouldn't even attempt to do what you did. seems like you wouldn't, if you had the information knowing that you were gonna get knocked off.

**Juliette Fassett**

Juliette Fassett (33:06.674)

No, so if I could go back in time, what I would have done was when we got our really good positive tests from QVC, when we were testing before they really went large, when we got those positive tests, I would have reached out to find a partner, a bigger company to collaborate with to try to bolster our protection.

**Laura Dow**

Laura Dow (33:10.69)

Mm-hmm.

**Laura Dow**

Laura Dow (33:15.832)

Mm-hmm.

**Laura Dow**

Laura Dow (33:22.595)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (33:35.2)

immediately. you know once you like if you have a positive test at QVC that means something right? mean

**Laura Dow**

Laura Dow (33:36.718)

Mm-hmm.

**Laura Dow**

Laura Dow (33:44.898)

Right.

**Juliette Fassett**

Juliette Fassett (33:44.96)

They test the product a couple of times, and there's a lot of risk in those tests. It's a big financial commitment for a small business. But if you come out of that testing process with the right feedback data-wise, you have enough information, I believe, to try at least to partner with another company.

**Laura Dow**

Laura Dow (34:07.47)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (34:09.51)

The way that that can benefit larger companies is that they could get products that are just coming out of the blue for them. Nothing that they've been working on developing, but somebody, an independent inventor, product developer, entrepreneur like myself, who has killed themselves for years figuring this out, could come to them and say, hey, I got a hit here. Let's do this together. If I had had that,

**Laura Dow**

Laura Dow (34:27.511)

Mm-hmm.

**Laura Dow**

Laura Dow (34:32.002)

Mm-hmm.

**Laura Dow**

Laura Dow (34:36.696)

Right.

**Juliette Fassett**

Juliette Fassett (34:39.154)

I don't think I would be in the position that I'm in today. That's the only possible thing that I can come up with.

**Laura Dow**

Laura Dow (34:44.78)

And so do you, yeah.

**Laura Dow**

Laura Dow (34:52.962)

Right. And so that would be for other, that would be your recommendation for other entrepreneurs like you, women owned businesses, product developers, that piece of advice there. In addition to all the other steps taken to protect IP, that crucial.

**Juliette Fassett**

Juliette Fassett (35:09.344)

Yeah, I mean, you have to, you have to get your patents. You have to get your trademarks. I mean, you have to do all that stuff anyway. So I just, that's the only solution that, I mean, maybe, maybe there are, you know, people that are so much smarter than me can, can make suggestions that are super cost effective. But, um, in my estimation, without a large corporate shield,

**Juliette Fassett**

to protect you, you're just gonna get eaten alive.

you still have to go, you still have to do the entire process up to the point where you show that there's money there. Once you show there's money there, then I think that gives you some grounds to go and talk to people. I don't advise that people take their ideas unless they're going to like open innovation, you know, type of platforms where people are just looking for ideas at that level and the person doesn't want to develop it.

**Laura Dow**

Laura Dow (36:10.104)

Thank you.

**Juliette Fassett**

Juliette Fassett (36:13.98)

and like I did, take it all the way to market. But if you still have to go all the way through taking the product to market,

**Juliette Fassett**

Juliette Fassett (36:28.01)

to prove the viability of it. But once you've proven the viability of it, then, you know, that's great. If you have the idea and you just wanna sell the idea to somebody else, that's a different thing.

**Laura Dow**

Laura Dow (36:34.808)

Mm-hmm.

**Laura Dow**

Laura Dow (36:40.174)

Right, So all this being said, all that we've discussed, you've been in the litigation process a few years now, and it's not going to complete for another couple of years probably. OK. And so what is keeping you motivated is this idea that you are helping future innovators, especially female-owned small businesses, people like you.

**Juliette Fassett**

Juliette Fassett (36:54.13)

At least, yeah, it'll be yours.

**Laura Dow**

Laura Dow (37:07.746)

paving the way that is that what you think keeps you motivated and of course, financial.

**Juliette Fassett**

recourse, eventually.

Juliette Fassett (37:14.792)

Well, so I'm still, you know, I'm still running the business. We're still, we're still in business and the product still garners just gushing reviews. It's well-made. People love it. and yeah, this has become, this has sort of changed my life's trajectory. If I had not gotten ripped off.

**Laura Dow**

Laura Dow (37:18.702)

Mm-hmm.

**Laura Dow**

Laura Dow (37:24.856)

Wonderful. OK.

**Laura Dow**

Laura Dow (37:36.237)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (37:39.296)

I would have sold the company years and years ago. I would have taken it probably from the sellout at Amazon. I probably would have taken it another 18 months and then just sold it because I didn't really want to build out. I've had companies where I had a lot of employees and had an office and all of that, but that's kind of what, it's not a format that I wanted to work in anymore.

**Laura Dow**

Laura Dow (38:03.608)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (38:05.278)

I would have sold the company and gone on and done other things. But because I got, you my life got hijacked this way, it just became a matter of survival financially and mentally. And so I've been doing this other kind of fight. So I'm still enjoying running the business and selling the product.

**Juliette Fassett**

which is great. I have very good partners to help me keep the business going. But the litigation thing has become very important and not something I ever thought was going to be taking over my life, but it has. And I'm trying to figure out what we can do to prevent more people.

**Juliette Fassett**

from going through this. it's a very serious problem for innovation and problem solving. Because a lot of the big inventions and big ideas come from people that are not working for corporations because they're going to go a mile deep on one little item. And they're not trying to go a

**Juliette Fassett**

cross and work on a whole bunch of things. They're just going deep on solving one problem. And that takes a specific kind of wackadoodle.

**Laura Dow**

Laura Dow (39:28.174)

Mm-hmm.

**Laura Dow**

Laura Dow (39:35.074)

Well, I love that your business is still thriving. Well, thriving, would you use the word thriving? It's still...

**Juliette Fassett**

Juliette Fassett (39:40.094)

Well, you know, it's so it's we do most of our business on Amazon and Amazon is extremely difficult as a platform. You know, you get feed to death on Amazon is very hard. We do have a Shopify store, but it's really expensive to get people.

**Laura Dow**

Laura Dow (39:44.162)

Mm-hmm.

**Laura Dow**

Laura Dow (39:47.637)

Mm hmm. I heard that.

**Laura Dow**

Laura Dow (39:52.429)

Really?

**Juliette Fassett**

Juliette Fassett (40:02.75)

to do direct marketing and get people to your store. And the retail landscape was destroyed by Intel. So I'm kind of in an awkward position from a business standpoint that way. To really make the business go forward, I would need a lot more money than I have. So.

**Laura Dow**

Laura Dow (40:05.699)

Yeah.

**Laura Dow**

Laura Dow (40:20.526)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (40:30.014)

We're fine. We're stable. just keep plotting. Yep. We just keep plotting along. But, you know, the tariffs don't help. And now, of course, the price of gas has thrown everything up in the air. So, you know, I feel like I'm like some dog that's on a chain out in the yard. And every once in a while, some nameless, faceless person comes out and just yanks the chain a couple of times. And I just...

**Laura Dow**

Laura Dow (40:33.166)

chugging along.

**Laura Dow**

Laura Dow (40:43.758)

Great. Great.

**Laura Dow**

Laura Dow (40:58.702)

Ugh.

**Juliette Fassett**

Juliette Fassett (40:58.77)

in Jesus. So it's very...

**Juliette Fassett**

demoralizing, but you gotta keep going and you gotta work with what you got. So I'm just gonna keep fighting.

**Laura Dow**

Laura Dow (41:12.384)

It's true. It's true. I at CPG, we are actually sending out these cards that we developed. actually developed last year. It's a Chinese idiom that I learned when I was a Peace Corps volunteer. And it's chung fun for long. And it literally means ride wind and break waves. But it's about using adversity and like a large wave, a big storm coming at you, but using that versatility and using your little paddle.

**Juliette Fassett**

the challenge that you're facing to propel yourself forward. And it does change the trajectory of your life. But that is how life happens. Yeah.

**Juliette Fassett**

Juliette Fassett (41:51.104)

It happens to all of, I mean, you know, it is a bummer what has happened to me, but this, I mean, everybody has pain in their lives, you know? I would just, I just find this particular...

episode unwarranted and not something that we should permit in this country. And I think we got it we got to step up.

**Laura Dow**

Laura Dow (42:15.214)

Mm.

**Laura Dow**

Laura Dow (42:27.704)

So I just wanted to do our small part to help you raise awareness, because I know you're doing a lot. And also for your brand, I'm on your website now. And you actually have two products, right? You have the main Flippy and you have cousin. Cousin.

**Juliette Fassett**

Juliette Fassett (42:42.144)

Cozin, yeah, so Cozin is actually a product that we still have the product, but that was another sort of victim of us getting ripped off. It hasn't been ripped off, but we were not able to continue development of the product as we wanted to.

**Laura Dow**

Laura Dow (43:02.99)

Mm-hmm.

**Juliette Fassett**

Juliette Fassett (43:03.71)

because of the stress put on the business. So we're still selling it, but we're not putting a lot of effort into it at the time, which is a bummer because it's a really nice product.

**Laura Dow**

Laura Dow (43:05.976)

Right. Right.

**Laura Dow**

Laura Dow (43:15.446)

They're really cozy, cute products. They have really high ratings on Amazon. You can find them on Amazon. I'm looking at the Flippy. has five stars and Cozin has five stars, 4.8. Thinking of silver linings, trying to be optimistic. Maybe people are going to be staying home more with gas prices. Maybe they're going to be getting cozy on their couch.

**Juliette Fassett**

Juliette Fassett (43:37.396)

You know, but what you just said, Laura, I mean, that was the other like knife in the back, right? Was that we launched our first really big year was 2019 and then COVID happened and everybody was home. So products for work at home and being on your electronics at home exploded, you know?

**Laura Dow**

Laura Dow (43:58.83)

Right? Well, in a way that was, you might not have seen that sort of surge in business growth, because I think it was in the double digits for you, right? Had it not been for COVID, but then.

**Juliette Fassett**

Juliette Fassett (44:10.292)

Good.

**Juliette Fassett**

Great.

**Laura Dow**

Laura Dow (44:14.252)

Yeah, but then who knows if that is what actually, how Untell caught on maybe, right? One of the reasons.

**Juliette Fassett**

Juliette Fassett (44:20.468)

It's.

**Juliette Fassett**

Juliette Fassett (44:24.384)

Well, no, I think that the product was really good to start with, but then there was that market force that worked in favor.

**Laura Dow**

Laura Dow (44:30.488)

Right. It is. Right.

**Laura Dow**

Right.

Laura Dow (44:40.536)

So anything else you want to close with, anything else you want to share, I think we did cover quite a bit in terms of the development and the challenges and sort of the takeaways and your recommendations for other entrepreneurs. Any other final thoughts you want to share?

**Juliette Fassett**

Juliette Fassett (44:58.226)

Not really. mean, you know, I'm open to talking about the story and if I can help people avoid the things that have happened to me, I like to do so. That's really, that's really it.

**Laura Dow**

Laura Dow (45:16.386)

Mm-hmm. Mm-hmm. Okay. Well, we'll do our best to promote this podcast and to share your story. Before we sign off, I do want to share your website, which is getflippy.com. And then, right, and then you can also find the Flippy tablet on Amazon. Okay, perfect.

**Juliette Fassett**

Juliette Fassett (45:33.376)

That's right.

**Juliette Fassett**

Juliette Fassett (45:38.94)

Easily.

**Laura Dow**

Laura Dow (45:41.696)

And then you are pretty active on LinkedIn so people can follow your story there and your experience, right?

**Juliette Fassett**

Juliette Fassett (45:48.852)

Yep, absolutely.

**Laura Dow**

Laura Dow (45:50.68)

Juliet Fassett, CEO of Happy Products, Inc. and intellectual property advocate. That's good.

That's a good description. All right, Juliet. Well, I really appreciate you taking the time to share your story. I know it has not been easy. It's probably challenging to talk about, but I do think what you've shared today will help other people. And just getting the word out, shining a light on the issue is one small step we can take.

**Juliette Fassett**

Juliette Fassett (45:55.838)

That's me.

**Juliette Fassett**

Juliette Fassett (46:18.964)

That's right, absolutely. Everybody's got to their stories. Thank you, Laura. Thanks for having me on.

**Laura Dow**

Laura Dow (46:22.466)

Right, right.

Thank you so much.