



REQUIRED MATERIALS FOR NEW PATENT APPLICATIONS

In General

For both design and utility patent applications, only the first and true inventor is permitted to file the application within one year from the first public disclosure of the invention, offer to sell a product that embodies the invention, or an actual sale of the invention whichever occurs first. (A box on the invention disclosure form is provided to enter the date.)

We often recommend a patentability search (usually about \$1500) before the investment in any type of patent application. A patentability search helps to identify the closest prior art (whether found by the examiner or your competitor) and evaluate the likelihood that your invention will pass through the examination process and become a patent. This can be very important as the nature of the disclosed invention cannot be enhanced or changed after the application is filed without filing a new application.

A design patent can be filed to protect the ornamental features of a product's design. Features that primarily serve a functional purpose cannot be protected by a design patent. A utility patent is required for the functional aspects of a product. (Yes, you can have both a design patent and a utility patent for the same product if the novelty and unobviousness standards are met for both applications.)

Design Patent Applications

For each and every design patent application, the following documents and disclosures are required for us to prepare your application:

1. A completed invention disclosure form. All boxes must be filled in, especially the names of the inventors, their mailing addresses, and the name of the company (if any) that will be the owner of the patent rights.
2. Line drawings of the outside of the product (front, back, top, bottom, left, right, and isometric views) without colors or shading. Do not show features hidden behind the view or any internal parts—only the outside of the product. Hatched lines can be used to identify the parts of the product that will not be part of the patented ornamental design.
3. Copies of any prior art designs, whether or not patented, or the name of any products already on the market that are similar in any way to your design.

Utility Patent Applications

For each utility patent application, we need the following:

1. A completed invention disclosure form.
2. Line drawings (without shading or colors) that illustrate your invention in as much detail as you can provide. Unlike a design patent, cross sectional views, hidden views, exploded parts views, and flow diagrams are all permissible.
3. Copies of any prior art documents, whether or not patented, or the name of any products already on the market that are similar in any way to your design