

Description

Securing patent protection is one of the most important ways of safeguarding your intellectual assets. In order to succeed and stay on top of the game, companies must distinguish themselves from their competitors based on their intellectual property portfolios. Patent protection stops your contenders from making, using, distributing, or importing your innovation in the country or countries in which patent rights are granted. Let us delve into the world of patents and learn how to effectively safeguard your intellectual property with these simple tips.

1. Strike Early By Prioritizing Patents

You may miss out on protecting invaluable intellectual assets if you do not know what sort of technological advancements can be patented. Consequently, one of the most important steps for acquiring patents is identifying all the potential patentable technologies early in the developmental processes. This helps in preventing unauthorized disclosures. If a technology is discussed in public, its patentability is lost. Recognizing a patentable idea and protecting it at the right time safeguards your time, money and efforts invested in developing and nurturing it further. Furthermore, it provides recognition for your creativity and increases the likelihood of receiving material rewards for the invention.

Moreover, it is important to identify all the possible iterations and possible modifications that can be done related to the technology at hand. With assistance from a technical expert and a qualified patent attorney, ensure that you have covered all the probable adaptations and variations of the technology. It will allow you to protect and benefit from the complete scope of your technology. Moreover, filing multiple patents for such variations warrants that your competitors are unable to replicate the technology with minor modifications and reaping the benefits with minimum efforts.

2. Know What Can Be Patented

There are three key conditions – novelty, innovation, and industrial applicability which must be fulfilled for an idea to be patented. The invention must demonstrate a new characteristic that is unknown in the current body of literature. It should be such that an individual with ordinary skills in the relevant field should not be able to deduce it very easily or obviously. However, while filing the patent one must describe it in sufficient details such that any person with ordinary skillsets in the similar field can

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replicate it. The patent must also demonstrate industrial applicability.

Another important aspect that one needs to keep in mind is the clause of subject-matter patentability. Several countries have specific pre-defined norms on subject matters that are eligible for a patent. For instance, some countries do not allow patents related to scientific theories, mathematical models, and/or computer programs.

3. Conduct a Thorough Patent Search

Before filing a patent, one should ensure that the innovation has not been anticipated by publication in any form prior to the date of filing the patent. For confirming this on must conduct an exhaustive patent search. There are various methods of identifying already existing patents.

1. Search through credible databases such as WIPO or the USPTO website.
2. Perform a comprehensive patent search using keywords, phrases, inventor names etc. using Google's patent search option.
3. You may also seek expert guidance from patent and trademark resource centers.
4. You can also perform a prior art search within journal articles in your field.
5. Another strategy is to attend national and international conferences to identify latest technological trends and cutting-edge developments.

4. Choose the Type of Patent Protection

There are two kinds of patent applications that an individual can file based on his requirement. They are provisional and non-provisional patent applications. Let us understand how do they differ from each other.
Provisional patents are informal, easy to file and quick. The inventor receives a one year window to file a corresponding non-provisional patent. The benefits of filing a provisional patent are as follows:

- Quicker preliminary process
- Less expensive than filing a non-provisional patent
- Helps in establishing an official USPTO filing date enabling priority
- Allows the patentee one year window to fully assess the commercial viability of the technology

Non-provisional patents on the other hand are more formal. One must draft them with strict adherence to the standards of patent application. A patent examiner thoroughly examines the application and if approved provides patent protection for 20 years from the date of filing.

A researcher must carefully weigh all aspects before deciding which patent protection to apply for. Provisional patents are useful if there are multiple versions of a technology and the patentee is unsure about which variant is commercially more valuable. However, an improper provisional application and patent description may prove fatal to your application, making it worthless.

5. Skillfully Draft Your Patent Application

Drafting a patent application can be a tedious task. Therefore, one should carefully go through all the guidelines laid down by the USPTO. The important components of every patent application include the

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following:

1. Title of the application
2. Background and summary of the invention
3. Abstract and Drawings
4. Elaborate description of the designs and drawings
5. Patent Claims
6. Cross-reference to related applications

Important characteristics of these elements:

- Keep the title crisp, concise and simple.
- The drawings and descriptions on the contrary must be elaborate, broad and comprehensive.
- The claims must be complete with an introductory phrase that talks about the purpose of invention and body that highlights precise ideas that you are seeking protection for.
- Discuss the various ways to utilize the technology. Also keep a check on the terminologies that you use to describe the innovation and its variations. They must not seem ambiguous or difficult to follow.

Still have more questions related to patenting strategies? Post your queries here and our experts will be happy to answer them! You can also visit our Q&A forum for frequently asked questions related to research writing and publishing answered by our team that comprises subject-matter experts, eminent researchers, and publication experts.

Category

1. Publishing Research
2. Understanding Ethics

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