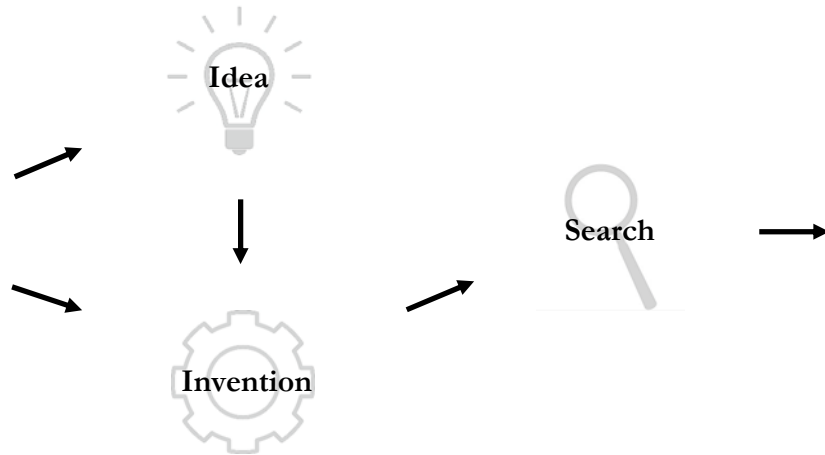




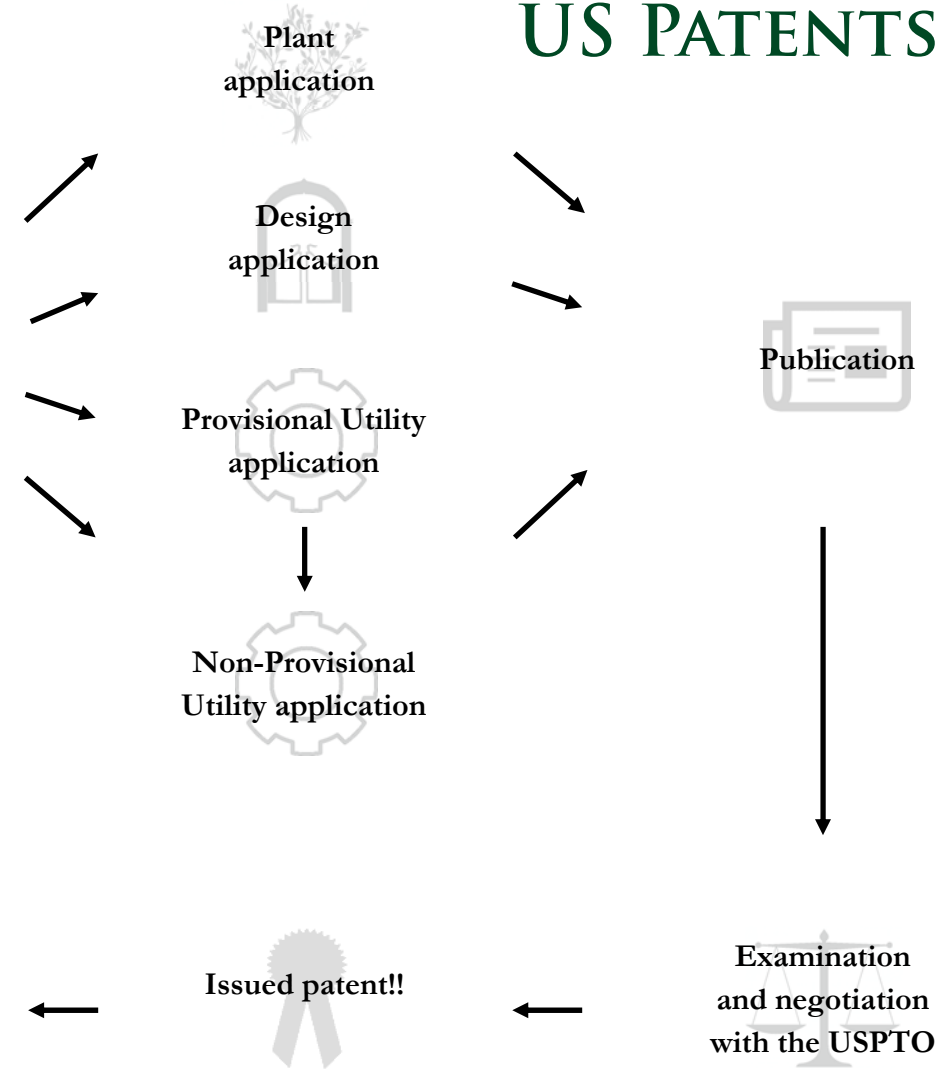
DOBBIN IP LAW

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Do you have
an idea or an
invention?



To file a patent,
you must choose
between 4 options.



See page 2 for more details!



DOBBIN IP LAW

US PATENTS

Ideas

Ideas are NOT patentable. An idea is a general concept or goal of what you want to achieve, with no knowledge of how you are going to get there. For example: "It would be cool if _____"

Inventions

An invention is well thought out plan of how to achieve your end goal. If you can or have built a working prototype - you have an invention. Now that you have an invention, it's time to look at how to patent it!

Search

Hold up! Before rushing to get a patent. Shouldn't you find out if anybody else is already doing it? This step is optional; but, if you do the search now, you can potentially save yourself a lot of headache and money down the road. Other similar and prior inventions can kill your application.

Plant Patent

A plant patent application is just what it sounds like. If you are a botanist and have discovered or raised a new plant breed, and reproduced it asexually, this category is for you.

Design Patent

A design patent protects the visual and artistic design of an item. For example, if you make a large modern art inspired rod iron gate, you want a design patent to keep everybody else from making something too similar and confusing your gate.

Provisional Utility Patent

A provisional utility patent application is a precursor to the non-provisional application. It is optional. Utility applications protect the usefulness of your invention. Once you file the provisional, it sits on a proverbial shelf and expires after 1 year. A full nonprovisional utility application must be filed before the year is up.

Non-Provisional Utility Patent

A utility patent application is for useful items. For example, machines and systems go into this category.

Publication

Publication - unless you ask, your non-provisional utility application will be publicly published 18 months after you file your earliest application. Damages are backdated to this date if someone starts infringing your invention before the patent is issued

Examination & Negotiations with USPTO

The examination and negotiation process between you and the patent examiner can take years to complete. At least you're patent pending!

Issue

If you made it to this step -- CONGRATULATIONS! Now you can protect your invention, and even backdate damages to the publication date!

Maintenance Fees

To keep your patent in force, you must file periodic maintenance fees to the USPTO. They are due 3.5, 7.5 and 11.5 years after the patent issues. You CANNOT prepay them. THIS ONLY APPLIES TO UTILITY PATENTS.

Expiration

Utility and plant patents expire about 20 years from the date of filing while design patents expire 14 or 15 years, depending on when you filed, from the date of issuance.