

PATENTS IN A NUTSHELL

- **GOOD FOR PROTECTING TECHNOLOGICAL ADVANTAGE**
- **TERM: 20 YEARS FROM EARLIEST FILING DATE**
 - **FILED AT US PATENT AND TRADEMARK OFFICE**
 - **ENFORCEABLE IN US AND ITS TERRITORIES**
 - **GIVES RIGHTS TO EXCLUDE OTHERS FROM MAKING, USING, SELLING ITEMS COVERED BY PATENT**
 - **JURISDICTION: FEDERAL**
- **TYPES:**
 - **UTILITY (PROTECTS THE WAY AN INVENTION WORKS OR FUNCTIONS)**
 - **DESIGN (PROTECTS APPEARANCE OF AN ORNAMENTAL DESIGN)**
 - **PLANT (LIMITED TO ASEXUALLY REPRODUCED PLANTS)**
- **PATHS TO THE PATENT**
 - **PROVISIONAL APPLICATION (SAVES FILING DATE FOR ONE YEAR)**
 - **PATENT COOPERATION TREATY FILING (PROVIDES INTERNATIONAL FILING OPPORTUNITIES)**
 - **DIRECT FILED UTILITY**
- **IMPORTANT QUESTIONS:**
 - **WHO IS THE INVENTOR(S)?**
 - **WHEN WAS THE INITIAL CONCEPT CONCEIVED?**
 - **HAVE THERE BEEN ANY PUBLIC DISCLOSURES?**
 - **WHAT ELSE IS OUT THERE THAT'S RELEVANT FOR PATENTABILITY – PRIOR ART?**
- **THIRD PARTY PATENTS --IMPORTANT QUESTIONS:**
 - **IS THE PATENT IN QUESTION STILL IN FORCE, FOR HOW LONG?**
 - **WHAT DOES THE PATENT COVER?**
 - **HOW DID WE COME TO KNOW OF THIS PATENT?**

WEBSITES AND OTHER REFERNCES:

- [HTTP://WWW.USPTO.GOV/MAIN/PROFILES/NEWUSER.HTM](http://www.uspto.gov/main/profiles/newuser.htm)
- [HTTP://WWW.USPTO.GOV/WEB/OFFICES/PAC/DOC/GENERAL/INDEX.HTML](http://www.uspto.gov/web/offices/pac/doc/general/index.html)
- [HTTP://WWW.LAW.CORNELL.EDU/USCODE/35](http://www.law.cornell.edu/uscode/35) (US PATENT STATUTE)