

Patent an Idea

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A patent is a legal document that is granted to the first person to invent a particular invention. It allows them to exclude others from making, using or selling the invention that is described in the patent for a period of twenty years from the date that they first filed the application. So if your invention has potential then the idea to patent an idea should be on your mind.

Patent an Idea - The Difference

As I said in the paragraph above a patent is a legal document. A copyright exists as soon as you finish your work of art. Trademarks are similar, they exist as soon you use a symbol or word to represent your services or goods in commerce. However, to get a patent, you need to fill out many forms, do extensive research and, in most cases, hire a lawyer.

For example in writing your patent application you will be including detailed drawings, writing several claims, referring to many patents belonging to other people, and more. Do not get intimidated you can learn how to do these things and you can hire people to help.

Patent an Idea - Are you Ready?

Is your invention completely finished? Does it do what is supposed to do? Do you have a working prototype? Have you tested your invention? You must finish your invention before you can - patent your idea - because your patent must be based on what your invention is and modifications after the fact require another patent. Also, with a finished invention in hand you can do a market evaluation.

Patent an Idea - Search & Scope

After you have finished your invention, now is the time to do a patent search for similar inventions made by other people. You can do this at a Patent and Trademark Depository Library or online at the U.S. Patent Office site. Learn how and do a preliminary search yourself, you can hire a patent agent or attorney to do a professional search. What you find about other inventions like yours will determine the scope of your patent. Maybe there other inventions that do the same thing as your does, however, your invention does it in a better way or has an additional feature. Your patent will only cover what is unique about your invention.

Patent an Idea - The Lawyer

The patent attorney you hire must be skilled in the area of your invention for example: engineering, chemistry, or botany. They will examine your invention completely and then do their own patent search, do give them the results of any searches you or anyone you hired did.

They might find a patent or patent application that is too similar to your invention. A good lawyer will tell you upfront if this makes your invention unpatentable. If it is a go, your lawyer will proceed to writing your patent application. The patent application will include:

- A description of any "prior art," earlier inventions that are relevant to your invention.
- A brief summary outlining the new invention.

- A description of the "preferred embodiment" of the invention. This is a detailed account of how your idea will actually be put into practice.
- One or more "claims". Claims are the most important element of the application, as they are the actual legal description of your invention.
- If necessary drawings must be provided

Your patent lawyer will probably cost you from \$5,000 to \$20,000 for services rendered. However, a good patent application is essential for getting a strong patent. Do what ever preliminary work you can by yourself to save money, even if your lawyer will be redoing it.

[Patent an Idea - The Patent Office](#)

The patent application is sent to your Patent Office, with a submission fee. Then you have to wait until a patent examiner examines your application. Most patents are rejected on first admission, then the dance begins as you lawyer makes amendments and resubmits the application until it is accepted (or not) and you have your patent.

[Patent an Idea - Patent Pending](#)

After your patent application had been submitted do not waste time. You can label your invention as patent pending and start marketing it.