1. **All you must know on Antecedent Basis**

Antecedent basis is not considered to be the only standard which will support the subject matter claim. Reasonably, appropriate and clear support is all that is indispensable. However, antecedent basis is one of the major problems which are encountered in a beginner patent writer claims. Depending on the claim requirement it is must to introduce each element of patent claim appropriately prior to modification and qualification of the elements.

**An Example to Understand Antecedent Basis**

Let’s say “Dynamic Movement of Shaft” in a claim is not appropriate if the “shaft” has not been introduced earlier in the claim. It means “the,” “such,” and, “said,” must not be used in the claim until and unless the following noun has ever been introduced earlier in the claim.

**Note:**  While using a definite article in the claim prior to the claim element, the exact elements must be introduced in the claim later if required.

Considering a dependent claim,  the antecedent basis out to be there in the dependent claim or any other claim on which claim depends. It is because claim includes entire claims from which it depends as per the reference. If there are multiple elements, the introduction of elements  must be in the plural to limit or distinguish among the introduced elements as a plurality. Hence, if four bulbs are being used in the invention, they must be defined in the claim as “four bulbs,” or “a plurality of wheels,”  or “at least four wheels” and many more.

**Our Approach**

We have experience of over 10 years of drafting quality patents. Our team of proficient professionals delivers high-quality patent drafting solution so that our clients own an accurate future readily enforceable patents.  Also, the drafter makes it a point that it sails through smoothly during the prosecution. To know more about services, please click on the [**link**](https://patentdraftingcatalyst.com/services/)**.**

**2.** **Why do you need a trademark monitoring?**

Trademark monitoring is important to protect trademark rights from potential infringements. It ensures that the applicant will be notified when an identical or confusingly similar mark is registered or published for acceptance thereby giving the owner an opportunity to oppose the filing.

## ****Major reasons why businesses must have a trademark monitoring service****

In order to ensure the valuable marks of businesses are protected and enforced properly trademark monitoring is important. So, here are the top reasons due to which this service is indispensable:

### ****Trademark Rights Failure****

A trademark owner may lose his/her trademark rights after failing to monitor the mark. Additionally, the trademark will degrade its brand value in the market place. It may lead to a weakening of the trademark and, in some cases; the right of a trademark may be lost entirely.

An effective trademark monitoring must be taken to avoid trademark right loss by opposing infringers if found.

In case of infringement, the applicant must enforce trademark rights using different legal methods. It includes sending of cease and desist letters, initiates opposition and cancellation process with the help of the [Trademark Trial and Appeal Board](https://www.uspto.gov/trademarks-application-process/trademark-trial-and-appeal-board).  However, the applicant can also opt for other relevant measures depending upon the situation.

### ****Inability to Enforce Against an Infringer****

Trademark enforcement can be delayed if the applicant fails to stop brand infringement even after knowing. It is known as the “equitable doctrine of laches.”  This doctrine raises a positive task for you to enforce your rights against infringers in the given time period.  Additionally, if trademark monitoring is done then the owner must be aware of infringements if any. If the answer is yes, the law gives you an opportunity to enforce your trademark duty.

### ****Reduce Business Damage****

Trademark monitoring avoidance reduces revenue. Further, leading to business demise if the infringement is effective enough. A strong monitoring plan and strategy will detect infringers early even before damaging your business identity. Also, it is good to identify and resolve the infringement as soon as possible.  Higher the amount infringer has invested in his/her business, more the probability of fight against you due to huge monetary loss and business identity damage. Here, trademark monitoring comes into action by detecting infringement at an early stage and stopping it before your business goes through financial loss due to the infringer.

## ****Why Choose Us?****

Trademark Filing Company is a prominent firm engaged in delivering best trademark registration as well as monitoring services to the clients.  Our team of experienced professionals works on customized monitoring parameters to deliver a comprehensive monitoring solution for businesses. The experts focus on coverage of all major jurisdictions globally to provide effective[trademark monitoring and filing services.](https://thetrademarkfilingcompany.com/trademark-filing-services/)

1. **What is a Utility Patent?**

Utility refers to the term that describes the usefulness of any good obtained by the user. Similarly Utility Patent means a Patent that defines the usefulness of a new or improved product, process, machinery or matter composition. It is also termed as ‘Patent for invention’.

Although Utility Patent is hard to get, consumes a lot of time, is expensive, difficult to write and understand, still it serves as a great advantage to the owner. You should be aware about [**how to write a patent**](https://patentdraftingcatalyst.com/write-patent-tips-tricks-hacks/). The Invention is labeled as ‘Patent pending’ after the submission of an application during the [**patent filing process**](https://thepatentfilingcompany.com/patent-filing-process-3-easy-steps/). If other parties tried to copy or use the invention during the ‘pending’ status, the Patentee can seek payments from them on behalf of Patent policies. This is done after the Patent gets granted.

### ****Classification of the Utility Patent****

They are divided into three subcategories according to the functioning of the invention:

* Electrical
* Mechanical
* Chemical

### ****Requirement for Filing utility patent****

If you want your invention to be eligible for the Utility Patent Filing then it must fall under the categories mentioned below:

The Invention must be Novel. It is not allowed to disclose any detail of the Invention to the public. The Invention types such as machines, processes, composition of matter, article of manufacture etc. are accepted. The Invention must be non-obvious, specific and user-friendly.

If the invention qualifies in filing for Utility Patent, it should be done without wasting much time. The one who files the Patent first is considered the Inventor.

## ****Types of Utility Patent application****

There are basically two types of Utility Patent Applications:

### ****1) Provisional Utility Patent Application****

[**Provisional Patent application**](https://thepatentfilingcompany.com/a-beginners-guide-for-provisional-patent-filing/) is used to fix a filing date. This ensures the registration of your invention and provides you a time period of 12 months for Filing for Non-provisional Patent application. It gives your invention a status of ‘Patent pending’ which helps you to prevent copying of your Invention during that period of time.

Requirements for this form are:

* Title for the Invention.
* The motive of the invention.
* Detailed description of the Invention in written.
* The steps taken for the making of Invention or components of the Invention.
* Mentioning the usefulness of the Invention for public.

### ****2) Non Provisional Utility Patent Application****

This is somewhat complex type of Patent application process. An experienced Professional should be preferred to avoid any type of error.

It must include the following key points:

* Detailed illustration of the Invention through drawings.
* An oath for the invention claiming it to be your intellectual property
* The datasheet of application.
* A statement with minimum one [**claim**](https://patentdraftingcatalyst.com/draft-accurate-patent-claim/).
* [**Fees required**](https://thepatentfilingcompany.com/patent-filing-cost/), including cost for patent search, its filing, and examination.

### ****How to file a Non Provisional utility Patent application****

1. Ensure that the idea is new and useful.
2. Then you make sure that the Invention or the elements of Invention do not disobey any segment of another Patent. This is done through a thorough Patent analysis or search.
3. In the next step you prepare the Patent application; this requires [**drafting claims**](https://patentdraftingcatalyst.com/multiple-dependent-claims-need/) and scientific details of the Invention with respect to the requirements of [**USPTO**](https://www.uspto.gov/).
4. Then you file the Patent application along with the filing fees.
5. USPTO will then assign an examiner for the application and they may ask you for further information or details and you have to act accordingly.
6. The final step is all about waiting for the decision, on getting successful you will have a Patented Invention and on rejection you can appeal for the decision later.

### ****Key points to remember while filing the Patent application****

The inventor must be named correctly. If more persons are related with the invention, then they all will be considered as combined inventors and can use the license solely.

Before the Patent is granted, it can be cross checked whether if it meets the requirements or not and even after the issuing of Patent, the invention’s validity can be questioned.

Utility Patents have 20 years validity time, but maintenance fees have to be paid every six month. If you fail to do so, your Patent might get cancelled.

## ****How TDPC serves you best?****

You can take benefits from our services and ensure proper judgment to your Invention while being in the safe hands of our expertise.

We at TDPC are always there for you with our experienced professional. Here you can easily find solutions to your every problem related to Patents and Patent drawings. We believe in precise working providing 100% customer satisfaction since the last decade.

1. **Why you need the Proofreading of Patent Claims?**

 [**Patent claims**](https://patentdraftingcatalyst.com/patent-claim-drafting-principles/) play a significant role in the application as it defines a boundary which protects the stated claims of the invention. So, it is must to draft patent claim with appropriate legal and technical knowledge. As the claim is one of the major parameters it is must for you to know- how the proofreading of patent claims is important.

## ****Proofreading of Patent Claims: Importance****

Even a minute mistake in the claims of your patent can waste your money and efforts. So, let’s discuss here the necessity of proofreading of patent claims before final submission:

#### ****To ensure no infringement & copyrights cases are missing****

“Marksman Hearing” plays a major role in this as it ensures the scope of the invention and patent claim meaning. District court local rules control the hearing to make sure that claims are drafted as per the laws of “claim construction.” Also, the court holds the authority to examine the potential patent infringements.

In order to prove infringement, the owner of the patent must have proof of adherence of patent claims to the laws. Ensuring no infringement is found is indispensable as then further application processing can be done.

#### Also read: [What is an Inferential Claim?](https://patentdraftingcatalyst.com/inferential-claim/)

#### ****To Confirm Optional & Primary Function of the Invention****

The patent claim must cover the entire important and optional invention feature on the basis of the protection type requested by the applicant. Additionally, it should incorporate the target audience, exiled institutions, and the people may dodge the laws. The target audience may include patent counsel, inventor, licensee, patent examiner and many more. So, during proofreading of patent claims, the chance of missing out any optional and primary invention functions goes down.

#### ****To ensure claim coverage****

Considering existing [**prior art**](https://thepatentsearchfirm.com/what-is-prior-art/)you need to draft your patent application broadly or narrowly. Moreover, inventor request for protection type must be incorporated. The applicant can discuss to an experienced patent attorney on how he/she can extend the claim coverage to avail maximum protection rights if required. But, it must be ensured that a patent claim is not too comprehensive and is adhering to the area of invention.

#### ****To prevent legal and language cases****

During claim drafting, it is important to present it in a comprehensive manner with complete detailed and relevant data. In art patents language is an important parameter as close attention is given to meaning recognition, scope sensitivity, etc. during the examination.

Hence, lines framing must be in a way that it shows the desired meaning of the applicant.

So, a drafter should not only consider infringements carefully but also draft an appropriate application incorporating all legal aspects and technicality.

**Also read:**[**Patent Drafting: A Primary Guide for Beginners**](https://patentdraftingcatalyst.com/patent-drafting-beginner-guide/)

#### ****To prevent rejection of patent application****

A good patent claim defines legal rights during a patent grant. Each comprehensive specification of patent ought to end with the claim defining the scope of the patent as per the Patent Act, 1970 §10(4). No matter, the type of **patent application**, the applicant gets information from examiner only after the issuance of the office action. Majorly, an applicant receives office action after the [**examination process.**](https://www.uspto.gov/web/offices/pac/mpep/s2103.html)

However, the four major replies an applicant can get in office action is ‘Fix,’ ‘Amend,’ or ‘Try and Make’ i.e.’ FOAM.’ The patent applicant needs to make the corrections specified by the examiner in the office action or he/she can oppose the action by proving their work correct.

## ****How we can help you?****

We, at the Patent Proofreading Company, serve world class and accurate patent proofreading solution to our clients. Our team of fully skilled and professional proof-readers delivers effective patent proofreading solutions.  The experts use high-end software tools to provide our clients with comprehensive reports highlighting errors, discrepancies along with corrected suggestions. Additionally, we offer a “Certificate of Correction” if required.For our services, Visit [**The Patent Proofreading Company.**](https://thepatentproofreadingcompany.com/patent-proofreading-services/)

1. **Prior-Art Documents required for filing an IDS**

Prior-art documents play a significant role in the IDS filing procedure. Under U.S patent law it is must for each patent applicant to disclose to the USPTO any known prior-art documents. Also, the documents’ material can be material to the invention being claimed in the application. The duty is only applicable to the familiar prior art references. So, the applicant does not own the responsibility for the prior art search. But, any prior art references which are not in a patent search ought to be disclosed.

Also Read: Patent Paralegal: Duties to Perform

Prior-Art Documents Disclosure

This responsibility belongs to each inventor, patent attorney/agent/firms, and the assignee (if any). The prior art document of the information disclosure system includes not only patent literature (published patent applications and U.S. and foreign patents) but also non-patent literature. The non-patent literature includes printed publications such as website media, different literature types such as marketing and sales material. However, disclosure duty must not be only to the U.S. documents, but also to any other foreign country references.

If a patent application is in the mid because of the on-going duty process, it is obvious for an applicant to file many IDS statements via prosecution course of the application as new uncovered prior art references. It may occur in the case when prior art is cited in foreign application or PCT.

Also Read: Omnibus Claim: Importance of Narrow and Broad Claim Scope

Why Take our Services?

At Smart IDS, we have a team of experts who prepare cost effective and ready to file IDS forms under the USPTO guidelines. Our professionals make it a point to deliver the best quality IDS solution so that our clients focus on their patent draft. Also, we ensure the delivery of solution in quick turnaround time. To know more about service, please click here.

1. **How Patent Docketing Works?**

Patent docketing is a method or system for managing a patent application process. Organizing a large number of patent application task is a cumbersome process. Additionally, it is quite difficult to maintain a record of important documents, their timelines, deadlines, and reports, etc. without using any software tool. Here, patent docketing comes into action by keeping a track record of all patent documents effectively.

Moreover, automatic patent docketing software also plays an important role in the docketing process. It maintains a record of audit logs, schedules, documents, alerts and many more. Few of the programs are customizable so that it can customize dates and particular documents associated with a specific patent. Also, can process patents belonging to multiple countries. However, the extent of customization depends upon the budget and use of the law firm.

Also read: Why should you hire a Patent Docketing Specialist?

 Patent Docketing Process:

A docketing process initiates at the moment application arrives in the law office along with the relevant documents. Listed below are the points for patent docketing process:

Initially, a docketing specialist assigns each document with details like name, file number followed by an updating scan and feeding each record into the software.

The docketers create templates and send documents to other law firms depending on the requirement.

Further, relevant details are updated into the database to give attorneys idea about submission and pendency of the documents.

It is true that in the docketing process, to manage docket all the patent law insurance needs patent law firms. The docket is a database of patent application documents that notify recent deadlines of the application process to the attorneys. The major objective of docketing is to avoid malpractice lawsuit if a law firm misses patent filing date leading to rejection by the USPTO. Moreover, many big insurance companies avail two patent docketing to ensure safety and reliability.

Our Approach for Patent Docketing:

We have an experienced team of professionals who deliver optimum and high-quality patent docketing solutions to our clients. Our professionals work with the objective of serving assured life-cycle management of a patent portfolio. With our 100% reliable docketing support, we help our clients prevent missing any of their legal prospects. We have third-party software integration to offer extra techno-legal support to the clients. Moreover, we make it a point to ensure confidentiality and data redundancy using robust data security and backup system. To know more about our services, click here.

1. **Why to do a trademark search?**

“Why to do a trademark search? Or can I bypass the search”? –These are the question raised by almost all of our clients. The easy answer to this question is yes, but we never recommend it to our clients. It is because a trademark search is considered to be a vital step which must be taken before trademark filing. The reason due to which we are emphasizing on the need of trademark search is to help applicants avoid costly headaches and disputes which could be easily prevented with an appropriate trademark search. The search is to ensure whether the mark has been registered earlier. Through trademark search, the applicant gets to know if there exists registrability, potential conflicts if any to combat potential pitfalls.

Different Ways to Conduct Trademark Search:

The major objective behind the trademark search is to avoid picking up the mark which may create confusion with another mark. However, basically there are two major ways to conduct a trademark search:

Preliminary or Knockout Search:

It is the basic trademark search, under this USPTO records investigation is done to find out any potential conflicts or registrability issues. The search not only limits itself to the USPTO records but also extends to search for identical hits.

Comprehensive or Full Search:

This trademark search needs experts for the conduction as it covers all the state and federal registers, internet, business records, domain name registration, trade publications, and many other sources. A comprehensive report is generated at the end having written opinion about the trademark registration.

Trademark Search Benefits:

Trademark search is considered to be one of the most essential steps. It must not be ignored. Here are some of the benefits businesses can avail with trademark search:

An effective trademark search helps avoid spending both resources and money on a mark which may not be available for registration.

Gives the applicant an opportunity of utilizing time and flexibility to alter the mark before the launch of product or service in the market.

Prevents business cost related to rebranding.

Avoids the litigation cost of the dispute.

Also, offers a view on how to develop a trademark which gets easily registered.

Our Approach:

We, at The Trademark Search Company, provide super-easy trademark search and monitoring services to our clients. Our team of professionals conducts 100+ searches with no compromise in quality in quick turnaround time. The team’s objective is to help you focus on building the right brand for your business through our comprehensive trademark search service. Our professionals include widest search coverage of entire federal and state registers, domain name registration, internet, trade publications and many more. To know more about our services, click here.

1. **Whom to depend upon for the best Patent Illustration services?**

An illustration is a process of converting a 3-dimensional object, working model or an idea into a 2-dimensional figure, drawing or visual character. This is done for a better understanding of a third person. When we use the illustration process while filing a patent application, we call it Patent drawing.

In Patent illustration we define the Invention thoroughly with the help of drawings, graphs, charts etc.

Furthermore, a good Patent illustration plays a major role in getting a Patent application accepted.

A patent illustration is the most important part of drafting a patent. An inexperienced illustrator can make mistakes, leading to improper filing or even rejection of the Patent application in some cases. So, we need an expert for this job.

Patent illustration services: Need

Patent illustration helps to simplify our Invention for better understanding. To obtain good illustrations we require Patent illustration services.

An applicant can forget to mention some of the minute details about the invention while filing of Provisional Patent application. The Patent illustrator being an expert professional can cover those missing points in the illustration of the invention.

A Patent illustrator is also familiar with all the rules and guidelines provided by the USPTO for the Patent filing process. Therefore, he\she keeps the drawing within the laws. This helps the applicant by releasing most of the workload of Patent documentation. Additionally, It also increases the probability of the application to get accepted.

Some people understand better from drawings than understanding from the words. The illustration services ease their work by making them visualize the actual built of the Invention.

An invention is not limited to just a country and its jurisdictions. A Patent illustrator keeps in mind the standards of all the countries where the Patentee can apply for a Patent. Also, It helps to reduce further office actions and reworking of the drawing.

Points to consider while choosing a Patent illustrator

There are certain aspects that a Patentee should keep in mind while hiring a Patent illustrator.

Must hire a certified illustrator.

The illustrator must have knowledge about the USPTO guidelines for the Patent drawings.

He\She should have a good technical knowledge database for understanding the invention and its working.

He\She should own considerable artistic skills.

Head for the best

Patent Illustration Express provides you the best Patent illustration services with the help of our experts and professional team. Our squad is providing the most adequate solutions from the past decade. We are an organization that believes in Quality work and that too according to the customer.

So, we provide alterations until the satisfaction of the clients. We provide our results in a timely manner. We are among the top service providers of the field with budget-friendly charges.

1. **Trademark Monitoring Fundamentals: Know the Importance**

Being a trademark holder, it is important for you to have knowledge about trademark monitoring fundamentals. Trademark monitoring is an indispensable step to defend the trademark rights. An effective trademark monitoring strategy not only avoids your trademark loss but also prevent loss to your business. Moreover, it avoids the enforcing ability damage against infringers. So, let’s discuss effective trademark monitoring fundamentals.

Importance of Trademark Monitoring Fundamentals

Trademark monitoring facilitates a notification to the trademark owner if any similar trademark is registered. The major reasons due to which businesses must have trademark watch service are:

To avoid loss of the business

To retain a monopoly on name or logo of the business

In order to prevent enforcing ability damage against infringers

To prevent trademark rights damage

For example, we can consider a trademark named “KYAN.” Now, it is a problem for another company having the trademark “KYANOH” because the company requires to put extra efforts to increase their brand visibility. Otherwise, it may create confusion among their potential customers due to the similarity in the sound.

Related Articles: Benefits of Trademark Monitoring Services

Trademark Monitoring Fundamentals: What type of Service does it include?

Using online tools trademark monitoring can be done by own. Here are some major tools available online that are used by both experts and beginners for trademark monitoring:

Trademark Monitoring By Own:

TESS:

It is a Trademark Electronic Search System with the automated platform used to find infringement cases. Factors such as class, terms, categories, etc. are used for searching on the TESS portal.

Google Search:

It is one of the best platforms for trademark monitoring. For monitoring, you need to find potential infringers to your trademark. In order to search you can upload an image or icon of your trademark in the Google image search function. Simultaneously, you can search on Google in the search bar.

Note: This method of trademark monitoring is quite hectic and time-consuming.

Google Alerts:

It is a convenient method of trademark monitoring. Using Google alerts you can simply set an automatic search through which notification will come up on finding any trademark infringement.

Keyword Tools:

Google provides online service for both advertisement and web traffic via Google AdWords and AdWords Keyword Planner respectively. To confirm if anyone else is using your trademark Google Adwords can be used. However, Adwords Keyword Planner can be used to know the people strength that is actually searching for your trademark. The tools are helpful in ensuring whether anyone else is using your trademark. But, it does not give a complete idea about the identity of the infringer.

Related Articles: Global TM Search: Strategies and Advantages

 Third-Party Trademark Monitoring :

In safeguarding brand identity, trademark monitoring plays a significant role. There are many organizations that do not only take trademark search service but also avail trademark monitoring service. The objective of the service is to stop the misuse of the brand you have built with efforts.

Why Choose The Trademark Watch Company?

We, at The Trademark Watch Company, have a team of techno-legal experts who strive to stop infringers from misusing your brand. Our service has the most flexible and widest coverage to keep a vigilant eye on every trademark filing going in multiple countries. Do give a visit to know how things work and make a little inquiry to find our trademark monitoring search samples.

1. **Jepson Claims- Know the Importance**

A Jepson claim describes prior art scope followed by claiming prior art improvement. It depends on the subject matter which requires protection through patent claims. If defined correctly, Jepson claims is a combination of claims. The invention claimed includes the “preamble in the combination with the improvement.” While using Jepson form, the claim not only includes claim invention context but also the scope of the invention. Also, the inclusion of Jepson claim defines, in part, the structure of the elements of the claiming invention.

Also Read: What is an Inferential Claim?

Example of Jepson Claims:

Consider a simple example: “In the framework of developing a tool using elements x, y, and z (the prior art) wherein the enhancement includes (the transitional phrase and element w (intensive element(s)).”

Is Jepson Claims restricts the scope of the claim?

Yes, it is true that Jepson claims restrict the claims’ scope. However, some exceptions do exist in a few circumstances. The elements of Jepson claims are known to be in the prior art. Significantly, admission coming from a Jepson claim is only implied admission. The Federal Circuit believes that “the obviousness must not depend on an implied admission leading to the creation of imaginary prior art.

Also Read: How to Draft an Accurate Patent Claim?

Are Jepson Claims widely used?

The use of a Jepson claim is not very broad. Twenty years earlier it was observed by Judge Pauline that “as per Modern style, the claims of patent no longer cover the salient features.” Additionally, it was noted that Jepson claims merged as an exception in this movement. Supporting the points of Newman, stats of patent issue showed a significant decline in the Jepson claims numbers in the last twenty years.

How to use Jepson claims effectively?

To claim the invention specifically and clearly one can use Jepson claim. Before using the claim it is good to know the advantages and disadvantages of the same.

The practice does not claim the inventions’ silent features. However, claims the whole combination of both old and new elements. So, you must think before opposing the flow.

In a trial, the flexibility will get restricted in the argument of the scope of the claim due to Jepson claims use. However, you can opt for it if the clarity is critical.

Identify that the use of a Jepson claim must lead to easy patent issuance.

Why Take our Services?

We, at Patent Drafting Catalyst, have a strong team of professionals who deliver high quality “Patent Drafting Services.” Our aim is to provide our clients well-drafted future readily enforceable patents within quick turnaround time. Moreover, our team of 100+ drafters keep themselves updated about new software and tool to deliver world-class patent drafting solutions. Give a visit to our service page to know more.

1. **Qualities of Patent Illustrator – The Best 5**

Top qualities of patent illustrator include vast experience in drafting patent drawings along with a great sense of imagination. It helps illustrators in proper visualization of the product needs to be drawn and draft multiple views required to describe the invention. So, let’s discuss how to recognize the best qualities of patent illustrator through this article.

Related Article: How does a patent illustrator add value to your patent application?

The need for a Patent Illustrator

A good Patent drawing reflects the qualities of Patent illustrator. If we are unable to submit a proper Patent drawing of the Invention, the Patent examiners may hold the process of patent grant. In some cases, the examiners even nullify the whole Patent grant process. Therefore, for a proper Patent drawing we need a Patent illustrator.

A Patent illustrator provides the best illustration for an Invention. He\She helps us explain the invention in a more detailed manner to the patent examiner for better understanding. While using their imagination and artistic skills, they can draw every detail of the Invention on the Patent drawing.

Also, there are certain details that an applicant may forget to mention in the written patent draft. Thus, the Patent illustrator can cover up those details in the drawing. In fact, the Patent examiners give more weight to the Patent drawings for understanding the Invention.

Qualities of Patent illustrator: The Best Five

Here are a few qualities of Patent illustrator that you need to keep in mind before hiring them:

There is currently varied software in the market for creating drawings. A good Patent illustrator must know how to use the latest software.

The Patent illustrator must provide quality drawings with quick turnaround time and no errors.

He\She must be aware of the rules and guidelines provided by the USPTO.

The Patent illustrator must have a good experience of the Patent drawings. Secondly, he must have a wide technical database in order to understand the Invention first.

The last but not the least, He\She must be trustworthy so that the details about the Invention must remain confidential.

 Why choose Professional Patent Illustrators?

There are a number of Patent illustrators in the market at present. The only thing is who is the one we can trust? It is a tough job to choose among them. You don’t have to worry though.

Professional Patent illustrators is equipped with an expert team of technical staff and Professionals. We are devoted to your service regarding Patent drawings. You can rely on us for quality work and complete satisfaction. We provide you the most cost-efficient services in various formats for your ease.

Moreover, The Professional Patent Illustrators not only deliver what you want but also present what you need. To know more about our other services click here.

1. **Patent Paralegal: Duties to Perform**

Before getting on to what a Patent Paralegal does, let us first understand the term ‘Paralegal’. A Paralegal is a person of law and is responsible for handling the documentation work, briefing notes, transcribing statements, etc. Paralegals work under lawyers and attorneys, in law firms and corporate offices.

A patent paralegal is the core professional of patent law and research firms. He/She is a person of law responsible for handling patent documentation and prosecution proceedings.

Also Read: Patent Paralegal vs Attorney: The Differences You Must Know

Patent Paralegal Responsibilities:

In the sphere of Patent rights: patent paralegals work from the very first step of patent application filing till the final stage of patent grant.

What does a Patent Paralegal do?

 Their major responsibilities include:

IDS (Invention Disclosure Statement) preparation;

Interviewing clients;

Communicating with the attorneys at the USPTO;

Responding to office actions;

Maintaining the client’s application docket;

Proofreading of Patents to find errors (format related, technical or grammatical);

Performing a patent search;

Managing International patent filing requests and approved applications and other documents for various countries;

Patent Term Adjustment (PTA) – adjusts the term of the patent because of the delays occurred on part of the USPTO;

Conducting research on patent and copyright law;

Keeping a track on legal expenditure and invoice analysis;

Record maintenance of fee deposits made by the clients-patent filing fee, maintenance fee (depending upon the type of patent).

Resolving IP litigations: patent paralegals have expertise in resolving disputes aroused due to patent and license infringement.

PCT (Patent Cooperation Treaty) and/or US National application filing: keeping the record of PCT applications status (filed applications as well as the approved ones).

 What do we bring?

Our team of efficient and experienced paralegal personnel works from the very first stage of patent filing until patent grant. We provide end-to-end services of patent docketing, data verification, proofreading, IDS management and form preparation for clients across the globe. Our personnel are well-equipped with state-of-the-art tools. We are currently providing our services to our clients in more than 45 countries at pocket-friendly rates. To avail our services, do give a visit to Patent Paralegal Force.

1. **What are the costs/fees for patent registration in India?**

Patent Registration in India– Well there is no preset value or accurate answer to this question. However, we can help you by providing a generic view on the cost incurred which in turn will help you understand the cost structure. Your patent costs will actually depend on your decision- whether you want to get the patent process executed with the help of a patent agent/patent firm or you want to do it yourself. Here you can refer to one another article where you will know that Is it necessary to hire a patent agent to file a patent in India?

The cost of filing a patent in India or getting a patent can be divided into two cost components:

Statutory Fee: the fee that is mandatory and paid to the government office.

Professional Fee: the fee that is paid to the patent agent or patent firm.

Patent Registration in India

The statutory fee varies from individual inventors to companies. The fee also depends on the number of claims made and the total number of pages in a specification. Apart from this, one has to pay a certain amount to the Indian Patent Office (IPO) after the filing. It is therefore needless to say that the patent registration process is a costly one.

Overall Cost Estimate:

The cost of patent filing is approximately INR 50,000-INR 70,000. This cost is when you take the help of a professional patent agent to file your patent application.

You can save money by filing patent by yourself (avoiding professional support can also let you down!):

The patent agent will execute patent research, drafting, and filing of the patent application for the inventor or researcher. If any inventor or researcher files a patent without the help of any patent agent or professional then its needless to mention that the cost bore by him/her would be much less. The cost, in this case, is comparatively much less as the inventor would only pay the fees for the filing of patent and patent prosecution.

Do you know the complete procedure of Patent Filing in India? Learn here – How to file Patent in India? Requirements, Procedure, Specifications, Forms

Let’s have a look at how much it can approximately cost for an individual and what all steps he/ a company seeking patent has to go through to get a patent if he/she takes the help of a professional patent agent at different stages. The prices except for the mandatory government fees always vary depending upon the patent professional hired for executing the work.

Stage 1: Cost of Invention Disclosure

This is the first and foremost step that involves the documentation of invention. The researcher is required to gather all the details and particulars regarding his invention, the description and diagrams and any applicable experimental results and submit it to the patent professional. An Invention Disclosure Statement IDS form must be furnished in such a way that it will be able to avoid any non-patentable invention.

Stage 2: Cost of Patentability Search or Novelty Search

Patentability of an invention is determined by three factors – ‘new’, ’inventive step’, ‘industrial application’. Thus before applying for a patent, an inventor should conduct an exhaustive patentability search with the help of a patent professional to find out whether his invention satisfies the former mentioned three criterions.

The Section 3 under the Patents Act 1970 comprises of a list of the invention that cannot be patented even if they are novel, demonstrates an inventive step and is industrially applicable. An ’inventive step’ is defined under Section 2(1)(ja) of The Act as “a feature of an invention that involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art”.The charge for a detailed patentability search varies from professional to professional. Here you can check our professional and reliable services for patent filing in India.

The inventor needs to perform a patent search either on his own (for free) or by hiring a professional (professional will charge the fee accordingly).

Stage 3: Cost of making a decision to File Patent Application

Whether to go ahead and file a patent application for an invention solely depends upon the inventor’s decision. There are different types of patent application in India, you should choose the one or multiple as per your needs only.

The invention should have an “inventive step”, technically advanced from known prior-art and commercially viable. If the inventor is well convinced that his/her invention qualifies all the aforesaid criterions, he can go ahead for a patent filing. The next step after filing a patent is writing a complete patent application which is also referred to as patent drafting.

Stage 4: Cost of Patent Drafting

Drafting a patent is an extremely crucial job which requires a perfect blend of technical and legal knowledge of the drafter. It is seen in many cases that the inventor files a draft himself which completely focuses on the technical part and negating the legal aspect. Herein, comes the role of an experienced patent professional who can skillfully draft the patent application covering all the legal points along with the technical details.

An experienced patent professional adds an extra value to any patent application for an invention which is of great help and value to an inventor. The inventor can hire a professional draftsperson (professional will charge accordingly) or can create his own draft (for free).

Stage 5: Cost of FIling a Patent Application

Filing a patent application requires submission of forms to the patent office along with the prescribed fees. This is the first and foremost step towards securing an invention in India. If the inventor has a class 3 digital certificate he/she can submit the form online. In case of the online application, the Patent Office charges an additional 10% fee. Alternatively, one can send hard copies of the patent application (true copy) to the patent office too.

The fees for patent filing in India is as follows:

S. No. Description Patent office fee (INR) (e-filing) Comments

Natural Person (individuals)/ Startups Other than individuals

Small entity Other than Small entity

1 Application for grant of patent 1600 4000 8000 Mandatory

2 Provisional or Complete Specification No Fee No Fee No Fee Mandatory

3 Statement and Undertaking Under Section 8 No Fee No Fee No Fee Mandatory

4 Declaration as to Inventorship No Fee No Fee No Fee Mandatory

5 Request for Publication 2500 6250 12500 Optional

6 Request for Examination of Application for Patent 4000 10000 20000 Mandatory

Stage 6: Cost of making an Examination Request

This request is made by the researcher or inventor to the Indian Patent Office within 48 months from the Priority Date (first date of filing of the patent application) or else the application is not considered for examination. The application is considered to be withdrawn if the request is not mentioned within the stipulated date.

The cost of requesting for patent examination varies between 4,000 Rs to 20,000 Rs, depending upon the class (individual, startup, etc.) in which the inventor falls.

Stage 7: Cost of dealing with objections raised in the Examination Report

The examiner is the first person to submit the very first examination report to the controller regarding the patent application. In most cases, this report consists of objections which are comprised of prior-art related to the invention. This is referred to as the First Examination Report (FER), response to which, has to be submitted in the form of application for grant of the patent within 12 months from the date of issue of FER. The objections cover both technical and formal points. The aim of the inventor and patent agent should be to convince the controller by proving that the invention is far more superior than those of the pre-existing prior-arts. In situations, if the applicant fails to maintain the timeline of his/her application is considered to be abandoned.

The cost/fee for the Application for grant of patent ranges from Rs.1600 to Rs. 8000 depending on the class (individual, startup, etc.) in which the inventor falls.

Stage 8: Cost of Patent Grant

If an invention meets all the patentability criterions, the application would be placed for approval of the grant. This is notified in the Patent Office Journal. One can face Pre-Grant Opposition and Post-Grant Opposition before and after approval of the grant of a patent. Let’s have a close look at them as to what they mean.

Pre-Grant Opposition Post-Grant opposition

Under Section 11A of the Patent Acts, 1970 a pre-grant opposition can be filed by any person within six months from the date of publication of the application or before patent grant in the form of writing or representation to the controller.

No fees required for filing the pre-grant opposition.

A person interested may give opposition notice to the Controller against a patent granted within a period of 12 months from the date of publication of patent grant.

Fees required to file a post-grant opposition is of Rs. 1500 in case of natural person and Rs. 6000 in case of any person other than a natural person.

Stage 9: Cost of Patent Renewal

According to Section 53(1) of the Indian Patent Acts, 1970 a patent gets a grant for a span of 20 years and is calculated from the date of filing of the ordinary or conventional application. The renewal fee for patent applications entering the national phase in India through PCT Route is different and the details regarding the said can be found in Section 80 (1A).

A brief idea about the renewal fee details is provided below:

Renewal Fee-Year

Patent Owner

(Natural Person)

Patent Owner-Other Than Natural Person

Small Entity Other Than Small Entity

3 to 6 800 2000 4000

7 to 10 2400 6000 12000

11 to 15 4800 12000 24000

16 to 20 8000 20000 40000

How can YPT assist you?

We are a team of 225+ industry/technology experts who are working in the IP industry for more than 6 years, supporting 1000+ clients from more than 45 nations across the globe. We deal in multiple aspects from sciences, engineering, ICT to simple household inventions.

1. **Trademark Watch Services: Benefits**

Trademark Watch services help to avoid infringement or misuse of the trademark by a third party. The services also protect the intellectual property rights of the companies over their trademark.

After trademark registration, it is wise to take trademark watch services as it keeps an eye on the potential market dangers which may conflict your trademark uniqueness. Moreover, if any third party operates or misuses a similar trademark, these services notify the owner about the infringement activities. Also, It is very important to find these threats of infringement at earliest as they may lead to a loss in business as well as the company’s reputation.

Trademark Watch Services: Types

The Trademark watch services provide you a global aid in securing your Trademark. These services search for the marks that are infringing or may infringe the registered Trademark. Moreover, the services help the companies to avoid the misuse of their original mark. There are basically 2 types of Watch Services :

Identical trademark watch

Identical Trademark watch services identify the marks that are visually identical or sound the same as the original mark. These services target the marks that are directly infringing the registered trademark.

Similar trademark watch

Similar Trademark Watch Services deal with the identification of the marks with a confusing resemblance to the original mark. These services target the marks that are indirectly infringing the original trademark.

Related Articles: Trademark Monitoring Fundamentals: Know The Importance

Trademark Watch Services: Benefits

The Trademark Watch services prove beneficial to a company in numerous terms. Whenever a third party tries to infringe your registered Trademark, these services notify you. It helps you to take the required action in time. Some of the major benefits of the Services are :

The Services help the company to protect the intellectual property rights over their trademark or logo and prevent others from infringing the mark.

The Company can also earn profits in terms of revenue if a third party tries to infringe the trademark owned by the company.

These are also beneficial for business growth and approach.

For example – A company can keep an eye over other competitors and figure out the fields in which their competitors are entering. Thus, the company can adjust their business strategies accordingly.

Many companies don’t have the resources or time for continuously checking the market status in terms of trademark infringement. Thus, the Trademark Watch Services help the companies by handling the infringement protection part. Moreover, it allows the company to feed more time and efforts for their own betterment.

Marks identical or similar to the original trademark can affect the sale and reputation of the company. So, Services protect the rights of a company over the registered trademark and prevent other parties to use those rights.

There is a particular time period of 30 days to file the infringement application against the infringer. If you file the infringement application after 30 days, it is considered as untimely and may cost more. The Trademark Watch Services help to catch these infringing activities early and notify the owner.

Related Articles: Hire A trademark Attorney: What’s The Need?

The reason to choose The Trademark Watch Company

We, at The Trademark Watch Company, use manual search to look for the Infringements of your Trademark. Also, we have a wide range of search database. Our skilled team of experts provides our clients with a thorough search report with the help of a global database. We provide you the best quality work with minimum turn around time. Moreover, you can place and track your order online. You only have to provide us the mark details and search variants. Do give a visit to our service page to know more.

1. **Trademark Filing Basis: Things to know**

Trademark filing basis defines the basis with respect to which you file a Trademark application. It is necessary to define the filing basis while filing for a Trademark to clarify the motive of the Trademark. There are different requirements for every Trademark filing basis and you must follow those requirements to pursue the registration process.

Trademark filing basis: Types and requirements

There are different types of Trademark filing basis according to different situations. Each filing basis has its own criteria and requirements. Mostly it depends upon the product usage and international policies. Some general types of Trademark filing basis are:

1. ‘Use in Commerce’ basis

It is used when you are using the mark commercially at present.

The requirements for filing under ‘Use in Commerce’ basis are the date of first use and proof that you are currently using the mark in the respective country. The proof or ‘Specimens of use’ can be in the form of a website page, advertisement or declaration that defines the product/good and shows the trademark. Tags, logos and packaging are also accepted as proof.

2. ‘Intent to Use’ basis

This type of Trademark filing basis is used when you have future plans of using the mark commercially.

To file the Trademark under ‘Intent to use’ basis you have to go through a common registration process. It is necessary to show the proof of using the Trademark in the market after the application gets accepted for registration (generally after 10 months from the filing date). Also, you file a separate “Statement of use” to present the ‘proof of use’ to the Trademark office.

3. ‘Foreign Registration’ basis

You can file the application on ‘Foreign Registration’ basis if your Trademark is registered at another country. Therefore, the filing application requires no ‘proof of use’.

However, a scanned copy of registration certificate from the respective country and a translation approved by the translator are the only required things.

4. ‘Foreign Application’ basis

‘Foreign Application’ basis is included when you want to claim priority for a Trademark application already filed in another country. However, there can’t be a delay of more than 6 months between the filing of both the applications.

Additionally, you need to submit the date of filing, serial number and a verified declaration to genuinely use the mark commercially. Also, you need to submit an agreement form between the native country and the country for which you have filed the application.

Related Articles: Trademark Filing Timeline

Why Take Our Services?

Our technical experts and experienced teams at the Trademark filing company have been a pioneer in the field. The outcomes we provide are the most pertinent and satisfactory. Also, we present you the results with least turnaround time and free iterations until you get what you want.

As soon as we receive your queries, we start processing them and update you regularly with the status of work. We present you with pocket-friendly deals and post delivery services. To know more about our resources, click here.

1. **Patent Watch: Why Do I Need It?**

The Patent watch is a process of monitoring existing Patents/Patent applications. It is done to seek benefits in terms of technological update or obtaining revenue. Also, it helps to avoid possible threats of patent infringement. The basic principle behind the Patent monitoring is to find out Patents or Patent applications that may serve as an interest/profit or cause infringement to our already existing Patent.

The process includes keeping a track of all the competitors and their activities in the respective field. Also, It keeps an eye on a targeted application or Patent for their current status, publication of patent application or Prosecution details. Moreover, the Patent monitoring not only allows us to point out other Patents/applications that may infringe our Patent but also helps to avoid infringement from our end.

Patent Watch: Types

There are different types of watch services regarding Patents according to the need of the client. They can customize the monitoring criteria with respect to his/her requirement. Some of the watch types for Patent are:

Types

Description

Technical Patent Watch

This type of watch service covers the monitoring of newly granted or published Patents in the respective technical field. It monitors the technological part or Patents of the targeted contenders.

Competitor Patent Watch

This watch type provides services which include updates regarding publishing, granting, expiration and rejection of the Patents and Patent applications. The monitoring is done over the competitors of the respective field.

Patent Legal status Watch

The Patent legal status watch includes the monitoring of the prosecution process and steps after the post-grant stage of a Patent. Also, it considers the tracking of newly grant/published Patents. The monitoring helps to notify the client for any amendments, updates or changes required.

Design Watch

In Design Watch, services are provided for monitoring of the Design Patents that are recently published or granted. They also include keeping an eye on all the expired, rejected or abandoned Patent applications.

Infringement Watch

This Watch service includes monitoring for fresh EOU (Evidence of Use) in various forms such as Goods, services, process, etc.

Patent Watch: advantages

Patent monitoring provides a lot of advantages to the client. It helps in keeping the clients in touch with the current t status of other Trademarks. So, the client can take the necessary actions to avoid blames or accept opportunities.

Related Article: Need to Implement Patent Monitoring service

Some of the major advantages of the service are:

It helps us to remain updated on the latest technologies related to our field by surfing through the Patent application of other parties. This can prove beneficial for the R&D department for further innovative steps.

We can track and nullify the Patent applications or Patents that are infringing the novelty of claims in our Patent.

It also helps to keep a track of expired or abandoned Patents in order to use them for our benefits.

These services notify us if we are infringing the claims on another Patent. So, we can do the required changes or amendments on our behalf before any objection from other parties.

A continuous overlook on the present or upcoming Patents help to get a glace of various technologies and fields of competition. Thus, it ultimately leads to the proper planning of strategies in order to compete in the market.

Related Article: Patent Watch Benefits: What & How to Apply?

Why prefer The Patent Watch Company?

The Patent Watch Company provides you the most efficient service regarding the problems related to the monitoring of the Patent. The experienced members of the Watch team go through manual analysis of the global database. It gives you every possible outcome. We are a trusted organization for 100% customer satisfaction. You get the most Pertinent solutions with quick turnaround time. Also, you get regular update about the work status and can obtain the results online. To explore more of our services, click here.

1. **Patent Docketing Software: Its Importance and Applications**

Patent Docketing is a process of managing patent applications. In addition to managing Patent Applications, patent docketers also keep a track on the deadlines, due dates, updating the inventor the requirements as posed by the patent office. With the introduction of Patent docketing software the management of applications and documents associated with patent filing became a hassle-free task. Besides this, prompt fetching of the documents and updating the clients about the due dates has become an easy-to-do task.

Also read: Patent Filing: Know How to Proceed

Note: The automated docketing software services are not 100% accurate. Hence, to ensure the integrity of the docket made through an automatic mode is always followed by manual docketing. Therefore, maintenance of a manual docket is must by expert paralegals.

Features of a good patent docketing software:

Complies with the patent laws of the country.

Reflects PTO file history in a chronological manner.

Is adaptable to one’s style of docketing.

Sends real-time alerts of important due dates and deadlines to clients and attorneys maintaining an effective workflow.

Generates customized reports.

Generates invoice for clients automatically upon completion of tasks.

Many PTOs provide real-time access to their docketing databases for filing related applications.

Availability of Software Interface in different languages.

The software is secure, robust and future ready.

Patent Docketing Software - Its Importance

Patent Docketing Software: Significance/Importance

People these days, are becoming more aware of protecting their inventions with a patent grant. Hence, it becomes important to handle client’s patent documents proficiently and to update them about the due-dates beforehand. Therefore, along with manual docketing, docketing software has come into practice to ease the process of docketing.

The Patent Docketing Software helps to increase the efficiency of IP firms and/or corporations by –

Providing easy access to the patent portfolios;

Locating particular patent applications;

Differentiating domestic and international patent applications of the inventor;

Locating old patent applications on just a click;

Increasing efficiency and saves time and money;

Providing intimation of due-dates to the clients and attorneys on time;

Maintaining a track of the inward and outward movement of the documents.

Patent Docketing Software: Applications

Patent Docketing Software maintains-

International and Domestic patent details;

Inventor’s details (Name, Contact details and Address);

Information of the agents and attorneys associated with the inventor’s invention;

Locating Patents that are under the process of examination or prosecution;

Keeps a record of all the fee receipts received from the patent office.

What do we bring?

Our team of efficient patent docketing specialists makes sure to maintain our client’s patent portfolios are both in order and are accessible at the time of requirement. We ensure maintaining the authenticity of the information so provided by the client. Moreover, we provide double docketing solutions, reminders through email and/or phone, and updates regarding the necessities raised by the patent office to ensure a timely patent grant. Our expert docketers largely rely on their proficiency and on various dependable state-of-the-art-tools.To name a few- IP Manager, Anaqua, Memotech, Docket Trak, Patricia, Inteum, IPfolio, Claim Master, DIAMS, Alt Legal and Equinox. The practice of maintenance of a manual patent docket is religiously followed to ensure the credibility of the docket.

1. **Omnibus Claim: Importance of Narrow and Broad Claim Scope**

An omnibus claim is the description and/or illustrations as the subject matter of the claim. Also, the claim restricts the scope of a claim to the things disclosed by the applicant. However, there are many cases wherein omnibus claim supported infringement action and validity challenge as it was only left at the end.

Hence, the patent applications which are not very strong can use the claim as it plays a significant role in patent filing and provides a base for the claimed novelty protection. The claim is generally placed as the last claim so that illustrations and descriptions can be incorporated in the claim scope. It even makes sure that no aspect of the invention is missing. So, it is good to include an omnibus claim in a jurisdiction if required to protect the content disclosed through illustration and specification except for the claim.

Also Read: Significance of Patent Proofreading

Examples of Narrow Omnibus Claim:

An article being claimed in Claim 1, considered be describing and illustrating here.

A process or method got claimed in Claim 10, extensively illustrated and described here.

A compound claimed in Claim1, must be described and illustrated here.

A compound used in the processing of medicine should be illustrated and described here.

Examples of Broad Omnibus Claim:

A new article must be significantly described here.

A new building method should be described here substantially.

A new compound must be described here considerably.

New use of compound should be described here substantially.

A substance or composition for treatment method new use is substantially described here.

A compound prepared using the new process is described here substantially

Omnibus Claim Permit Coverage:

From the above, the conclusion is the claim adds good advantage to the patent application. Moreover, it acts as a useful tool for drafting patent application in terms of providing extensive protection. However, misuse of omnibus claim can be also done via claiming more than truly intended novelty as suggested by the inventor. So, because of this reason, extensive use of omnibus claim has been mingled.

Presently, it is accepted by the United Kingdom, New Zealand, and South Africa. However, India, China, United States, Israel, Australia, South Korea do not accept the omnibus claim. Also, in Canada and under European Patent Convention omnibus claim use is not allowed.

Also Read: How to Draft an Accurate Patent Claim?

Patent Drafting Catalyst Approach:

Our team of professional use unparalleled approach to provide high-quality patent drafting service to our clients. We have 100+ full-time drafters having more than 10 years of drafting quality patent. To deliver the best quality patent drafting solution to our clients we leverage the power of collaborative patent drafting. To know more about our services, click here.

1. **10 Major Benefits of Trademark**

The benefits of Trademark registration help the growth of an Organization. Also, a recent report justifies that, the trademark sums up to be 1/3 of the actual value of a corporate empire. An organization should not consider the registration and protection of a Trademark as unwanted expense among the business. Moreover, Trademark registration should count as Investment for Customer consideration which leads to an increase in sales.

Benefits of Trademark Registration:

 There are a lot of benefits for Trademark registration. It not only helps an organization to mark a place in the market but also protects the right of the company over the Trademark. Moreover, it provides future aids for the company at the time of business expansion. Some major aspects of Trademark registration are mentioned below:

Exclusive rights

Trademark provides a right to the owner to use the good or service exclusively. The registration of a Trademark comes with a number of rights for the owner to seek benefits through the Trademark. Moreover, a company can sue for the misuse of the Trademark and nullify the infringers with the help of these rights. benefits of trademark

Security

One of the major aspects of the Trademark is that it provides security to the novelty of the goods or service. Also, it secures the value of related goods or services.

Abstract property

The major role of the Trademark is to become a symbol of abstract property for the goods or services related to it. A trademark acts as a vessel for the market value and reputation of the related goods or services.

Licensing

Licensing is the best advantage for any Trademark. The owner can sell the rights to a third party to use the Trademark in a controlled way. This provides monetary benefits of Trademark to the owner. The owner can keep the record of the trademark in the Trademark register.

Assignment

It refers to the transfer of Trademark ownership to another party. The Trademark Assignment is done with the consideration of business.

Restraint

A registered trademark prevents another party to use Trademarks that are identical or similar to your trademark. The third parties become aware of the official belonging of the Trademark to the owner.

Use in Litigation

A trademark registration gives a right to the owner to file for the misuse or any other damage against the infringer. Also, the owner can seek revenue for prosecution fee and other legal cases.

Right to use the symbol ‘®’

You can use the symbol ® or “R” or the word “Registered” to notify the third parties about your exclusive rights over the Trademark. This is among the major benefits of Trademark.

Foreign policies

You can easily apply for Trademark registration in foreign countries after registering it to the native country. This is done to assure worldwide protection of the trademark rights.

Counterfeit Goods Act of 1997

The registration of a Trademark proves beneficial to avoid entries of counterfeit goods at the South African import points. The custom department can take legal action against the parties involved in the counterfeit activity.

The above benefits of Trademark help the owner to protect the novelty from it. Also, it allows the owner to maintain the reputation and demand for the goods or services in the market.

If you are a startup do read Trademark Fundamentals for Start-ups

Also Read: Trademark Filing: A Step by Step Process

Trademark Filing Fees: A Quick Overview

 Why should you go for The Trademark Search Company?

 We, at The Trademark Search Company, provide a solution to each of your query regarding the Trademarks. Our team consists of experts in the field and professionals. We do a thorough manual search for Trademarks on a global database to dig out every possible data. Also, we provide you the most relevant outcomes within the deadline. You can place your order online at a very pocket-friendly price. We believe in 100% customer satisfaction. To know more about our services, click here.

1. **Patent Filing Process in 3 easy steps**

To protect your invention via a patent, you should be familiar with the patent filing process. Filing a patent with the United States Patent & Trademark Office (USPTO) is the first and most important step towards protecting your invention. Hence, it’s essential to know the type of patent you should file and the requirements of each patent application. You need to be very prudent during the entire patent filing process, especially while drafting the application. This is to ensure that you have a seamless filing and a relatively straightforward examination.

Before anything else, you need to ensure that your invention is novel, functional, and non-obvious. You can do that through a patentability search. Once you are certain that your invention is patentable, you can go ahead with the patent filing process.

Patent Filing Process: An Overview

1) Decide the patent type

Before you start drafting your application, you need to identify the type of patent you need. The USPTO offers 3 types of patents:

Utility patent: It protects how a product or process functions. Utility patents protect functional and new inventions or systems.

Design patent: These cover the way a manufactured product looks but it isn’t concerned with its usefulness or function.

Plant patent: A plant patent is useful if you have created a new species of plant. It prevents other companies from breeding it.

2) Drafting the Application

After you are certain about the type of patent, you can move on to the actual patent filing process. It is important to remember that the USPTO follows a “First to file” regime.

Here is a list of the type of applications:

Provisional Patent Application

A provisional application is a quick and inexpensive way to establish an early effective filing date for your invention. You can claim it in a later filed non-provisional application. You do not have to provide claims, oath or declaration and public disclosure for a provisional application. However, it is advisable that you disclose the invention as completely as possible. You get a 12 month pendency period in which you must file the non-provisional application.

Nonprovisional (utility) Patent Application

A nonprovisional utility patent application is very elaborate and must include a specification. It needs to have the following:

Utility Patent Application Transmittal Form or Transmittal Letter

Background of the invention (for disclosure of material to patentability)

A description and a claim or claims

Drawings, nucleotide, and amino acid sequence listing, large tables or computer listings when necessary

An oath or declaration

The prescribed filing, search, and examination fees

As mentioned before, you are can convert a provisional application into a non-provisional one. You have to mention the specific reference to the provisional application in an application data sheet.

Related Article: How to Draft an Accurate Patent Claim

Design Patent Application

The design application has very similar requirements as the non-provisional application with a few additions, such as:

A description of figures for the drawing

A single claim

Feature description

Drawings or photographs

You cannot file a provisional application for a design patent.

Plant Patent Application

A plant patent application has the same requirements as a nonprovisional patent application with a few exceptions. In addition, you need to ensure that your specification must contain the following:

A complete botanical description of the plant

The characteristics which distinguish your plant over known, related plants

International Patent Application under the Patent Cooperation Treaty (PCT)

The PCT is an international treaty. It’s a system through which you can seek patents in multiple countries around the world on the basis of one international patent application. For more information on filing a patent under PCT, visit the PCT guide on the WIPO website.

3) Submit your application

The next step in the patent filing process is the submission of your application draft.

Online :-Whatever patent application you have to file, use EFS-Web. It is the USPTO’s electronic filing system for patent applications. It is also used for any official correspondence with the USPTO via the Internet.

Offline:- You can send the application via delivery by U.S. mail, or hand delivery to the Office in Alexandria, Virginia. But the offline method charges you a lot of extra money, so it is preferable to use the online method.

Why choose us?

Before you proceed with the patent filing process, you need to decide if you would need the assistance of a patent professional. Be mindful of the steps and deadlines involved. You should consider engaging a patent professional / firm who has years of experience in the patent field. We offer complete support for provisional patent application filing, design & utility patent Applications, patentability search reports, nonprovisional patent application filing, patent drawings and much more. For more information, visit our service page.

1. **When & How to File IDS?**

At every stage of patent prosecution, the applicant needs to disclose the relevant information found in the patent application/invention. Here comes the need to understand and learn about the time periods and procedure to file IDS. According to the U.S. patent law, 37 C.F.R. 1.56 USPTO (Duty to disclose information material to patentability) states that all known prior art or ‘material information’ must be to the USPTO in the form of an Information Disclosure Statement (IDS). A citizen (patent aspirant/ patent applicant) is bound to pay respect to this duty until the issuance of a patent to earn full respect for his/her patent. If not, you will lose the chance of getting a patent grant.

By material, the USPTO clearly states all that information which is found and considered relevant to the claimed subject matter. Material information includes related and valid U.S. patent applications or patent references cited in a PCT or foreign equivalent applications. In case,

If the information found to contradict or is inconsistent with the applicant’s position, or

If it contributes towards non-patentability in together or alone in all information

Then, the information will be considered strictly as ‘material’.

When to File IDS?

For official consideration of IDS by the examiner, it must be filed on time.

According to the USPTO 37 C.F.R. 1.97, you can file IDS at different stages of prosecution. For which the applicant may require to file different documents and pay a fee (if required), depending on the stage of prosecution. Prefer submitting IDS (and supplemental IDS) as early as possible to avoid extra costs. This section states different parts that include procedure and filing fee according to three prosecution stages with their respective 37 C.F.R. Section policies.

Also Read: Why Online Patent Paralegal Services are Important?

The table 1.a represents all the details and pre-requisites required for filing IDS.

Prosecution Stage 37 C.F.R Section Filing Period Requirements

1st Stage § 1.97(b)

Within 3 months of the U.S. filing date,

Before receiving a first office action, or

After filing the RCE.

Filing 37 C.F.R. 1.97(e) statement is not required.

Fee payment is also not required at this stage.

2nd Stage § 1.97(c)

After the first stage of filing is passed,

Before mailing Final Office Action,

After mailing Notice of Allowance, or

After mailing an Ex parte Quayle action.

IDS must be filed with either a 37 C.F.R. 1.97(e) statement, or

A government fee in accordance with 37 C.F.R. 1.17(p).

3rd Stage § 1.97(d)

After the second stage of filing is passed, or

Before or with payment of the issue fee.

IDS must be filed with both 37 C.F.R. 1.97(e) statement and government fee in accordance with 37 C.F.R. 1.17(p).

If a 37 C.F.R. 1.97(e) statement cannot be made, then an RCE has to file to have the IDS considered by the Examiner.

Table 1.a. USPTO Policies and details for filing IDS w.r.t 37 C.F.R. 1.97

 37 C.F.R. 1.97 Section Details

According to 37 C.F.R., 1.97(e) – That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

None of the information present insides was first mentioned or communicated in a foreign patent office in a counterpart foreign application, to any person signing for certification, and to any individual that matches with individuals mentioned in 1.56(c) more than three months prior to the filing IDS.

37 C.F.R. 1.17(p)

Statements under this section include details about the USPTO fee structure for all the prosecution stages for filing IDS.

Patent Term Adjustment

PTA period (if any) can be decreased according to C.F.R. 1.704(c), if its IDS is not filed within 30 days of receiving the filing information. To avoid so, an applicant (with respect to § 1.56(c)) needs to include that:

All information was first mentioned in communication from a foreign patent office.

None of the people (with respect to § 1.56(c)) receive filing information within 30 days before filing IDS.

File IDS: Procedure or Method

Fill Form PTO/SB/08 for filing IDS with a written explanation included in the IDS doc code.

It may include IDS fees when you submit the IDS form:

Before the first action: at this stage IDS form is considered to be at the part of the first stage of filing.

After Non-final Action: either pay a fee or sign an IDS certification saying that you got to know about it in the last 3 months.

After final action: pay the fee and sign the certification.

Attach the following three documents with IDS form:

Transmittal Letter: indicates the contents of submission, including fee if applicable.

Foreign Reference: cited by the examiner or by the applicant originally and is viewable in IFW.

Non-Patent Literature: Document code indicating Non-Patent Literature (NPL). Either the applicant submits it or the examiner.

Also Read and understand the value of patent proofreading: US Patent Proofreading – with USPTO Best Practices

Our Approach:

We, at Smart IDS Solutions, provide ready-to-file IDS forms in the USPTO prescribed format. Our team makes sure to cover up all the IDS-related proceedings in a timely manner so that our clients don’t end up paying a fee for the same. Moreover, we ensure a 100% quality assurance for IDS preparation. We are providing our solutions in more than 45 countries at pocket-friendly rates. For further assistance, please click here.

1. **USPTO Guidelines for Patent Drawing Rules**

Patent drawing rules are the guidelines set by the USPTO for the applicant in terms of photographs, flowcharts, graphs, drawings, etc. While filing for a Patent application, keep the rules in priority.

Basically, Provisional Patent applications don’t require drawings but non-Provisional Patent requires a minimum of one drawing. While working on these drawings, you must keep in mind Patent application process rules, which include:

Use only black and white colors. You can use other colors also if required.

You must use India ink only.

The scale of the drawing must be 2/3 the size of the reduced illustration.

The drawing must include application number, Inventor’s name, Invention’s name, and identification.

Size of the drawing must be 11inch by 8.5 inches and must be white in color. It must be flexible, plane, non-shiny and free of overwriting, alterations and marks of erasing.

A margin of 1 inch at the top and left side, 3/8 inch at the right side and 5/8 inch at the bottom.

You can also use formulas but each one of it must represent a unique figure. You must keep the related information within the brackets.

You must avoid superimposing.

You can use symbols but you must avoid solid shading.

Numbering should be proper with guidelines to the respective parts.

You should not limit the drawings to just illustrations; one can also add graphs, charts, and process diagrams. However, if you want to add photographs then make sure that they are in high definition.

Importance of Patent Drawing Rules

Our application will be considered incomplete, we If we fail to follow Patent drawing rules. This can cause a delay in the filing of the Patent. It may give a chance to other competitors with similar ideas to take advantage of the situation.

Understanding and following the Patent drawings rules help the applicant to get a better hold of the Patent application process. He\she can utilize it for further filings in the future.

The early filing of the Patent application with the proper drawing rules increases its priority among similar Patents that are filed later. Working according to the Patent drawing rules also helps to save a lot of time and money as the Applicant has a higher chance of getting the Patent accepted for the first time.

Useful guidelines by USPTO

There are some key points provided by USPTO that may help to increase the documental value of your Patent drawing.

Neat and clean working is appreciated in terms of numbering, texts, and graphs.

There should be no error, overwriting or erasing mark on the drawing and overall neatness should be maintained.

Always prefer using the matrix system as it is widely accepted.

The applicant should try to make more eye-catching and creative drawings.

Are we the one to trust?

As we mentioned earlier, sometimes, making your drawings can be an extremely difficult task. There are a lot of guidelines that you need to adhere to.

If you need a patent illustrator, TPDC is at your service. We have the expertise and widest range of software/technologies to cater to any and every output format that exists. Our motto is 100% satisfaction of our customers. We offer timely solutions and are willing to make any number of iterations to meet your specific requirements. Our affordable prices ensure that we don’t bore a hole in your pocket.

1. **IPR Issues of India: Challenges to be Aware of before Filing**

India has been very progressive over the last 2 decades in the formulation of a strong intellectual property rights policy. However, there are still a lot of IPR issues that it needs to address. The US government has retained India on its “priority watch list” for its alleged poor enforcement of IP regulations. This was discovered in the US Trade Representative’s (USTR) Special 301 report. India’s inclusion in this report indicates the direness of the situation, and the need to address these issues immediately.

This article aims at explaining the current IPR issues that exist within the system.

IPR issues in India: Challenges to be aware of

1) The shift from process to product patents

India is a member of WTO and a signatory of TRIPS. Hence, it has to introduce product patents as per the requirement of the TRIPS agreement. This means disbanding its liberal patent regime that only identifies process patents.

A product patent protects a product. It offers higher protection to the original inventor as there wouldn’t be a competitor for the same product. A process patent protects the process through which one manufactures a product and not the actual product. It reduces the element of monopoly in the market. A developing country like India would prefer a process patent regime in such scenarios. The reason is to safeguard the interest of the ordinary people, who are struggling for basic necessities like food and medicines.

This becomes an issue while granting IP rights for pharmaceuticals and food products.

2) Evergreening of patents is not allowed

Section 3(d) in the Indian Patent Act poses as one of the biggest issues with regards to IPR This act bars the grant of patents to new forms of known substances unless the new form results in a significant enhancement in efficacy over known substance. Essentially, this shuts the door for “incremental” innovations such as “new dosage form” and “new delivery systems”. Simply abrogating Section 3(d) might not solve all the issues. There is a need to more effectively regulate the industry for quality and also create an enabling environment for strengthening the domestic pharma industry.

3) Compulsory Licensing & Drug Price Control Order

An even more daunting IPR issue is compulsory licensing. It’s a relaxation available to developing countries under the TRIPS agreement, something which organizations misuse sometimes. Under Section 84 of the IPA, a company can acquire a compulsory license for “private commercial use” under certain circumstances. Consider a scenario where the patent holder doesn’t produce the product in “sufficient” quantities or charges an “unaffordable” price. Under section 92, a compulsory license can be obtained if there is either a “national emergency” or “extreme urgency” or in cases of “public non-commercial use”.

With the Drug Price Control Order, the company needs to justify the price of a drug with regards to investments. If someone plays foul then the government has a right to intervene. Multinationals are asking the government to revoke this provision. However, the government is not ceding to the demands to protect the interest of the masses.

4) Subsidies & IPR issues

The government usually gives a subsidy to remove some type of burden on the public. A major form of subsidies in India includes food subsidy, fertilizer subsidy, education subsidy, etc. However, for the complete adaptation of TRIPS, the government needs to reduce or eliminate these subsidies. This poses a challenge for the Indian government to strike a balance between subsidies and IP rights.

5) IPRs, Community Property Rights & Indigenous Knowledge

Traditional knowledge in the field of medicine is a gold mine. It can be a pathway for pharmaceutical companies to create a new formulation and show the efficacy of traditional understanding. The Indian government wants to protect the rich source of traditional knowledge by not allowing multinationals to get patents on the traditional culture. The government has created a Traditional Knowledge Digital Library (TKDL) to prevent patenting of traditional knowledge. This is yet another IPR issue, as MNCs and developed countries are opposing it.

Why choose us?

Getting and enforcing IP rights in India is a complex process where plenty of clauses and provisions can interfere with the interest of patentees. Thus, it is important to invest wisely and foresee risks. You might require professional help while filing patents and protecting IP rights. Your Patent Team can help you in your journey from ideating to protecting IPs. YPT is a team of 225+ technology/industry experts who speak the inventor’s language and have a deep understanding of Indian & Global Patent Laws. We can help you secure IP rights for your invention in the most efficient and cost-effective manner. Our job is not limited to securing IP rights. We will assist you with the enforcement of those rights as well. Visit Your Patent Team, for more information.

1. **Importance of Understanding Technical Translation**

Technical Translation refers to the Translation of Technical documents from one language to another language. Here, Technical document means any specialized subject document that needs proper knowledge and definition to the related terminology. For example, subjects related to electronics, medical sciences, engineering, laws, etc.

However, Technical Translation for the Patents is the most commonly used Translation service. Also, Patent documentation involves creating claims that cover all the content for every possible application in the future on a similar product, method or technique. Thus, you must be precise with the terms and words that you would use to maintain similar meaning as that of the source file or document.

A scientific or technical document requires an experienced and professional technical person in order to translate the matter properly. Moreover, the translator must also have a good knowledge of the language in which the document is currently written.

Hence, a non-technical person will not be able to perform the translation properly.

Related Article: Patent Translation and Filing Cost: How To Manage?

Major Aspects of Technical Translation

There are some major points that a Technical translation includes. A translator must know about the key requirements of the Translation. One should consider the following points in order to get a useful and accurate translation:

Related Article: Patent Paralegal: Duties to perform

Translations are specific, to the point and include a number of technical points.

This makes the process time-taking, demanding and confusing as they contain logic and formal writing.

The words used in the translation should be easy to understand and should maintain the simplicity of the context.

The major parts of these documents contain technical or scientific terms, so it is necessary to find their correct and accurate replacements.

Every organization requires expert and professional technical translators as they work or plan to work in the international market. This assures the reputation and correct intentions of marketing to foreign customers.

There is no space for any mistakes regarding the translations as we are working on technical or scientific documentation. A single error may lead to misinterpretation of the original document. Thus, for the Translation process, a high level of accuracy and concentration is required.

Related Article: 5 Major Benefits of Patent Paralegal Service

To achieve the required accuracy and concentration, you need proper training in technical writing, language skills and ability to understand the sense of the content.

Services at Patent Translation Express

The Patent Translation Express has a professional techno-legal team. Our squad has multilingual experts that can provide you the desired translation. We assure complete satisfaction via technical writing. Also, we offer you free translations for a test purpose. Our services are budget friendly and you can obtain the outcomes within the deadlines. We deal with your every technical, legal, biological or scientific query regarding translation. To avail the best Patent Translation Services, Patent Translation Express is a one-stop destination for you.

1. **Patent Watch Service: Types & Advantages**

Patent watch service or patent monitoring is a process of tracking other Patent applications or Patents for any possible infringement from either side. However, Patent watch services also keep an eye on the Patents or Patent application that may prove beneficial to us.

Related Article: Patent Monitoring Report: Learn All Its Elements

Also, the service watches over any targeted patent or patent application for its current status or prosecution stage.

Patent Watch Service: Advantages

The watch service regarding Patent proves very useful for any client in order to keep a track of other Patents or Patent applications. Moreover, this helps the client to keep in touch with upcoming opportunities and dodge any threat in terms of Patents.

Related Article: Need to Implement Patent Watching Service

Some major aspects of Patent watch services are:

The continuous watch helps to get an idea of upcoming technologies. Also, this aids the R&D department of the firm in terms of new ideas.

It becomes easy to track and file against the Patent or Patent applications that may infringe the claims in your Patent.

We can identify abandoned and expired Patents and use them in the future.

If the claims in your Patent are somehow infringing the rights of other Patent/application, these services notify you. This allows you to make necessary changes before the third party files against you.

They help to remain updated with the field of competition. Thus, you can plan accordingly and prepare your strategies for competing.

Patent Watch Service: Types

According to the requirement of the client, He/she can customize the criteria of monitoring the Patents or Patent applications. The basic types of watch services for Patent are:

Technical Patent Watch

Technical Patent watch covers the search for recently accepted\published Patents in the related technical field.

Competitor Patent Watch

As the name suggests, the competitor Patent watch is done to get updates regarding the granting, rejection, expiration or publishing of the Patent application of the competitors in a similar field.

Related Article: Patent Paralegal: Duties to Perform

Patent Legal status Watch

This Watch service is provided to get the status of the Patent application during prosecution and Patent after grant. Moreover, it helps to address the client for any changes or alterations required in the Patent.

Design Watch

The design watch service helps to monitor newly accepted or published Design Patents. It also tracks down the expired, abandoned or rejected Patent applications.

Infringement Watch

The Infringement Watch service monitors fresh Evidence of Use (EOU) in different formats i.e. Goods, services, process, and others.

What does The Patent Watch Company serve?

The Patent watch company provides you the most efficient results with the help of our experts and technical team. We perform a manual search over a wide range of database to provide a result of the global level.

Also, we provide the results within the timeline and with minimum investment. We believe in quality work and proper satisfaction of the customer. You get better than what you ask for. To grasp more of our related services reach us at “The Patent Watch Company.”

1. **Important Tips and Tricks to Remember about Patent Illustrations**

Patent illustrations are a pivotal part of your patent application. Even if you have a phenomenal way with words while describing your invention, using patent illustrations is a great tool. An examiner runs a fine-tooth comb over your application. This involves comparisons with any relevant prior art. In order to boost your chances of getting a grant, you have to ensure that your claims and specifications stand out. A simple hack is utilizing your patent illustrations to the maximum. Furthermore, a good illustration helps you beyond the grant of your patent application. In patent infringement cases, a judge can make a more informed decision if your drawing is precise. However, ensure that you adhere to the USPTO guidelines so that your illustration helps your case and not hamper it.

This article aims to shed light some key tips to remember about patent illustrations.

Why do you need patent illustrations?

You need to include at least one patent illustration to explain your invention better. A patent illustration not only compliments your descriptions but it’s also a requirement under the US Patent Law. Your application might not make the cut if the description is vague or generic. The reason is that this makes it easier to find an overlapping prior art for it. Your explanation of the invention needs to be elaborate and distinct. Hence, including patent illustrations is always advisable.

What are the requirements of patent illustrations?

We shall now talk about the basic rules. Following are the vital instructions from The Manual of Patent Examining Procedures that you need to adhere to:

Create all your illustrations on white A4 matte paper that is flexible and strong. Dimensions are as follows: 21cm x 29.7cm or 21.6cm x 27.9 cm.

Margins should be as follows:

2.5 cm on the top

1.0 cm on the bottom

1.5 cm on the right side

2.5 cm on the left side

Every illustration must be black and white in color and no other color.

You may use colors only when a part of the invention absolutely requires you to use different colors while explaining. You must also file a separate petition with the USPTO to avail permission for the same.

You must use India ink for all illustrations.

Each illustration must include the invention name, name of the inventor, and application number.

Ensure that the upon rescaling the drawing, it will not be crowded when reproduced at 2/3 size. Don’t write indications of scale like “1/2” because that will lose its meaning upon rescaling.

You may use symbols and legends if necessary to describe the invention.

Use lead lines to redirect the reader from the drawing to the associated symbol in the description.

You can also include charts and diagrams in your illustrations.

The manual encourages you to use shading. However, avoid solid black shading except on bar graphs or to represent color.

Superimposition of drawings should not happen.

You don’t need an illustration if your patent is about a chemical compound or process.

The USPTO allows you to use photos, but only for Utility patents and Design patents. Photographs serve the purpose of providing intricate details of the invention which might be hard to draw. Hence, they must be in high definition to depict everything clearly. They must follow the same rules in terms of the type, size, and margins of the drawing.

Related article: When to use shading in Patent Illustrations?

Click Here to Download (Free Samples)

Patent illustrations: Views

If your invention is a physical object, you should cover all the angles; top, bottom, and all the sides. Wherever applicable, you should include the following views of your invention:

Six views (front, back, right, left, top, and bottom) for 3D objects and two views (front and back) for 2D objects.

Three-dimensional perspective views

Sectional views to depict the functionality

Exploded views to represent how each part works during the operation of the invention

You can choose not to depict the surfaces which are without ornamentations. We told you before that the USPTO law encourages shading. It is another essential component of patent illustrations. It depicts depth, contour, and texture. You should use dots, lines, and distinctive patterns for this.

How to make the illustrations?

You now know the important parameters to keep in mind while making patent illustrations. But how to finally create them? Generally, there are 3 broad ways to obtain your patent illustrations:

Hand-made Drawings

If you’re proficient in illustration skills and the invention is easy to represent then you can simply draw them yourself. However, consulting an expert to ensure that your drawings meet the USPTO requirements is a safe option. There is nothing wrong with hand-made illustrations. Therefore, as long as it’s serving the purpose of fully describing the invention and follows all guidelines, you can use it.

Computer Aided Design (CAD) Software Drawings

You can also use CAD software to create professional-grade patent illustrations. Such software has a wide variety of features which help you save a lot of time. It becomes easier to produce elaborate drawings and make changes to existing drawings when you are using a computer. Essentially, right from rendering a new drawing to reproducing one with modifications, working on a computer is faster and simpler. However, the use of such software drawings come with a little bit of a risk in the form of errors. So it is safer to consult a patent illustrator for your drawings.

Patent Illustrators

If creating your own drawings seems difficult for you, then you can seek professional assistance. Patent illustrators have a good understanding of the USPTO requirements for the drawings and are proficient in various illustration methods. A patent illustrator can make both hand-made and CAD drawing for you. Of course, there is a reassurance in their work because they have the right experience and knowledge. Hence, they can help you decide the best way to depict your invention to the best advantage.

Need a professional illustrator? – Patent Illustration Express

It is often the case that producing your own patent illustrations becomes overwhelming. The margins for error are too fine and the guidelines are too many. If you feel the need to consult a professional, Patent Illustration Express is here to help you. Our team of professionals boasts years of experience and diverse skill-set of software and handmade drawings. We specialize in Utility Patent and Design Patent drawings. Your satisfaction is paramount to us. We offer an incredibly high turn around time and unlimited iterations, all at an extremely affordable price. So what are you waiting for?

1. **Trademark Watch and its Significance**

Trademark watch helps in protecting the registered Trademark from the potential infringements. It monitors trademarks which are registered or in the mid of the registration process to check any potential infringement. If the company finds any mark resembling or violating the rights of the original Trademark, it can file an application against the infringing party.

Additionally, it helps companies to keep an eye on their trademarks as the infringement of the Trademark can cause serious troubles. It may lead to a drop in sales and degradation of the reputation of the company. Thus, Trademark monitoring is required.

Trademark Watch: Importance

It helps to monitor the Potential Infringers and allows the company to take certain steps to protect Intellectual property rights.

Additionally, it also strengthens the business policies.

For example – You can watch the activities of the competitors and know the fields they are going to enter. Thus, you can make the required changes to the Business policies accordingly.

Due to the shortage of time and resources, some companies cant keep a track of the Trademark infringement. Here, the Trademark watch service handles the work and allows the company to put more time and efforts for better output.

Trademark monitoring helps to identify the infringers. Thus, the company can generate revenue (penalty) from the infringing party for misusing their mark.

USPTO provides 30 days’ time period to file an application against Trademark infringement. Filing the application after the given time period is considered untimely and costs more. Trademark watch helps by notifying the company about the infringement at the earliest and ensures enough time to file an application.

Related Articles: Hire a Trademark Attorney: What’s The Need?

Our Approach:

We, at The Trademark Watch Company, have a tea of experienced professionals who deliver the best quality work to our clients. Our experts use a wide range of database to provide you a global level of outcome. We are a trusted organization in providing 100% customer satisfaction in quick turnaround time. Moreover, we work on manual search methodologies which prevent any useful information to slip through our hands. You can also obtain your desired outcome online. Do give a visit to know how things work and get our trademark watch samples by making a little inquiry.

1. **Importance of Patent Proofreading Services**

Patent proofreading services provide a thorough inspection of the patent draft to look for error(s), which may lead to patent objection and/or rejection. Objection for patent grant occurs when the draft is not in the proper format or when it has mistakes. Rejection for patent grant occurs when along with the mistakes the invention doesn’t stand the criteria of patentability. Patent proofreading comes into action after preparation of a patent draft. Since patent grant depends on well drafting of patent specifications, this makes patent proofreading indispensable after preparing a patent draft.

Errors in a patent draft are diverse require an eagle eye for in-depth scrutiny of the documents. They can be in the form of grammatical errors, format, technical, claim construction errors and errors in drawings.

Importance of patent proofreading Services

Patent Proofreading Services: Importance

Proofreading reduces the number of office actions raised at the patent office.

The enforceability of the patent depends on the delivery of the patent draft.

The inventor might not be able to highlight the errors at his end, an agent will provide with the details of the errors.

Help in proper claim construction so that it doesn’t infringe upon any prior invention or delimit the scope of our invention.

Patent proof-readers ensure zero redundancy in technical, format and grammatical mistakes.

For adding missing crucial aspects of the invention.

Saves the cost, time and efforts on the part of the inventor.

Also Read: Why you need the Proofreading of Patent Claims?

The Elements of Consideration:

Claims: proofreading of the claims removes the scope of ambiguity and also verifies if something is missing from the claim set.

Invention statement: proper and precise delivery of the invention statement is important. Invention statement targets both aware of and out-of-subject audience. Information delivery is in such a manner, that it educates people who don’t have prior knowledge related to the subject.

Grammar: patent proofreading services help deliver sentences in a precise and unambiguous way by narrow-downing the number of grammatical mistakes.

Terminology: the technical terminologies are the soul of a patent application. Therefore, one must not go wrong while elaborating the terminologies. Moreover, patent proofreading services help go through the technical jargons in order to deliver their literal meaning.

Drawing: patent drawings give a visual presentation of a well-elaborated invention. Patent proof-readers remove the unwanted complexity from the drawings, which in turn, increases the chances of getting a patent grant.

References: to cross verify references to check “already defined or mentioned” references and to nullify them.

Standards: patent proofreading ensures whether the format and language of the application is as per that jurisdiction laws or not.

Reliability Verification: patent proofreading services ensure a reliable portray of the invention. They do this by checking all its aspects, one more time, before drafting the final application.

What do We Ensure?

Our professional proofreaders make sure that your patent application sails smoothly through every prosecution tollgate. Our patent proofreading services team performs a visual inspection and cross-checking of all the patent applications. They use state-of-the-art tools to deliver a perfect patent draft. We provide a comprehensive report with correction suggestions and a certificate of correction (if required). We maintain 100% confidentiality of your data, satisfying our clients globally for more than 10 years. To reach us, visit The Patent Proofreading Company.

1. **Multiple Dependent Claims: When do we need them?**

Before getting on multiple dependent claims, let’s have a brief knowledge of what dependent claim is all about. A dependent claim is an embodiment of an independent claim of the invention. It defines the specificities of the invention. Multiple dependent claims define independent and dependent claims more explicitly. They work as an extension for a dependent or an independent claim filed seeking a similar patent.

Multiple dependent claims are basically dependent claims referring to more than one claim. Multiple dependent claims not individual claims and is equivalent to the number of claims on which they depend. Say, for instance, if a claim is dependent on 3 dependent or independent claims, then we have 3 claims instead of one.

Also Read: Omnibus Claim: Importance of Narrow and Broad Claim Scope

Multiple Dependent Claims in an example:

Claim 1: a door with a handle in the middle of the right.

Claim 2: the door of claim 1, wherein the handle is bolted from inside.

Claim 3: the door in claim 1 or 2, wherein the handle is made of leather.

Here, claim 1 is an independent claim; claim 2 is dependent on claim 1 and claim 3 is in reference to both claim 1 and 2, hence, multiple dependent claims.

Also Read: Jepson Claims- Know the Importance

Multiple Dependent Claims: Usage

No excess fees at the time of PCT filings: PCT doesn’t charge an excess fee for filing these claims, this helps to improve the scope of the claim at the time of international filing.

Claim(s) scope improvement: multiple dependent claims make the scope of the invention more explicit, this helps to avoid infringement.

What Do We bring?

Claims define the novelty of our invention and we, at Patent Drafting Catalyst, have a team of adept and experienced personnel engaged in the task of patent drafting. We provide anything and everything related to Patent Drafting service. We have 10+ years of experience catering the service. Our active team of 100+ patent drafters makes sure that the claims of your invention are so portrayed bypass the stages of prosecution without any hassle. For more information about our services, reach to us at Patent Drafting Catalyst.

1. **Trademark Filing Fees: A Quick Overview**

Trademark filing fees is an initial investment that protects your intellectual rights over your Trademark against any Infringement. The general range of Trademark filing fees is from 225$ to 400$. Also, it depends on the class of the goods/services mentioned in the application form.

Trademark application form: Types and Fees

Basically, there are three types of forms used for Trademark filing. These are classified according to the range of filing fees.

TEAS Plus

The TEAS plus form has the least filing price among the other forms (225$/class of goods or services). However, the filing requirements for this form are very strict. You must file a proper application and it is mandatory to fill all the fields in the form. Some major aspects to keep in mind while filing in TEAS plus category are:

It is preferable to file a certain medium of communication for concerns related to the application. It includes an online response to the office actions via TEAS. Also, for receiving all the queries regarding the application, mention a valid e-mail.

You must choose the goods/services that are present in the USPTO’s Acceptable Identification of Goods and Services Manual (ID Manual).

It is necessary to pay the fees for all the classes in the application during the time of filing.

TEAS Reduced Fee

The TEAS reduced fee application charges $275/class of goods or services and you must agree to the following few requirements for filing this form:

You must submit all the relevant documents.

Must submit a valid e-mail so that USPTO can send you e-mails regarding the application status.

Key point: USPTO can charge you an extra fee of 125$/class of goods or services. If you can’t fulfill the necessities of TEAS Plus or TEAS RF.

TEAS Regular application

Filing the TEAS regular application charges the highest fee of $400/class of goods or services and must meet the minimum filing requirements.

Related Articles:Trademark Filing Timeline

Notice of Allowance

NOA is a written document to notify the successful crossing of the opposition phase for the Trademark application.

Some key points regarding NOA are:

The NOA (Notice of Allowance) is only applicable for Intent-to-use Trademark type applications.

The date of issue of NOA is very useful to decide the due date of filing the specimen of use (SOU). As you only have 6 months to file for SOU.

If you are unable to file the SOU or extension request during the given time period, your application is considered abandoned. This means that your application is removed from pending status and is not useful for registration process any more.

The fees for filing an extension request is 125$/class of goods or services.

Abandonment Fees

You need to pay a fee of 100$/class for continuing the application process if the application falls under the category of Abandoned status.

Document Maintenance Charges

 Other than the Trademark filing fees, you also pay for the Trademark maintenance. The Trademark filing fees is a part of the registration process and the Trademark maintenance fees is a part of the post-grant process. Some of the maintenance charges are mentioned below:

A statement approved by the Trademark owner is called Section 8 declaration. The filing date for the declaration lies between the fifth and sixth year of registration. The statement includes 2 main points:

The trademark is in commercial use with the goods/services mentioned at the time of registration.

The trademark is not in commercial use due to some special reasons or circumstances.

The fees for Section 8 declaration filing is 125$/class of goods or services.

USPTO accepts the Section 8 declaration statements after 6 months from the due date; this period is called grace period. Also, the charges of Declarations submitted on the grace period are 100$/class of goods or services.

Moreover, during the grace period, you do a combined filing of section 8 declaration and section 9 renewal applications.

The combined filing charges 200$/class of goods or services, 100$/class for each.

Services at The Trademark Filing Company

The Trademark filing company serves you with the most pertinent solutions. Our professional squad helps you to file a perfect Trademark application within minimum time. We also provide you with free iterations until complete satisfaction. Also, we have proved ourselves as a trusted organization in 100% positive customer review. Our post-grant services provide you long-lasting results. Place your order online at a very pocket-friendly price. We keep you update with every step of the process. To know more about our services, reach to The Trademark Filing Company.

1. **How to Perform a TESS Trademark Search?**

The TESS (Trademark Electronic Search System) is a searchable electronic database of registered, approved, and closed trademark applications. Also, it provides a free search over the data of the past three decades. The legal Trademark professionals perform the TESS Trademark Search on the database to check for any possible infringement.

The USPTO is responsible for publishing and maintenance of TESS. This includes updating up to three million pending or accepted applications per week.

Types of TESS Trademark Search:

The TESS consists of 19 term fields and eight search operations. Basically, there two types of Trademark search according to the search requirement. The search requirement is based on either word or design. The two types of Trademark searches are:

Basic Word Mark Search

It is the easiest way for using TESS and allows us to search for the accepted or pending applications. You can add singular/ plural terms or search for dead/alive registration process during the advanced search. The results are obtained from TARR (Trademark Applications and Registrations Retrieval) server.

Structured Word or Design Mark Search

It is used to find both Trademarks and design marks. However, open the Design Search Code Manual for the right code before you search for design marks. Moreover, you can decide the number of results you want to see on a single page. TESS Trademark Search

The site also contains Browse Dictionary function to find the Trademark Official Gazette. It is a weekly journal that contains recently published, canceled or updated applications. You can arrange them according to the registration or publication date. TESS Trademark Search

The Functioning of the TESS Trademark Search:

The basic functions like AND/OR help to find more than one term. Also, advanced functions like NOT, SAME, XOR or WITH help you to get more specific results. To search for a specific field, use Result Must Contain.

The advanced search provides more information to the user such as:

Basic index

Present status

Owner’s name

Filing date

A Full record contains the following points:

Link to check Trademark status on the TARR

ASSIGN status of the application

Link of the documents inside ‘Trademark Document status retrieval’

Status and files of the Trademark Trial and Appeal Board

Trademark image

Steps for the TESS Trademark Search in USPTO:

Visit the USPTO website.

Now you are at the USPTO Trademark database. You can click on the TESS to proceed for the Trademark search. TESS Trademark Search

Here you will get 3 basic types of search options and 2 additional search options.

Basic Search Options:

Word Mark Search (New User)

You can use this option to search for word marks but not design marks. The only options you need to fill are a Search term, Field and Result must Contain. Moreover, you can select the Search type between live/Dead and Singular/plural.

Word/Design Mark Search (Structured)

You can use this option to search word/design marks simultaneously or selectively. Also, you can use operators like AND, NOR, XOR, NOT, SAME.

NOTE: Use the Design Search Code Manual to find the proper Design Codes.

Word/Design Mark Search (Free Form)

It allows you to construct word/design searches using Boolean logic and various search fields. You can also make choices between singular or plural search.

 NOTE: Use the Design Search Code Manual to find the related Design Codes.

Additional Search Options:

Browse Dictionary (Browse Dictionary)

It allows you to surf all the fields of the database, whether it be collective or particular fields. The outcomes are obtained in dictionary-style (alphabetic) format.

Search OG Publication Date or Registration Date (Search OG)

In this, you can search the Official Gazette for the marks that are published or registered on a certain date. However, you need to select the required options among Field, Operator, OG date, Plural, etc.

Now click on the Trademarks > Application process > Searching Trademarks. TESS Trademark Search

The benefits of The Trademark Search Company

The Trademark search company consists of a team of legal expertise. Our professionals keep themselves updated about new software tool and guidelines of the USPTO. It helps them to provide best Trademark Search Solution to our clients. As we perform a manual search on a global Trademark database. This ensures the most relevant and accurate outputs. Also, we always work for total customer satisfaction at a very budget-friendly price. Moreover, you can place your order online can obtain the results within the deadlines. To get a hold of more of our services, please do visit The Trademark Search Company.

1. **What is Prior Art?**

A Prior Art is everything about an Invention, already available in public before the registration of application by the Inventor. This simply means that the invention is no longer a novel as it was already available. It basically means any disclosure of the contents of a claim, prior to the application for patent. Claims section is the main area that decides the scope of Patent. Therefore, you cannot consider working as a Patent granting subject if similar claims are already stated somewhere else. Also, National patent laws provide various definitions of what constitutes prior art and in which situations. However, this may vary from one territorial rules to another. The patent application is rejected if the examination reveals that an invention is not novel. Also, the court can annul a granted Patent if it finds that the Invention was not novel.

Prior Art Pre-requisites

So, to invalidate a Patent, the first step is to locate the potential “prior art” documents against the patent’s claims. Now, the question arises so as what to consider as prior art and what not? You can easily figure out the answer by checking the three major pre-requisite conditions.

Patent application filing date: A new application is not suitable for patenting if the Inventor discloses claims that are already present in some existing valid publication. Anything found similar to existing publication before the date of its filing, will count as prior art.

Public availability: Before the filing day, if the public has access to the mentioned claims then it is considered as a relevant prior art. Since this will ensure that the invention is already out among the people and is no longer novel in its terms. Thus, making it invalid for attaining patentability.

Enabling disclosure: Public disclosure is fruitful when the document enables an average skilled person to practice the invention as claimed. However, the language may only describe the basic idea behind the invention but does not enable a skilled person to construct the invention. Well, You can consider a document ‘enabling’ in nature if it is able to educate a skilled person about the invention.

Related Article: Patent Filing Cost

Valid Prior Art Forms:

Invalidating a particular invention begins with searching for available literature that describes the invention in whole or in part. It must anticipate the same set of claims, either implicitly or explicitly, in the same composition to invalidate any invention. Since the invention is carried out on the basis of its claims. If so, the invention will no longer be novel over that prior art document. These art documents are termed as “killer prior art”.

Valid prior art

Publications: Prior art consists of any patents, scientific publications, textbooks, newspapers, lectures, demonstrations, exhibitions, and any other disclosure. It doesn’t depend on the language used, the targeted audience, the number of copies created, and whether any copies bought or read by third parties. All these instances constitute prior art, as long as a member of the public could gain access to it without violating a secrecy obligation or doing something illegal.

Publicly available products: A product that includes the same consistency of the same substances or chemicals as another is considered prior art. Also, those features which the public could observe must count as prior art. However, you need to ensure that the product is not sold and is only demonstrated to the public. Moreover, it creates an unfavorable condition for prior art if the invention was not used publicly.

Non-disclosure agreements: In case if the inventor wants to disclose his invention before filing a patent application. So as to evaluate the commercial value or to get help in developing a prototype. Everything that is done in confidence is not counted as prior art. A written non-disclosure agreement (NDA), signed by both parties would serve the best in maintaining the confidentiality of discussion.

Oral disclosures: Non-confidential discussions between the inventor and a third party, usually also count as prior art. Also, it can include any statement made orally, such as lectures. In some cases, a transcript or recording (if available) serves as a proof or prior art. Note that the transcript itself also counts as prior art from the day it was published. Thus, it becomes easier to use the transcript as prior art than to use it as evidence of an earlier disclosure. However, this happens if the patent application is filed after the publication of the transcript.

Invalid Prior art Forms:

After filing date of your application, if the Information becomes publically available, it is not considered as prior art. Similarly, those Patent applications do not qualify for prior art which is filed after the filing of your application.

Invalid prior art

Publications missing enabling details: The Patent can get rejected as the Prior art if it lacks disclosure of sufficient details that are crucial for making of the Invention. This means you should provide enough details about the Invention such that anyone can use them and easily rebuild the invention later.

Abandoned Patent Applications: In a few cases, the abandoned Patent applications remain confidential, this prevents them to be prior art. Also, you cant publish the Provisional patent applications that somehow are not converted to Non-provisional Patent applications.

Trade Secrets: You can’t use Trade secrets as prior art because they come under the category of confidential property. Thus, even if you developed the same Trade secret as of another company, they can’t file it as prior art against your application.

Confidential Disclosers: A company requires disclosure of the invention to grab good deals, investment, and interest of partners. However, the party cannot use this disclosed information as prior art against your patent application. Also, you must sign an NDA (Non-Disclosure Agreement) with the other party to make the information confidential.

We provide the best among the rest!

You now understand what prior art is. Also, what is the importance of ensuring that you don’t have any prior art for your invention? To be certain of this, you must conduct a comprehensive prior art search, covering all your bases. It is highly advisable that you hire a professional for this. TPSF has 8+ years of experience, and we boast 100+ full-time searchers in 30+ tech areas. Our comprehensive services are multi-lingual, covering 16+ languages and 100+ countries. We ensure that our search results help you draft applications that not only cover current state-of-the-art but all possible future infringements. To know more about us, please visit The Patent Search Firm.

1. **Top 5 most unusual Illustrations**

People come up with all sorts of ideas, which may include some unusual inventions too. Naturally, these inventions involve unusual illustrations which depict the invention. Unless the elucidation of the invention is concise, the application will almost certainly face rejection because of its perceptible absurdness. We already know that this means the illustrations will play a big hand here. So if you come across a weird, yet an innovative idea, don’t brush it off immediately. Entities in the past have had success in getting patents for such ideas.

This article talks about such absurd patents and their unusual illustrations. Patent illustrators might want to take a closer look here.

The most unusual illustrations ever created

1. High Five Machine

High Five Machine

Fig 1: High Five Machine

Patent No: US5356330A

The inventor got his “hands” on the patent in 1993. The purpose of the machine is to stimulate the celebratory effect of high-5’ing if there is nobody else around you. The patent instructs you to affix the high-five machine to the wall or set it on a table. This would give you a more realistic feel and serve its purpose better. Nonetheless, we still admire the illustrator for catching the intricacy here.

2. Anti-Eating Face Mask

Anti-Eating Face Mask

Fig 2: Anti-Eating Face Mask

Patent No: US4344424A

The patent grant came in 1982. The mask is cage-like and serves the purpose of not allowing anything to go into the mouth. It has a cup-shaped mesh to allow the person to breathe, but it makes it nearly impossible to eat anything. This can serve as an extreme measure for those wanting to lose weight but have little control over themselves. However, how would you stop hungry dieters from taking this contraption off? We don’t know, maybe the inventor does.

Is it just us or does this mask look like the one Bane from Batman wears? The unusual illustrations certainly make it look similar.

3. Reward Candy Dispenser

Reward Candy Dispenser

Fig 3: Reward Candy Dispenser

Patent No: US5823386A

The inventor got his “reward” of the patent in 1998. This unique innovation is for those of you who spend long hours at the desk. An optical sensor attaches to your screen to monitor your activity. When you accomplish a goal, a signal is sent to a container on your desk. Subsequently, the system will release a piece of candy into the chute. What a way to motivate your workers.

4. “Cool” Shoes

"Cool Shoes"

Fig 4: “Cool” Shoes

Patent No: US5375430A

The patent grant came in 1994. An ingenious inventor came up with these incredibly unique, air-conditioned shoes. The cooling mechanism is synonymous to any air-conditioner with a few tweaks. A series of chambers in the heel contract like mini-bellows as you take a step. This exerts force on a set of coolant-filled coils that turn the ambient heat to chilled air. A pad running under the foot expels this chilled air, literally cooling your heels. There is also a bonus. With an easy reversal, the cooling chambers reverse their function, becoming a foot warmer for winter months.

You can see the unusual illustrations for yourself and decide if you would ever want to have such “cool shoes”.

5. Banana Suitcase

Banana Suitcase,

Fig 5: Banana Suitcase

Patent No: US6612440B1

Who doesn’t love having bananas to recharge themselves in the middle of the day? Although, bad things can happen. Other items in your bag might press against your precious banana and ultimately squish it. Nobody likes that. But thankfully someone came up with a solution for this. This suitcase will not only serve as a banana protector but will also refrain it from suffocating inside, because of its breathing pores. An invention to cherish indeed.

Need help with your illustrations? Professional Patent Illustrators

You may have a brilliant invention, deserving of a patent. But by now you already know how important it is to get the illustrations on point. If you want a professional’s touch, reach out to us. Professional Patent Illustrators boast 10+ years of experience in delivering top quality patent illustrations. We specialize in Utility patents and Design patents, with thorough knowledge of the latest guidelines and norms. Our turn around time is incredibly fast and we guarantee any number of iterations until we satisfy your needs. To make an inquiry, contact us on Professional Patent Illustrators.

1. **Patent Docketing Software: Its Importance and Applications**

Patent Docketing is a process of managing patent applications. In addition to managing Patent Applications, patent docketers also keep a track on the deadlines, due dates, updating the inventor the requirements as posed by the patent office. With the introduction of Patent docketing software the management of applications and documents associated with patent filing became a hassle-free task. Besides this, prompt fetching of the documents and updating the clients about the due dates has become an easy-to-do task.

Also read: Patent Filing: Know How to Proceed

Note: The automated docketing software services are not 100% accurate. Hence, to ensure the integrity of the docket made through an automatic mode is always followed by manual docketing. Therefore, maintenance of a manual docket is must by expert paralegals.

Features of a good patent docketing software:

Complies with the patent laws of the country.

Reflects PTO file history in a chronological manner.

Is adaptable to one’s style of docketing.

Sends real-time alerts of important due dates and deadlines to clients and attorneys maintaining an effective workflow.

Generates customized reports.

Generates invoice for clients automatically upon completion of tasks.

Many PTOs provide real-time access to their docketing databases for filing related applications.

Availability of Software Interface in different languages.

The software is secure, robust and future ready.

Patent Docketing Software - Its Importance

Patent Docketing Software: Significance/Importance

People these days, are becoming more aware of protecting their inventions with a patent grant. Hence, it becomes important to handle client’s patent documents proficiently and to update them about the due-dates beforehand. Therefore, along with manual docketing, docketing software has come into practice to ease the process of docketing.

The Patent Docketing Software helps to increase the efficiency of IP firms and/or corporations by –

Providing easy access to the patent portfolios;

Locating particular patent applications;

Differentiating domestic and international patent applications of the inventor;

Locating old patent applications on just a click;

Increasing efficiency and saves time and money;

Providing intimation of due-dates to the clients and attorneys on time;

Maintaining a track of the inward and outward movement of the documents.

Patent Docketing Software: Applications

Patent Docketing Software maintains-

International and Domestic patent details;

Inventor’s details (Name, Contact details and Address);

Information of the agents and attorneys associated with the inventor’s invention;

Locating Patents that are under the process of examination or prosecution;

Keeps a record of all the fee receipts received from the patent office.

What do we bring?

Our team of efficient patent docketing specialists makes sure to maintain our client’s patent portfolios are both in order and are accessible at the time of requirement. We ensure maintaining the authenticity of the information so provided by the client. Moreover, we provide double docketing solutions, reminders through email and/or phone, and updates regarding the necessities raised by the patent office to ensure a timely patent grant. Our expert docketers largely rely on their proficiency and on various dependable state-of-the-art-tools.To name a few- IP Manager, Anaqua, Memotech, Docket Trak, Patricia, Inteum, IPfolio, Claim Master, DIAMS, Alt Legal and Equinox. The practice of maintenance of a manual patent docket is religiously followed to ensure the credibility of the docket.

1. **Patent Paralegal vs Attorney: The Difference You Must Know**

While dealing with legal matters people often come up with this query of taking their concern to a Paralegal or to an Attorney. They both are personnel of law and in many jurisdictions have overlapping responsibilities. But at the same time, they serve their purpose and have their specific tasks and responsibilities. This article will give you a clear view of the terms that distinguish between Paralegals and Attorneys.

Let’s get our facts straight by directly looking at the factors:

Paralegal Vs Attorney: Points of Difference

S.No. Criteria Paralegal Attorney

1 Paralegal vs Attorney: Basic Definition A legal assistant or paralegal by education training and work experience is a person of law. Employed or retained by a lawyer, law office, corporation, governmental agency. Furthermore, they are responsible for performing specifically delegated substantive legal work for which a lawyer is responsible. An Attorney acts as a representative for people in legal matters. That is, they speak for their clients in civil and criminal litigations.

2 Paralegal vs Attorney: Education (In the US) Distance learning and/or online paralegal programs (not recommended);

Community and Junior colleges offer 2-year Associates degrees;

Certificate programs offered by business and proprietary schools, ranging from several months to a year in length;

Four-year college and university programs offering degrees in paralegal studies;

Advanced degree programs offering master’s degrees in paralegal studies, legal administration, or legal studies

It takes 4 years of undergraduate study and 3 years of Law study.

A Graduate degree in English, Economics, History, Public Speaking, Mathematics, or a graduate in any discipline.

ABA-approved law schools take LSAT exam for testing the aptitude of the applicant.

3 Paralegal vs Attorney: Work profile Day of a paralegal involves preparing legal documents, research work, writing reports, filing and organizing important paperwork. They represent their clients in the civil and criminal litigations- Power of Attorney.

4 Paralegal vs. Attorney: American Bar Association (ABA) Exam Not compulsory to clear the bar council exam. However, graduates who take up ABA-approved paralegal programs get a distinct advantage over non-ABA approved paralegals. It is compulsory to clear the bar council exam. In order to maintain the ABA-license, pay a prescribed fee at regular intervals.

5

 Paralegal vs Attorney: Important Skills/Qualities Good oral as well as written communication skills: As paralegals work under attorneys, for clients, and with fellow paralegals. Therefore, it is important to have upright communication skills for having a good equation with them.

Prioritizing work and multi-tasking: work of a paralegal majorly involves preparing documents, memos, filing and communicating the work to attorneys and clients. This makes prioritizing task an important aspect of their work schedule.

Researching: a paralegal is a master of performing secondary research (internet research) and has investigation skills for finding out information.

Updated with Modern Technology: an efficient paralegal is well-versed with modern technology and software. Modern filing system involves using spreadsheets, e-filing, presentation software(s), etc.

Team worker: a paralegal is an efficient team-worker who balances working with people who are more experienced (Attorneys, opposing lawyers,) than him/her.

Communication skills: attorneys are great orators (speakers) as well as listeners which helps them convincing the Judge/ Jury in the courtroom.

Analytical skills: the analytical skill of absorbing and sorting the information put forth by the clients and opposition. At the same time, the attorney has to manage the information and come up to a reasonable conclusion.

Research skills: an attorney has an investigative mind in order to perform in-depth primary as well as secondary research.

Accurate judgment: attorneys have a great sense of judgment while dealing with their clients and the opposition. They have a strong ability to look for weakness and strengths of arguments.

Works in Solitude: An attorney spends time in solitude, thinks outside the box and comes up with creative solutions for solving problems faced in civil and criminal litigation.

 Abbreviations in the table:

ABA- American Bar Association; LSAT- Law School Admission Test.

Also Read: IP Paralegal Training: Know How to Start With

Our Approach:

Our team, at Patent Paralegal force, ensures best-in-class professional services to our clients across the world. The pool of services includes patent docketing for many countries, end-to-end IDS management, data proofreading and verification services using state-of-the-art tools. We monitor your patent application on a regular basis and notify you about the latest patents in your field of invention. Our timely delivery of paralegal support services is available at cost-effective prices. To know more about our services, reach us at Patent Paralegal Force.

1. **Significance of Information Disclosure Statement (IDS)**

Before analyzing the significance of Information Disclosure Statement, let’s first understand its literal meaning and the areas of its usage. IDS, as its name depicts is a statement that comprises of all the information or details regarding prior art. The applicant files a patent application according to the USPTO guidelines. While doing so he/she submits all the relevant background information of the invention to the USPTO during the patent prosecution process.

There is a possibility that an applicant may fail to submit all the information or misses any part of the relevant prior art. In this case, the patent may get into trouble regarding its issue or the application might become invalid. Not only it’s the responsibility of the applicant, but at the same time, patent attorneys or agents providing help must focus on disclosing the complete information. The applicant needs to ensure that complete information is there in the IDS.

Also Read: US Patent Proofreading – with USPTO Best Practices

Major Significance of Information Disclosure Statement:

In order to get on to the significance of IDS, first, understand the meaning and importance of prior art. Prior art, in short, is evidence which shows that your invention is known to people. It does not need to have physical form; it is anything that is previously explained by someone that contains the use of technology similar to your invention. IDS describes all the claimed prior art and technology in a patent invention.

Providing detailed IDS shows the good faith and candor of the applicant. Try to include all the information that may affect the patentability of your invention. It is on the applicant to come up with IDS. This is so because he/she is more knowledgeable of the prior art in the field of invention.

If you fail to comply with the rules of filing IDS, the patent grant over your invention becomes unenforceable. This will happen because; it gives an impression that the inventor didn’t disclose the prior art of which he/she was aware.

In short, Information Disclosure Statement, as the name suggests is about writing in detail about the prior art which the applicant has information about. He/she doesn’t need to perform prior-art search especially in order to file IDS.

Also Read: Things To Do Before Patenting Something

Need for filing Information Disclosure Statement:

According to the United States Code title 35 and related sections of 37 CFR and the Manual of Patent Examining Procedure (MPEP) it is the duty of the patent applicants to submit relevant art and background that the applicant is aware of.

If the prior art of your invention meets any of the following criteria, then you must file IDS-

if the prior art is used sold or known in the U.S.;

Got patent grant in another country;

Got featured in a publication in the U.S., or anywhere in the world;

Described in USPTO or other patent application; and

Already described in patented invention under USPTO.

Contents of Information Disclosure Statement:

The following things are must disclose in IDS in specified format:

Documents for consideration by the patent office- All Patents, Publications, applications or other information.

A legible copy of:

(i)Each foreign patent;(ii)Each publication or that portion of the publication, other than U.S. patents and U.S. patent application publications unless required by the Office;(iii)For each cited pending unpublished U.S. application.(iv)All other information or that portion that helped in the listing of the invention.

For each cited pending unpublished U.S. application.(iv)All other information or that portion that helped in the listing of the invention.

A concise explanation of the relevance, as understood by the individual most knowledgeable about the content of the information. The content includes each patent, publication, or other information that is not in the English language. The concise explanation is either separate from the applicant’s specification or incorporated therein.

A copy of the written English-language of a non-English-language document, or portion thereof which is readily available to any individual. Significance of Information Disclosure Statement

For further details refer USPTO 37 CFR 1.98.

How we serve the purpose?

With SmartIDS services, we prepare ready-to-file IDS forms in USPTO prescribed format. We compile the data with obligation, maintain and update it by timely and accurately reporting prior art references. Our team ensures 100% quality assurance with our IDS creation that has been remarkably appreciated by our corporate clients from more than 45 countries. Our services allow our clients to meet their IDS filing needs across many countries. To know more about our services, do visit SmartIDS Solution.

1. **Patent Filing Fees: A Quick Overview**

The patent filing fees are the basic amount an applicant pays to the patent office for submitting the patent application. It is a matter of utmost concern amongst the inventors about the cost incurred in order to get a patent grant. Moreover, various stages and factors can affect the cost of getting patent protection.

You as an inventor should be mindful of the fact that cost can differ from invention to invention depending upon the technology involved. Also, the procedure that you follow for filing your patent application can affect the cost of patent application filing.

Factors Affecting Patent Filing Fees :

Although the cost associated with the procedure of patent filing is constant. But, it can differ from invention to invention and from inventor to inventor.

The major factors include:

Patent Application Filing Mode: the cost changes with the change in the mode of filing the patent application. You can either go for online mode through EFS-Web or can follow the offline mode by reaching the patent office. For hand delivery, the applicant needs to reach the patent office in Alexandria, Virginia. You can also keep a track on the status of your application via Patent Application Information Retrieval (PAIR).

Note: you can avoid the non-electronic filing fee for a utility patent is by filing through EFS-Web (EFS-Electronic Filing System).

Small Entity status: the USPTO provides fee reduction for small and micro entity status organizations at the time of patent filing. You can follow 37 CFR 1.27 which defines small entity status and 37 CFR 1.29 which defines micro entities.

Patent Type: the application filing fee differs from the type of patent grant that you seek. The cost of filing a plant and design patent is the same while the cost of a utility patent is a bit higher.

Patent Application Types: a provisional patent application is an incomplete application which helps in seeking a priority date. The fee associated with a provisional application is comparatively less as compared to a non-provisional one. By filing a provisional patent application(s) one gets a period of 12 months to make improvements in their invention. This is how a provisional patent application works as a short term cost-effective solution.

Miscellaneous Factors: there are various other individual factors that might affect the total cost of filing a patent application. These include-

Reissuing patent application

Surcharge- late filing fee

More than 3 independent claim

Claims more than 20 in number

More than 20 reissue claims

Addition of Multiple Dependent Claims

Size fee of different patent application

Translation fees

Cost of sequence listing depending upon the size.

Classification of Patent Filing Fees:

The following tables describe the patent filing fees induced by the USPTO for various filing services. Also, how it differs from patent to patent, type of application, number of claims and many other factors.

Basic filing fees based on the type of patent and of provisional application:

The basic filing fees for a non-provisional application for a utility patent is comparatively higher from that of the provisional application. But the price of filing design and plant patent is comparatively lower.

S. No. Description Fee Small Entity Fee Micro Entity Fee

1. Utility Patent (paper filing requires non-electronic filing fees) $300.00 $150.00 $75.00

2. Non-Electronic Filing Fees $400 $200 $200

3. Utility Patent (electronic filing for small entities) n/a $75 n/a

4. Design Patent Filing Fees $200 $100 $50

5. Design Patent Filing Fee (CPA) $200 $100 $50

6. Plant Patent Filing Fees $200 $100 $50

7. Provisional Patent Application $280 $140 $70

Patent Reissue Fees:

A reissue patent comes into action when there is a need to correct an already issued patent. The filing fee of a reissue patent is the same as first time filing amount.

S. No. Description Fee Small Entity Fee Micro Entity Fee

1. Basic filing fees-reissue $300 $150 $75

2. Basic Filing Fees- Reissue (Design CPA) $300 $150 $75

Late Filing Fees:

The applicant pays a penalty amount if he/she fails to submit the fee before the due date given to them. The applicant pays both the basic filing fee and the fine of late filing stated below to the patent office

S. No. Description Fee Small Entity Fee Micro Entity Fee

1. Surcharge – Late filing fee, search fee, examination fee, inventor’s oath or declaration, or application filed without at least one claim or by reference $160 $80 $40

2. Surcharge – Late provisional filing fee or coversheet $60 $30 $15

Number and Types of Claims:

There is a set limit of 3 independent and 20 other claims. After reaching this number the applicant pays a certain amount for adding more claims to their patent application.

S. No. Description Fee Small Entity Fee Micro Entity Fee

1. More than 3 independent claims $460 $230 $115

2. Cost of Each reissue independent claim in excess of 3 $460 $230 $115

3. Cost of Each Claim more than 20 $100 $50 $25

4. Cost of Reissue Independent Claim more than 20 $100 $50 $25

5. Cost of Multiple Dependent Claims $820 $410 $205

Patent Application Size Fees:

The cost of filing increases with an increase in every 50 sheets of a patent application after a number of 100. This is applicable to all types of patent applications.

S. No. Description Fee Small Entity Fees Micro Entity Fees

1. Utility Application- for each additional 50 sheets that exceed 100 $400 $200 $100

2. Design Application- for each additional 50 sheets that exceed 100 $400 $200 $100

3. Plant Application- for each additional 50 sheets that exceed 100 $400 $200 $100

4. Reissue Application- for each additional 50 sheets that exceed 100 $400 $200 $100

5. Provisional Application Filing Fees- for each additional 50 sheets that exceed 100 $400 $200 $100

Submission of Sequence Listing and Non-English Translation Fees:

Patent office incurs a fee for translating the application from a foreign language to English. The applicant filed a certified translation, if not the examiner asks him/her to submit the same. In case of biological patent applications, patent office incurs cost on DNA sequence lists depending upon the length of the same.

S. No. Description Fee Small Entity Fees Micro Entity Fees

1. Non-English Translation Fees $140 $70 $35

2. Submission of sequence listings (300MB to 800MB) $1000 $500 $250

3. Submission of sequence listings (>800MB ) $10,000 $5000 $2500

What do we offer at The Patent Filing Company?

Patent filing is the most crucial step in the lifecycle of the patent. One needs to be very much aware of the crucial steps and the deadlines involved. Taking help of an expert works in favor of the applicant at the time of patent filing. Our experts at TPFC assist you throughout the patent filing process at fixed patent filing fees. Furthermore, we provide comprehensive patentability search report an IP licensing across many countries. To know more about services, do visit The Patent Filing Company.

1. **Importance of Patent Docketing Services**

Patent Docketing is all about managing the patent applications and other related documents. Thousands of patent applications are received at the USPTO, law firms and patent research companies. This demands the patent docketing services be efficient in managing the applications and of the related documents.

Patent docketing services are indispensable for law firms and patent research organizations. Files and statements in a patent application need a docket for their maintenance from point of patent filing till patent grant. A patent portfolio composed of detailed and specific information about the invention and the inventor. Additionally, legal fees (both due and paid) and client trust account no. details are also added.

Patent docketing involves managing the documents, sending reminders to the clients and attorneys of the upcoming deadlines. Along with this, docketers also keep scanned files of the documents, create templates for the same. They keep a log of all the e-mails received from the patent office (domestic and international PTOs and PCT offices).

What a Patent Docket contains?

Patent docket maintains patent portfolios. A patent portfolio has all the information about the inventor and his/her invention. Documents in the portfolio include- fee receipts, memos, drawings, specifications, etc. from the date of filing till all the proceedings. Patent docketer provides a docketing number which is a 25-digit long alphanumeric code uniquely identifies a patent application.

Also read: How Patent Docketing Works?

Patent Docketing Services: Significance

A patent draft associates with itself a lot of paperwork. Patent Docketing Services provide an efficient system for tracking and retrieval of that particular document when required.

Insurance companies associated with law firms provide patent docketing services to the firms. This prevents the cases of malpractice suits if the law firm misses any deadline.

Efficient patent docketing services builds trust amongst the clients towards their attorneys. (A missed deadline can lead to rejection of the application which in turn result in lost trust of the client).

 Our Approach:

We, at Perfect Patent Docketing, provide 4-eye quality check/ 4-phase hierarchy check of the docketed information. This involves-ensured docketing quality by the professional, by the peer and final validation by the subject matter expert. Our team of experienced professionals ensures the maintenance and procurement of all the necessary documents. Moreover, we make sure to meet all the deadlines in order to get you a timely patent grant. We have a quick turn-around-time of 3 days with an option of 1-day turn-around-time for urgent cases for docketing and procurement of information. Our efficient team of docketers with an experience of managing 6500+ portfolios. They work with the state-of-the-art docketing tools providing efficient patent docketing services to our clients. For more information, please do visit our service page.

# Patent Drafting : A Primary Guide for Beginners

Patent drafting is a process of writing a detailed application comprising patent description and claims. It is the very first step for patenting your invention. A patent draft is the soul of your invention and it conveys the information about the inventor and the invention. A patent draft comprises various parts. It requires both skill and science (technical knowledge) to prepare a draft that outshines others. Along with this, it follows a format which is in compliance with the intended jurisdiction.

Also read: Why Patent Docketing Process is Important for Your Patent?

Types of Patent Applications

Drafting a patent application is not an easy-to-do task. While preparing the draft the inventor keeps in mind the type of application he/she wants to go for. The composition and the purpose of drafting those patent applications are different from each other. Hence, it is essential to know the significance of the applications.

Also read: Patent Filing: Know How to Proceed

Patent Drafting broadly involves two types of Applications:

Provisional and Non-Provisional

S.No.

Provisional Application

Non-Provisional Application

1

Primary and incomplete application Final and complete application

2

Not checked by the examiner at PTO Checked by the examiner at PTO

3

Devoid of claims and drawings Comprised of claims and drawings

4 Helps seeking priority date

Filed within 12 months of filing a provisional application

Note:

Some Inventors hire agents and/or attorneys for preparing a patent draft, but it is not a compulsion. People hire agents so that their draft is in a proper format and is devoid of the mistakes that can lead to patent application objection and/or rejection.

Some attorneys prefer drafting complete non-provisional application while some prefer drafting it in parts.

The Priority date is the first filing date of the provisional patent application draft.

 Patent drafting A Quick guide for Beginners

Patent Drafting: Procedure

Prepare the Invention Disclosure Form: this form provides a detailed idea about your invention to the hired agent or attorney.

Interview with the Attorney/Agent: Interview with the attorney/ agent creates an in-depth understanding of the invention for both the inventor and the agent.

Create Sketches and Drawings: the sketches in your patent draft give a visual representation of your invention. Every figure should go with a little subtitle of what that drawing is about.

Draft the Claims: start writing the claims that have a broader scope and then the ones with a narrow scope. Claims are always written in single statements. Claims define the area on which we seeking a patent grant.

Prepare Abstract: after finalizing the figures and claims, prepare an abstract or summary which provides a quick go through of the invention. All the essential points regarding the invention are stated in a simple and unambiguous language.

Review the prepared draft: after preparing the final draft, the inventor/ applicant makes a final inspection of the draft.

Note: Prepare a patent draft keeping in mind the jurisdiction(s) and the language(s) accepted in that particular jurisdiction.

Also read about the importance of patent proofreading with USPTO best practices.

What Services Do We Provide?

At Patent drafting Catalyst, we have a team of more than 100 patent drafters who make sure that your patent application outshines the process of prosecution. We provide patent drafting services using state-of-art tools. We make sure that your patent application gets a timely grant with optimal disclosure that too at a budget-friendly rate. For more information, visit Patent Drafting Catalyst.

1. **Patent Types and IP Protections in India and the USA**

Organizations and individuals are filing patents for their inventions all over the world every day. The USA has made 3 classifications for patent types. More often than not, the same classifications top every search result when an individual searches for “Types of patents”. Sometimes, this information can prove to be misleading because this US-based classification does not apply to the Indian Patent System. It is important to understand that the Indian IP laws do offer similar protections for inventions. Strictly speaking, however, these protections don’t always fall under the category of any type of patent.

This article aims to eliminate this ambiguity. The purpose is to help inventors in India by guiding them towards the type of IP protection they should seek, depending on their requirements.

Also, Read: IPR Issues of India: Challenges to be Aware of before Filing

Patent Types : India and the USA

If you wish to seek any form of IP protection for your invention (in India and the USA), ensure that it is novel, functional, and non-obvious.

US-based patent types, their definitions, and their equivalents in the Indian IP laws.

Utility Patents – These are patents that cover how a product or process functions.

The term “Utility Patent” doesn’t exist in India. As mentioned before, there is NO such classification of patents in India, and what you get as a “patent” in India serves the same purpose as a “utility patent” in the USA.

Design Patents – A design patent covers how a product looks. A product’s usefulness has nothing to do with it. However, one can only get a design patent for a useful product or process.

There is no unambiguous term such as “design patents” in India. You can register an “Industrial Design” under the “Designs Act, 2000” if it meets the necessary requirements.

The Design Act states that:

The design should relate to features of shape, configuration, pattern or ornamentation applied or be applicable to an article.

The design should be applicable to any article via an industrial process.

The proprietor will get ‘copyrights in design’ for a period of 10 years, which is extendable at the proprietor’s wish. However, you should not get confused between The Design Act and The Copyrights Act.

A patent office will not involve itself with any issue relating to exploitation or commercialization of the registered design. Hence, you should register your invention under the Designs Act when you wish to protect only the design of the invention. For a higher level of protection, you should simply file a patent.

Plant Patents – If one creates a new species of plant, a plant patent prevents other people or companies from breeding it.

India is a member of WTO and a signatory of TRIPS. Therefore, it was compulsory for India to provide protection to plant varieties either by patents or by sui generis system or by both. Like most developing countries, India decided to exclude patents for plants and plant varieties but deployed a sui generis option. The sui generis system exists to ensure effective protection of plant varieties. India has enacted ‘The Protection of Plant Varieties and Farmers’ Rights’ (PPVFR) Act, 2001, for plant variety registration and protection.

Also, Read: Patent Registration in India: An all-encompassing guide

Why choose us? – Your Patent Team

An inventor should always be clear about the different patent types and other IP protections. If you are looking for protection for your invention, then consider Your Patent Team. YPT is a team of 225+ technology/industry experts who speak the inventor’s language and have a deep understanding of Indian & Global Patent Laws. We can help you with patent and industrial design registration along with many other IP services. Among other services, we provide IP commercialization and IP strategy support to help you decide the best level of protection for your invention.

1. **5 Major Benefits of Patent Paralegal Service**

A patent document is a legally structured document which requires expert supervision while construction. Patent paralegal service includes maintaining records, making new updates and timely retrieval and response drafting to the clients, and many more.

A Patent Paralegal not only works for IP matters but also work under the guidance of a patent attorney for various legal matters. Moreover, the work at a patent office and in patent research companies involves continuous paralegal services.

Before jumping onto the benefits of services of patent paralegal, let’s first understand the duties that patent paralegal perform.

Also Read: Patent Paralegal vs Attorney: The Differences You Must Know

Indispensable Patent Paralegal Duties:

Patent paralegals work under licensed patent attorneys and help in many aspects of patent paralegal matters. They do not practice law as licensed attorneys, but, their duties are vital for efficient legal workflow. Some of the major duties of a Patent Paralegal include:

Patent Document Preparation and Maintenance: Patent registration is a very hectic process and requires preparing and maintaining proper documents while filing. Furthermore, it involves maintenance of fee records (paid and unpaid), international filings requests and approved applications. Patent paralegals maintain a complete docket and timely update their clients about their due-dates.

Performing Patent Search: patent search is about finding already issued patents and published patent applications. In short, a patent search is a prior art search conducted while applying for a patent.

Patent Term Adjustment (PTA): this is about adjusting the lifespan of a patent grant. USPTO is responsible for carrying out the process. It happens when there is a delay while performing prosecution at the end of USPTO.

Responding to Office Actions: patent office examiner examines the application and informs the applicant about the errors if any. A patent paralegal thoroughly proofreads the application and removes even the slightest of the errors.

Conducting Research on Patent and Copyright Law: Patent Paralegals regularly update themselves with patent law and amendments so made by the USPTO. As the old legal procedures become obsolete with time. The updated information helps them keep up with the developments in the profession, also with this, they provide best-in-class services.

Also Read: Why patent assertion is important?

Benefits of Patent Paralegal Service

Benefits of Patent Paralegal Service :

Now that you are certain with what duties a patent paralegal performs. Let’s move on to what benefit it brings to us when we go out for filing a patent application.

Well-Informed Experts: Patent Paralegals are adept at dealing with legal documents. They assist you from the very first stage of patent filing till and beyond getting a patent grant.

Thorough Prior-Art Search: conducting a prior art search is becoming very crucial before filing a patent application. This is so because there are multiple inventors out there filing related patent applications. Therefore, one needs to conduct a thorough prior art search before taking another step. Performing a prior art search is an art in itself. As in, it takes a lot of technical understanding of the terms and to come to a conclusion. Patent paralegals are pro at fetching out any prior art if it so exists. This ensures you whether your invention is new or not.

Detailed Proofreading: while preparing patent documents, you might come up with minor mistakes that your eyes might not catch. These mistakes can emerge as a major setback for your patent application when it goes for prosecution. But, patent paralegal service agents ensure complete elimination of such mistakes.

Efficient Management: managing multiple patent applications and keeping up with the due dates is a lot of tasks. Missing on any due date can cost a lot to you as an inventor. You as an inventor might skip a date. On the other hand, patent paralegal service providers readily notify you as soon as a deadline arrives.

Quick Service: the services so provided have a quick turn-around-time. Patent paralegals profess upon handling patent applications. They offer all the essential pre-grant and post-grant services with great efficiency and precision.

Also Read: US Patent Proofreading – with USPTO Best Practices

What do we bring?

We, at Patent Paralegal Force, provide diligent paralegal services. Our team of paralegal professionals uses state-of-the-art tools to provide a bouquet of Patent paralegal service. Our reliable services include patent docketing, proofreading, end-to-end IDS management, document procurement, and application filing and form preparation. We ensure a quick turn-around-time and serving 45 countries around the globe at cost-effective rates. To know more about services, do visit Patent Paralegal Force.

1. **Design Patent Drawing Illustration: Key Tips (and Bonus Information)**

If you are working on a design patent application, then you must understand a design patent drawing illustration. They are a visual representation of a product’s design. There is a lot of information that you need to depict using these illustrations.

These include contours, shape, material texture, properties, proportions, etc. Essentially, you must ensure that absolutely no part of the product’s design should be left to the imagination. So you need to understand what to include in your design patent drawing illustration and how to include it.

This article will explain everything you need to know about a design patent drawing illustration.

Importance of Design Patent Drawing Illustrations

A design patent drawing is the defining component of a design patent application. These illustrations play a far more pivotal role in describing the product as compared to the words of the description. However, it is essential to follow the rules while preparing a design patent drawing illustration.

If you choose not to include a view, you must give proper reasoning for it.

It is also very important to include all the elements of your design.

Once you receive a design patent, you cannot make any changes to the overall design.

There are barely a few lines in a design patent, as the majority of the explanation is done by the illustrations. If you choose to submit your application without enough drawings then your application will most likely be rejected.

Basic views you need to include

There are 6 standard views of any 3D object – front, back, top, bottom, left and right.

You have to include every possible view of the object, even if there is a part of the product that the users will not see. For instance, if you have a wall-mounted product, most consumers won’t see the back of the product. But in your illustrations for the design patent application, you must include a view of the rear. You may not include any plain, unornamented view of the item because it has no contribution to your application.

If your product is flat and thin, then only 2 views – front and rear are enough. But you should state clearly as to why you are including fewer views. Above everything, clear labels and concise drawings will help the examiner understand your drawings better.

Various Perspective views

It is a good idea to render specific views of your invention. These views may illustrate what exactly makes your design unique. You may depict exploded views if the design includes separate parts. You should submit images of each part if your product consists of many intricate parts. Another responsibility is to provide a bracket that connects the exploded part to where it fits in the full design.

These views are additions to the 6 standard views.

Click Here to Download (Free Samples)

Dots, Lines, and Shading

The USPTO has certain guidelines which you need to follow while rendering a design patent drawing illustration. The manner in which you draw dots and lines has a huge impact on your illustration. There are 2 acceptable types of shading.

Stipple Shading: This type of shading includes small dots. It helps in representing contour and shadowing. It can also be used to depict rough textures such as concrete, hard foam, rough fabric, etc.

Here, you can see a good example of stipple shading.

Fig 1. Example of stipple shading

Patent Number: EP1648253B1

Linear Shading: This type of shading includes parallel lines. You may use broken or continuous lines. Their purpose is to depict shiny or transparent surfaces like polished metal, glass, reflective stone, etc.

Surface shading helps the examiner to see whether the design infringes on an existing patent. You may also use break lines to limit the size of the drawing.

The following is an example of an illustration demonstrating good linear shading.

Fig2. Example of linear shading

Patent Number: USD645360S1

Other important information to remember (Bonus information)

You must submit every design patent drawing illustration with your application to USPTO within a specific deadline. This deadline is 12 months within the public introduction. It applies to you if you’ve shown your product’s design to the public in any form. This includes images in a publication.

Related Article: Patent Illustration Importance From Multiple Perspectives

There are some common mistakes which you should avoid:

Not including the correct views: You need to include the 6 standard views of your product. If you exclude any view, you must give a clear reason for it in the description. Additional views such as 3-D, segmented, exploded, or sectional views are helpful but they aren’t a requirement.

Informal drawings: USPTO allows you to submit informal drawings, including photos and rough sketches, but this will only delay your application. An examiner will not look at your application until you send formal patent drawings.

Not including shading. You must include shading in your drawings to clearly establish the important aspects of the drawings. It is also important to only use the two types of shading that USPTO accepts. Without it, the design is just a two-dimensional picture that may not be very clear to your examiner.

Including photos instead of drawings. You might be tempted to include photos of the product as it would give more clarity about the design. But USPTO has strict requirements and only allows photos in certain cases. You must ensure that you know what these special cases are and whether or not it is applicable to your case.

Need help with a design patent drawing illustration ? – Patent Illustration Express

You can see for yourself that a design patent drawing is a very complex task. The margins for error are too fine and the guidelines are too many. If you feel the need to consult a professional, Patent Illustration Express is here to help you. Our team of professionals boasts years of experience and diverse skill-set of software and handmade drawings. We specialize in Utility Patent and Design Patent drawings. Your satisfaction is paramount to us. We offer an incredibly high turnaround time and unlimited iterations, all at an extremely affordable price. So what are you waiting for? Visit us on Patent Illustration Express.

1. **Trademark Filing : A Step by Step Process**

Trademark refers to any word, phrase or symbol that identifies or distinguishes the product from other manufacturers. Thus, Trademark Filing helps the customer to identify the product and its manufacturer. Moreover, the Trademark provides a brand name to a company.

You must provide proper protection to the trademark to avoid any sort of misuse. Thus, it is necessary to register the Trademark in USPTO (United States Patent and Trademark Office).

Benefits of Trademark Filing:

Legal ownership of the mark and public notice about the intellectual rights over the claims related to the mark.

Authority to use the Trademark for the products sold in the respected filed countries.

Right to take legal actions in case of any infringement.

Addition to the USPTO database.

The Process of Trademark Filing:

Trademark Filing seems a complex process. So, we have divided the complete process into four major parts. The four major parts are Planning, Selecting the Mark, Submission of Application and Analysis period to Decision.

1. Planning

The purpose of the trademark is to protect physical goods or products. Hence, only the companies that manufacture goods or products or provide services are qualified for Trademark Filing.

There are chances that the company name itself is enough for to serve the purpose of a Trademark and you actually don’t require Trademark Filing. You should also check the native rules and requirements for the trademark before the process of registration.

You can proceed to the next step, once you are done with the Planning process.

2. Selecting the Mark

Before the application for a trademark, selecting a suitable mark is a very important process. Your mark must relate the product and moto behind the product.

However, the most important part is to check whether the mark is eligible for registration or not.

There are 2 basic eligibility requirements:

Used in commerce:

You cannot use a mark personally. That means you must have business use of the mark. The commerce term signifies the use at Interstate, Intrastate or national level. This means you can use the mark for trading good/products within a state, different states or even different countries.

Distinctive or unique:

The mark must easily identify or distinguish the related products or goods that are manufactured by a particular source and not by any other manufacturer.

Considerable Points for Trademark Selection:

Mark Format:

A word, color, design, sound or shape can form the format of a mark. Also, you can combine different formats to get the required mark. Some of the general types of mark are:

Word marks: In this, you use Latin characters in place of the letters and Roman/Arabic numerals for defining numbers. Sometimes, it also includes general punctuation marks.

Design marks: These are the special wordings/design, or a mixture of both. At the time of submission, it must be in .jpg format and you must scan it at 300-350 dots per inch. Also, you must maintain the size of 250-944 pixels at both length and width.

Color marks: The color marks are difficult to register, as you need to submit the proof of distinctiveness and the logo in the respective color. Also, you should also mention a claim related to the color and maintain the color in the overall mark.

Shape marks: You must show the three-dimensional shape, design or view of the good/product.

Sound marks: You should submit the file in different audio formats, for example, .wav, .mp3 or .mpg. Moreover, you should try to limit the audio files up to 5 MB and Video files up to 30MB but with a detailed description.

Related Articles: How To Trademark A Logo?

Applied Goods and Services:

You must clarify the products, goods or services that are going to use the Trademark.

Mark Availability:

This process involves obtaining the right to use the mark for further steps. This is done to avoid registering marks that are similar to the previously registered marks.

The procedure requires searching the Trademarks registered in the USPTO and 50 different states of the US. However, if you tend to sell the product outside the country, then you need to search the database of the respective countries. You can take the help of USPTO’s TESS (Trademark Electronic Search System) which is free or may check the Trademark Public Search Library of Alexandria.

3. Submission of Application

You must find a filing basis, the moment you are done selecting your mark. There are basically two types of filing basis available:

Use in commerce: This type of filing basis is used when the Trademark is already used or is in current use. However, you must provide proof of using the Trademark.

Intent to use: This filing basis is required when you are not currently using the Trademark but intend to use it in the coming future.

Now it’s the time to prepare the application:

You can find the application forms from the official website of USPTO. It provides you Trademark Electronic Application System (TEAS), which helps to file the application online. You can either use your own internet connection or visit a Patent and Trademark Resource Center (PTRC) nearby.

If you want to file the application offline, you need to pay a processing fee of $375 for each category of goods/services.

At present USPTO have three filing options available according to the fee structure.

TEAS Regular:

You must submit a fee of $325 for each category of goods/products. Also, you must mention the following points in order to issue a filing date.

Applicants name.

Applicants address.

Descriptive representation of the selected mark.

A list containing complete goods/services of the relevant business.

Filing fees for at least a category of goods/services.

TEAS Plus:

In this category apart from the general requirements, there are some very strict requirements. Also, you need to submit a fee of $225 for each class of goods/services.

TEAS Reduced Fee:

The filing fee for this filing basis is $275 for each category of goods/services. It promotes pure electronic processing and communication.

NOTE: The filing of the Trademark does not mean that the registration is sure. Sometimes, the filing doesn’t prove fruitful and in that case, the fee is not refundable.

Also, the applicant must pay $50 per category of goods/services, if he/she is unable to match the filing requirements of TEAS Plus/TEAS RF.

4. Analysis Period to Decision

This is the final step for registration that an application must qualify. You must pay attention to a few important points that it contains:

This step deal with the examination of the application, publishing it in the official Gazette and issuing a registration certificate.

Monitoring is necessary after the submission of the application. Hence, you need to perform a thorough check with the help of

Trademark Status and Document Retrieval (TSDR) system in every 3-4 months.

USPTO will assign you an examination attorney and you must provide the complete cooperation that he demands. Also, he will be responsible for the overall review of your application.

The attorney will contact you if the application requires any rectification. He will first issue an ‘Office action’ and mention the reason to hold the registration process.

USPTO provides a time period of 6 months to respond to an office action. However, they declare that you are not interested in the application anymore if you fail to do so.

It generally takes 12 months to complete the examination and issue the registration. However, it may take more time if there are issues like incomplete documents and opposition from another party.

USPTO will publish your application on the Official Gazette as a sign of approval. Also, they will allow a time period of 30 days for third parties to come up with any sort of opposition.

In case of opposition, the Trademark and Trial and Appeal board will come into action. Otherwise, USPTO will mark your application as registered and you will get a certificate of registration.

Related Articles: Hire A trademark Attorney: What’s the Need?

How The Trademark Filing Company serves you best?

We have been a pioneer in terms of Trademark filing and services since the last decade. Our team of technical experts and professionals provide you the most satisfying results. Moreover, we provide you the after deal services that helps to deal with USPTO formalities. Also, you get the outcomes within the deadline and at a budget-friendly price. We provide you free iterations until you get what you want. To get a hold of more of our services, please click here The Trademark Filing Company.

1. **How Structured Disclosure earns Respect for your Patent?**

Structured disclosure of the patent claims is the weapon to protect your invention into a competitive market by taking advantage of its popularity. The USPTO provides an exclusive right to the patent holder. It allows no one else but the patent holder to make, use, and sell the invention. Otherwise, if someone wants to use the invention, then he must take proper consent from the patent owner.

Contents of an Information Disclosure Statement:

According to 37 CFR 1.97 of USPTO– Draft an Invention Disclosure Statement which is in compliance with § 1.98 in order to get a patent grant or reissuance of a patent. It describes the content of an information disclosure statement.

IDS comprises a list of:

Documents for consideration by the patent office -All Patents, Publications, applications or other information.

A legible copy of:

(i) Each foreign patent;

(ii) Each publication or that portion of the publication, other than U.S. patents and U.S. patent application publications unless required by the Office;

(iii) For each cited pending unpublished U.S. application.

(iv) All other information or that portion that helped in the listing of the invention.

3. (i) A concise explanation of the relevance, as understood by the individual most knowledgeable about the content of the information. The content includes each patent, publication, or other information that is not in the English language. The concise explanation is either separate from the applicant’s specification or incorporated therein.

(ii) A copy of the written English-language of a non-English-language document, or portion thereof which is readily available to any individual.

Disclosure Specification Requirements:

The specification must consist of the three most-essential requirements, namely:

The Written Description Requirement:

It states that the written description must convey the claimed subject in full, clear, concise, adequate, and precise terms. It includes an official date of filing the invention, evidence of inventor’s claim on the subject matter, a complete description of the invention, etc., all that critical information required.

The Enablement Requirement:

Write the specifications in a detailed format that a person with sufficient knowledge in that domain can understand the invention. At the same time, that person can also make use of the invention whenever he wants to. If he/she fails to do so, then the invention is not fit in terms of its disclosure and explanation.

The Best-mode requirement:

Describe the specifications in its best descriptive mode at the time of filing. It ensures that the inventor confronts his/her invention open-heartedly in public, without any hiding-back from the public. Sometimes, intentional concealment of the best mode of explanation and a poor-quality disclosure might lead to rejection of the filed application.

The only comprehensive revelation of the invention in the public domain will allow the United States to protect, shield, and defend the inventor’s invention from any sort of infringement or any other patent right’s assault.

Our Solutions:

At the SmartIDS, we prepare ready-to-file IDS forms. The forms are as per the USPTO prescribed format. We take care of your budget and deliver our services at cost-effective rates. Our team professes at compiling the data with obligation, and ensure prompt and accurate update and maintenance of the same. We provide a 2-tier quality check of IDS drafts. This works as one patent drafter proofreads the application as per the patent office guidelines. After this, another patent drafter reviews the work of the former drafter. This help maintains 100% quality assurance of the drafts prepared by our professional drafters and proofreaders appreciated by our clients. To know more about our services, visit SmartIDS Solution.

1. **Benefits of Trademark Monitoring Service**

Trademark monitoring service is used to keep an eye on the possible infringers of the Trademarks. Also, it helps to avoid any infringement from our side. They notify us of all the possible threats.

However, registration of a Trademark with the USPTO is just the first step to efficiently use and protect the related goods or services. We also need Trademark monitoring services to assure the long lasting protection of the value of the product or service.

Types of Trademark monitoring service:

Trademark monitoring mainly considers two types of criteria to watch for possible threats. They either search for similar marks or identical marks. The two types of Trademark monitoring services are:

Identical trademark monitoring:

This type of monitoring searches for marks that are phonetically or visually identical.

The search targets the marks that are used without any modification and have a major resemblance to the original mark.

Similar trademark monitoring:

It deals with confusingly similar marks. They fetch the marks that have deceiving similarity with the original mark.

They may cover a country, a continent or even the globe. However, Trademark registers decide the domain of monitoring.

Why detect the problem early?

It is always important to respond early in any case of Trademark misuse or trademark infringement. The company can use its IP rights more efficiently if the problem is detected at an early stage. Moreover, the owner has a limited period of time to respond against the infringement activity from the third party.

Benefits of Infringement detection at an early stage are:

In a few situations, it is necessary for a company to file against the infringement within 30 days of the publishing of infringing Trademark. If the company fails to do so, there still are chances to file the application but it becomes more difficult and costly.

An organization gets enough time to collect the evidence of infringement for legal proceedings against the infringing party.

Trademark monitoring service is also helpful to get an idea of what the competitive parties are up to. Also, they notify you of the same.

This may help the organization to know about the arriving technology in the market and they can plan their business strategies accordingly.

Related Articles: How to Perform a TESS Trademark Search.

Management of monitoring results:

Organizations with wide monitoring databases receive a huge amount of data and it is very difficult to surf through it. Moreover, there are possibilities that the organization can misplace the required results among the pile of data.

However, a set criterion for the Trademark monitoring service can ease the work. As it helps to receive only selected reports of interest.

Why Take Our Services?

It is necessary to keep an eye on your belongings to keep them safe. The Trademark Watch Company helps to watch over your Trademark for any potential misuse. Our team consists of expert professionals that perform a manual search on a global database. You just have to provide the domain of search. We believe in working within the time limits and providing complete customer satisfaction. To get a hold of more of our services, visit The Trademark Watch Company.

1. **Patent Translation and Filing Cost: How To Manage?**

Both patent translation and patent filing are the two major processes required in attaining a patent for an invention. However, both of the processes are complicated, time-consuming and expensive. According to a survey, translation covers 50% of the national stage entry cost, that’s why efficient-cost cutting strategies make a huge difference in the bottom line of a patenting company. This saving can be further used in expanding budget and patent protection in many other countries.

Related Article: Patent Translation Techniques

 Ways to Manage Patent Translation and Filing Cost

Patent Translation and Filing Cost: Ways To Manage

The primary goal is to get strongest patent portfolio falling in a variety of jurisdictions where lots of business opportunities can be availed. Mentioned below are some of the major ways which can be used for managing patent translation and filing cost:

Related Article: Patent Filing Cost

Way

Description

Consider English Only

English is one of the languages used worldwide for communication. So, patent filing and applying in the English language will be huge cost-cutting because there will be no need of translation to any other language. This clearly means your invention will be protected in the country where English is accepted and will not be protected where English is not accepted.

Define Regional Blocs

Focusing on regional blocs is also one of the effective ways to cut translation cost. In this one translation will give cover to multiple countries.

For instance, if you want to consider the Arabic language as your translation language then, you are allowed to file the same patent application in different parts of the Gulf States such as Jordan, Kuwait, Saudi Arabia, Qatar, Egypt, Kuwait, and UAE. Likewise, Latin America, Mexico can be covered if you will use Latin American Spanish as translation language.

Convert into Similar Languages

If you want to increase your patent validity in different countries then an application can be also filed in same languages. It will be less expensive as the modification in an existing translation cost is less in comparison to ordering a new one.

Repeat Text Analysis

In case if you are using boilerplate language in your application and also translating multiple patents into the same language then, don’t forget to explore repetitive text discounts.

For instance, if your current application which is to be filed in Russia is identical to a previously filed application then, ensure that the person handling the translation refers to the previous translation and do repetitive text analysis. The cost difference will be significant.

Do Market Survey Total filing cost can be reduced to a large extent without any change in filing strategy and requesting an estimation of an already filed patent from various translation vendors. With comparison on your actual invoices with the estimates, the saving potential will be direct.

Contact Translation Experts An experienced patent translator is worth for reducing patent translation and filing cost. Help with specialized expertise will be really beneficial. For instance, if your invention deals with mechanics, you will not seek assistance from a computer science engineer. Due to a unique description of patent applications, they are considered to be the most complicated translation documents.

Conclusion

No compromise should be done with the quality while strategizing patent translation cost. Also, before filing you must ensure that your translated application has been reviewed carefully by a patent attorney.

To ensure that the translator includes in-country patent attorney review as part of the proofreading process. It is not necessary that a good translator will possess the required technical and legal knowledge.

As attaining a patent for an invention is an expensive process, you must put efforts to monitor the cost of patent translation and filing without any compromise on quality.

Related Article: PCT application: Everything you need to know.

We, at Patent Translation Express, have experienced professionals who strive to translate your patent into 40 different languages as per your choice. Moreover, they have optimum skill-set that helps in various domain translation such as chemistry, life-sciences, hi-tech & mechanical engineering and many more. To know more about us, check our Patent Translation Service page.

1. **What are the Different Patent Watch Techniques?**

When it comes to monitoring your patent, there are several Patent Watch Techniques. If there is an infringement on your patent, you’d want to get a notification so that you can take the relevant actions. Patent infringements are not necessarily bound to patent applications. They can be of varying levels, from overlapping claims in a patent application to commercial use of a similar product. You need to stop infringement at an early stage to avoid more complex issues at later stages. You can also regulate your resources more prudently if you’re aware of the latest market occurrences. Therefore, it’s critical to understand the different Patent Watch Techniques at your disposal so that you can utilize them accordingly.

Related Article: Significance of Patent Watching.

All Types of Patent Watch Techniques

The patent watch is not bound to monitoring just one area like patents or patent applications with potential for infringement. You need to keep an eye on the technology in the market, your competitor, etc. Let’s take a look at every technique.

Related Article: Patent Watch Types: 6 Quintessential

1. Technology Watch

Here, the primary focus remains on the latest occurrences in the relevant domain of your patent. You will be made aware of the state-of-the-art technology that exists in your domain in any form. This can range from patent applications, publications in research journals, conferences to research blogs, commercial products, etc. If you find something that overlaps your invention, then you can take the appropriate action.

2. Competitor Watch

In this, there is a microscopic focus on the activities of a competitor in any part of the globe. You will be made aware of their patent application filings, grants, rejections, expirations and any other activities pertaining to technology. You should be wary of your competitors because they might steal your invention, minimally modify it and start using it.

Related Article: Patent Filing Process in 3 easy steps

3. Infringement Watch

This watch service primarily monitors new Evidence of Use (EoU) in the form of products, processes or services that seem to infringe your unexpired patent’s claim(s). This is the most direct watch in terms of any product/service actually infringing your patent and not potentially infringing it.

4. Design Watch

In terms of specific Patent Watch Techniques, this term is quite self-explanatory. The sole purpose of the design watch is to monitor infringements on your product’s design. Entities may knowingly or unknowingly copy your design or come up with something extremely similar. Either way, it classifies as an infringement and you should keep an eye on it as well.

5. Patent Legal Status Watch

Here, the current status of prosecution and post-grant events for patent applications and patents are the main focus. The events may include Request for Continued Examination (RCE), a Post-Grant Review (PGR), or maintenance status of your application. Basically, this serves as a notification for any office action that needs a response of the appropriate kind. You can also use this to monitor the status of a competitor’s patent application. You can get updates on their application status as per your convenience.

Need a Patent Watch Service? – The Patent Watch Company

You can clearly understand how important it is to watch your patent. Infringements can occur at any time and anywhere. The enforcement of your IP rights is your responsibility, so you must keep a vigilant eye on the market and your competitors. If you need the assistance of a professional, consider The Patent Watch Company. We cover numerous technology areas and have years of experience under our belt in the monitoring domain. Our monitoring focuses on patent/non-patent literature (by patent/patent publication numbers) as well as general marketing activities like product launches, investments, etc. We also assure timely delivery and value for money in our services.

1. **Patent Search Types: ‘The Major Eight’**

The world is transforming itself from a product-based economy to a knowledge-based economy where knowledge will be a pivotal element in driving the economy of a specific country to its maximum potential. The advent of Intellectual Property regimen and globalization has also contributed a lot in transforming society into a knowledge society where companies and enterprises can protect their intellectual properties aggressively. However, with the increased pace of innovation and increased awareness of its protection, a very big pool of knowledge it comes to defending and protecting your intellectual properties patent searching is something that appears as one of the most effective tools. So, let’s learn about what is a Patent Search, how it affects your business, and what the major patent search types.

Do you know that Patent Search matters for your business? Read to know: Patent Search Affects Your Business: Learn How?

Patent Search

A very broad description might be that a patent search is a process by which prior inventions or ideas are examined, with the goal being to find information that bears a close similarity to a given patent or proposed invention. For companies and enterprises dealing with intellectual properties, the patent search should be the first step in the patent application process. A professional patent search determines whether the time and expense of moving forward with a patent application is a worthwhile endeavor.

Patent Search Types The Major Eight

Patent Search Types

Depending on the goal and motive of the search it can broadly be divided into the following categories:

1# Novelty/Patentability Search: For an invention to be granted a patent, it must be new (novel), useful, and non-obvious. A Patentability Search sometimes called a Patent Novelty Search or simply a Novelty Search is a search of the prior art (the body of pre-existing knowledge) conducted on behalf of a potential patent applicant. A novelty search or Patentability Search is commissioned to ascertain whether a potential invention is a novel, or not, by determining whether anyone else publicly disclosed the identical inventive concept prior to its critical date. The step could be considered as one of the first steps in the patent application process which determines the fate of an idea or invention.

Related Article: Patentability Search Basics: Things You Should Know

2# Invalidity/Validity/Opposition Search: A Patent Validity Search or Patent Invalidity Search is a type of patent search that is undertaken by law-firms and inventors either to validate the enforceability of a patent’s claims or to invalidate one or more claims of a patent, respectively. These two searches are identical except for the desired outcome (valid or invalid patent claims) of the search. Alternative terminology for these searches includes Validity Patent Search or Invalidity Patent Search.

3# Freedom to Operate Search: “Freedom to operate”, abbreviated “FTO”, is usually a kind of patent search undertaken by patent search companies or law firms to determine whether a particular action, such as testing or commercializing a product, can be done without infringing valid intellectual property rights of others.

Related Article: Freedom to Operate Search by The Patent Search Firm

4# Patent Landscape or State of the Art Search: It is an overview of patenting activity in a particular field of technology. The search gives the searcher a comprehensive and broad idea about the latest patents and inventions available at that particular domain.

5# Chemical Structure Search: Chemical structure search is another important search that is used widely in various aspects of searching patents to discover exact or similar chemical entities for your chemical compound using various authority databases and portals. Patent Search Types

Related Article: Chemical Structure Patent Search Databases

6# Bio-Sequence Search: A popular kind of patent search which is used to identify & dig out every possible relevant prior reference for DNA, RNA, and Peptide sequences of chemical and biological entities.

7# Non-Patent Literature Search: For any type of prior art search, whether it be an FTO search for a particular technology or a patentability search for an invention, databases that contain non-patent or scientific literature are important. This is because a vast amount of technology development is published in scientific journals and in many art areas, there is a substantial amount of publication that predates patent literature. PubMed, Is knowledge, & Comparison, are some of the resources that are used by searchers to do a non-patent scientific literature search. Patent Search Types

8# Markush structure analysis: Chemical structures which are used to indicate a group of related chemical compounds, are called Markush Structure. Markush structure analysis is one of the most resource consuming activities of chemical patent examinations.

1. **Patent Proofreading Advantages: All You Need to Know**

In the patent prosecution process, you can’t overstate the patent proofreading advantages. There is always going to be a chance that after completing your patent draft, you’ll find areas of improvement. We’re all humans, after all, anybody can make errors, and we can definitely improve them. These improvements, however, will only be possible if you proofread your patent application. Patent Proofreading is the process that identifies the errors in a patent application. It is a crucial step in controlling the quality of patents and ensuring enforceability. These errors may exist in the form of tiny technical faults to gaping holes in the claims section. Either way, you must fix all of them.

This article will help you understand the patent proofreading advantages.

Patent Proofreading Advantages – How can they help you?

You can understand that patent proofreading is crucial. But how exactly will it be of use to you? The following points are the most important and you must keep them in mind during and after drafting your application.

Describing the Functionality – An Enabling Invention

There is a good chance that your application might describe the invention really well. But it might not provide the functionality clearly. You should ensure that you have an enabling invention. But what exactly does it mean? Basically, a person from the same field as that of the invention should be able to make/perform the invention without any undue effort. Lack of clarity in this domain might lead to rejection of the patent application. Hence, you must proofread your description to ensure this is not the case.

This is one of the biggest patent proofreading advantages as it can save your application from rejection. You must look at the General Information Concerning Patents.

Also read: Tips & Tricks for High-Quality Patent Draft

Technical Soundness

You should be certain that your draft is adhering to all the technicalities. There are many guidelines that you must comply with. These can range from rules for rendering patent illustrations to the acceptable writing style for the entire application. Sometimes, you might miss out on something and that can cause problems at the time of the examination. Therefore, proofreading your document will ensure that everything is in fact in place. Check out The Essentials of Proofreading too.

Also read: How to create a quality Patent Illustration?

Claim Structure

Your patent application’s heartbeat is the claims section. The claims are the deciding factor in terms of the scope of the protection your patent will provide. Proofreading the claims will ensure that you clearly distinguish between disclosure and claims so that your novelty is intact. You must proofread the claims to ensure that they are comprehensive in their coverage and also check for ambiguous references. Ultimately, a solid and definitive claim structure will boost your chances of getting a patent.

See the following example for the claims section of a pencil.

Attribute Description

Preamble & Transitional Phrase A writing instrument for making a mark on a writing surface, the writing instrument comprising:

Element A An elongate protective sheath with a central cavity extending along a length of the elongate protective sheath

Element B A solid material disposed within the central cavity so that a person can grip the protective sheath and guide a tip to the solid material extending out of a first distal end of the elongate protective sheath to make the mark on the writing surface; and

Element C An eraser disposed adjacent to a second distal portion of the elongate protective sheath opposite the first distal end

Amongst all the patent proofreading advantages, this has to go down as the biggest.

Choice of Words and Grammar

You might believe that this is probably insignificant. But let us tell you, this can prove to be the deciding factor when it comes to patent infringement cases. Read the following case of Gillette Co. VS Energizer Holdings Inc., 2004:

Gillette had a patent for Mach 3 razor, which has 3 blades. Energizer Holdings came up with a similar product, the Schick Quattro razor with 4 blades. Gillette felt that this is a case of patent infringement and took the case to court. Their patent specification’s language became their own enemy, as they didn’t clearly cover the use of multiple blades. The language of the specification was such that would provide coverage for 3 blade razors only. However, the Quattro razor had 4 blades, which isn’t 3, and on this ground, Gillette lost the case.

The Schick Quattro and the Mach 3

Fig. The Schick Quattro and the Mach 3

This is a game between structuring the claims and using the right words.

Need Patent Proofreading Services? – The Patent Proofreading Company

You can see the patent proofreading advantages. It becomes highly critical at this point because it can potentially save your patent from exposure. You may be unsure of proofreading your own documents because you might or might not find the errors. So, if you’re to hire a professional, you can contact The Patent Proofreading Company. We provide the industry’s most comprehensive proofreading service with the help of our technical expert team. The team reviews inconsistencies to determine whether the patent application or existing patent is correct. Our reliable and cost-effective proofreading service ensures that your application is free of any errors.

1. **Patent Drawing: Key points to remember**

A vital part of your patent application is patent drawing. They are illustrations which depict your invention, its intricate parts and the processes involved. Whether your invention is a new product or a process, a patent drawing boosts your chances of getting a patent. However, it is absolutely critical to know the do’s and don’ts of a patent drawing while preparing one. It should help your case, and not hinder it while elucidating your invention.

This article explains the essential points you should know about patent drawing, from their purpose to when to file them.

Also, read: Things To Do Before Patenting Something

Patent Drawing: Key tips

Why are they required?

You need to include at least one patent drawing to elucidate your invention better, according to the US Patent Law. Unless your patent is about a chemical compound or process, a drawing is probably essential. Your application might face rejection if it’s too generic. The reason is that this makes it easier to find an overlapping prior art for it. Your explanation of your invention needs to be elaborate and distinct. Hence, including a patent drawing is always advisable.

What should be included?

Your drawings need to include detailed flow charts and diagrams. These help the reader understand the intricate parts and/or steps involved in the correct order. If your invention is a physical object, you should cover all the angles; top, bottom, and all the sides. Another point to remember is that all views should be drawn in portrait, facing in the same direction.

The USPTO states that you should submit patent illustrations. on white matte paper that is flexible and strong. It should have the following specifications:

Should be single sided

Dimensions should be 21cm x 29.7cm or 21.6cm x 27.9 cm

Margins should be as follows:

2.5 cm on the top

1.0 cm on the bottom

2.5 cm on the left side

1.5 cm on the right side

Also, read: Patent Drafting: A Primary Guide for Beginners

How to make the drawings?

Generally, there are 3 broad ways to obtain your patent drawing:

Do it Yourself Sketches

This is a cost-effective option which you can utilize if your illustration skills are competent and the invention is easy to represent. However, it is advisable that you consult an expert to ensure that your drawings meet the USPTO requirements.

Computer Aided Drawings

You may use the assistance of CAD software to render professional grade patent illustrations. Such software has a wide variety of features which make it easier to render detailed drawings and make changes to them.

Patent Illustrators

If either of the above-mentioned options seems too daunting for you, then you should consider taking professional help. Patent illustrators have a good understanding of the USPTO requirements for the drawings. They know various illustration methods and can help you decide the best way to depict your invention to the best advantage.

Also, read:

When to file your patent drawings?

Your drawings are often the best tool at your disposal to ensure that your invention is easy to understand. You can send the drawings after filing the non-provisional application, but this is never advisable. You should submit the illustrations with the initial filing to ensure they’re a part of the application from the beginning. Sometimes, your competitors may claim they didn’t understand the full extent of your patent. Furthermore, they may inadvertently file an application for something similar. Including detailed illustrations in your original application, makes it harder for other inventors to infringe your patent.

Need an illustrator? Contact The Patent Drawings Company

As we mentioned earlier, sometimes, making your drawings can be an extremely difficult task. There are a lot of guidelines that you need to adhere to. If you need a patent illustrator, TPDC is at your service. We have the expertise and widest range of software/technologies to cater to any and every output format that exists. Our motto is 100% satisfaction of our customers. We offer timely solutions and are willing to make any number of iterations to meet your specific requirements. Our affordable prices ensure that we don’t bore a hole in your pocket. For more information, visit our service page.

1. **All You Need to Know About Common Law Trademark**

You must’ve come across the term “Common Law Trademark” while considering getting protection for your product or service via trademarks. It might be tricky to decide your financial limit while determining the boundaries of protection for your brand. If you’re not a big entity or franchise, then you might feel that you don’t need extensive protection. This is where a Common Law Trademark comes into play.

This article sheds light on everything you need to know about a Common Law Trademark.

Definition

A common law trademark (or “unregistered trademark”) is a type of protection against infringement for intellectual property. The word “unregistered” implies that the property is in commercial use before its federal registration. The U.S. common law trademark initiates with the very first commercial use of the mark within a geographic area. You need to use the symbol “TM” in the superscript along with the word/phrase/logo you seek protection for.

Advantages of Common Law Trademark

Secure your rights: You can deploy this type of protection to stop the competition in your area from using identical or similar marks. If any local competitor uses your mark despite this, then you can file an infringement suit against them. You’ll have to make your case and convince the court that the mark was your creation. If successful, the other business will also have to stop using your mark.

Exclusivity: You will be the only entity in the area to use the trademark. This will ensure that the target market doesn’t confuse your brand with any other. Customers won’t accidentally visit a competitor’s store believing it’s linked to yours.

Check out the trademark fundamentals if you are a start-up.

 Common Law Trademark Protection

Creation: As we spoke earlier, you can use a common law trademark by using the symbol ™. Place it next to the target material in superscript to inform your competitors of its trademark status. There is no need for a federal registration process for it. This symbol will discourage your competitors from copying your mark.

Enforcement responsibility: You are responsible for enforcing your common law trademark rights. If you don’t, you could lose your right to protection. For example, another competitor may file an application to register a trademark that infringes the one you are using. Failure to oppose this application within five years will lead to revocation of your common law trademark.

Enforcement Procedure: If another business starts using your mark, you need to send a cease-and-desist letter to that entity. If this doesn’t work, consult a trademark lawyer about filing an infringement lawsuit. Common law trademarks are a part of every state’s code and are enforceable by its courts. You will have to make your case for reserving exclusive use of the mark. The procedure is the same as that of a registered trademark:

Produce your history of using the mark

Provide reasonable evidence that consumers associate the mark with your business.

To know more about your trademark rights, visit the USPTO website.

 Common Law Trademark Limitations

You can only exercise your Common law trademark rights within the boundaries of a geographic area. This area limits to where the mark is in use and any areas where it could reasonably expand. Consider the following example:

You open a restaurant with the name “Alfredo’s Pizza” in New York and use a common law trademark. Your rights for this name are only valid in New York.

Now let’s consider another entity that is unaware of your restaurant. They open a restaurant with the name “Pizza by Alfredo” in Texas. They are free to trade under the name as long as they are doing business in Texas and their neighbor states. The common law trademark would only prevent them from opening a new branch close to the one in New York.

Comparison between a Common Law Trademark & Federal Trademark (Bonus Information)

Factor Common Law Trademark Federal Trademark

Registration No requirement of registration Requirement of registration

Location Protection within a local area Protection across the United States

Listing Not a part of any USPTO database Exists on the USPTO database

Symbol TM ®

Legal Action File a lawsuit in a federal court to apply trademark rights File a lawsuit in a federal court to apply trademark rights

Ease of securing trademark elsewhere Very difficult to secure the same trademark in another location if another entity uses a similar mark Easier to get a foreign trademark

Registering a federal trademark has a lot of benefits. However, it does not give holders priority over common law trademark holders. There exists a very famous case to justify this. The national fast-food chain Burger King cannot open a Burger King outlet within 20 miles of Mattoon, Illinois. This is because a small burger restaurant called Burger King already has a common law trademark there.

Why Choose? – The Trademark Search Company

Your brand name is an incredibly huge part of your business. People associate your brand’s reputation and success with its name. You would not want anyone to steal that and conveniently do business. To ensure that this doesn’t happen, it is highly advisable to hire a professional to search and monitor your trademark. The Trademark Search Company offers the widest and the most flexible search coverage. To ensure this, we carry out all our searches manually, and not via computers. We also want to ensure that our prices are affordable without compromise on quality. Your satisfaction is our guarantee.

1. **Patent Search vs Freedom to Operate FTO Search**

While dealing with intellectual property rights, a confusing aspect is the Patent Search vs Freedom to Operate FTO Search. People often use them interchangeably which isn’t true. Therefore, you must understand the difference between the two in terms of time and money.

You perform a Patent search to analyze whether an invention follows the basic guidelines to obtain a patent, such as novelty, etc. Whereas, Freedom to operate search focuses on analyzing whether there is a risk of inviting a patent infringement lawsuit.

This article aims to clearly elucidate the differences between Patent Search vs Freedom to Operate FTO Search.

Patent Search vs Freedom to Operate FTO Search – Definition

Patent Search

Also known as ‘novelty search’, it’s an exhaustive search for all forms of prior art to check the patentability of an invention. There are 3 basic requirements that an invention must meet in order to be patentable. These requirements are a novelty, non-obviousness, and commercial applicability. After checking these requirements, you can decide whether or not to move forward with the patent prosecution process. In terms of costs, it’s around $500 to $3,000 which may vary depending upon your budget and your analysis requirements.

The goal of a patent search is not to assure that there is no relevant prior art. But, it’s rather to examine whether proceeding with the patent prosecution makes sense on the basis of the search results.

To know more about Patent Search Techniques follow the link. You can also take a look at our sample Patent Search.

Freedom to Operate Search

It means the freedom to operate or work on a particular product, without affecting, disturbing, or infringing the intellectual rights of others. The idea behind conducting an FTO search is to get an idea about the existing patents having claims similar to yours. It examines the language of the claims of the third-party and in-force patents, as a means of evaluating the risk of possible infringement. This helps you in identifying potential patent barriers and allows you to plan your actions accordingly.

This completely revolves around the patent claims. Basically, its main purpose is to analyze how to avoid patent infringement. The search checks if your product/service infringes any element of each independent claim of the patents which fall under the search. This generally requires more time and cost (approx. $10,000) to analyze. Since it’s a loop-based approach it costs a lot more than the patent search.

Want to have a look at our FTO Sample Search Report? You can get it here for free.

Patent Search vs Freedom to Operate FTO Search: An Example

First, let’s understand the example of a Patent Search.

Imagine that you want to file a patent for an invention. It is for a new type of car with a unique engine and emission system. Therefore, your application must follow the patentability criterion such as novelty, non-obviousness, industrial application, etc. Now, you will carry out a patent search to see if there is any prior art for it. Any extremely similar engine designs or emission systems that already exist in any form will classify as prior art. If such products already exist, then you can analyze and decide if you can make any relevant changes to it.

Now, we will see an example of an FTO Search.

Imagine that you have the same invention of the car as the previous example. However, you don’t necessarily want a patent for it. You just want to manufacture and use the model commercially. So, you will conduct an FTO Search to check for possible infringements on existing patents. This will be done by analyzing their claims section and determining if your product overlaps with theirs. Based on the results, you decide whether or not you should go for it.

CONCLUSION

Now, we can come to a conclusion in the debate of Patent Search vs Freedom to Operate FTO Search. The most important aspect is to extract the right search and opinion that suits the objectives of the search. If it is all about patenting or licensing a novel idea, then the patent search can serve the matter. Whereas, if it is more likely about getting into the market with competitors, then an FTO search is useful. Also, read about Information Concerning Patents.

Need a Professional Searcher? – The Patent Search Firm

It is of utmost importance to know which kind of service would serve you the best. You can carry out a patent search yourself but it is always advisable to take professional help. The same goes for FTO search because that requires a more intensive search and analysis. If you need a professional, consider The Patent Search Firm. We are a team of professionals who boast 8+ years of experience in serving the IP industry in more than 30+ Technological Domains. Our coverage includes 100+ countries in 16+ languages. We have and are delivering comprehensive patent and FTO searches at the most competitive price.

1. **Why Online Patent Paralegal Services are Important?**

Online Patent Paralegal Services are important for any company to analyze and draft the legal documents and ensure proper coordination. Basically, these services are important to keep watch on the IP activity of their competitor. Paralegal service includes preparation of documentation and ensures one of getting patent docketing. Online Patent Paralegal Services also help one in patent proofreading and PTA calculations. It is essential to monitor the patent application and keep all the updates about the field of invention. The monitoring that the paralegal services provide helps to search for any invalid patents in a particular domain. This ensures their rights to use the technology without any legal risk.

Online Patent Paralegal Services : Key points to remember

Patent paralegal service is important to effectively manage one’s intellectual property matters. It helps to protect one’s IP rights by drafting and filing the patent application. It ensures efficiently maintaining file histories, monitoring the dockets and managing global file requests. These services also help in sending reminders of the upcoming due dates and handle PTA correspondence. Some of the services that the patent paralegal service provides are:

IDS Preparation Service:

IDS stand for Information Disclosure Statement. It is one of the most important services in the online patent paralegal services. A patent applicant has to disclose to the USPTO all known prior art and other things which relate to the invention.

To satisfy this duty, one submits the entire prior art information to the USPTO in the form of IDS. IDS ensure significant cost benefits to the applicant by filing less number of IDS prior to the notice of allowance. IDS ensure covering all the references in it.

ADS Preparation Service:

An Application Data Sheet (ADS) is a sheet that provides the information about the inventor, correspondence and benefit claim. It is always beneficial to submit ADS with the application rather than after filing the application. One prepares ADS with all the details making it in a ready state to submit it to the USPTO.

Patent Docketing:

Patent Docketing is a method where one manages a large number of patent applications efficiently. Docketing is very important as it can be rather difficult to keep track of all the patent applications. Each patent application can take several years to complete the patent process. So, as more and more patents enter into the docketing system, the more it is better to manage one. The online patent paralegal services remotely access the client’s docketing system and upload the IP documents.

Office Action Response Template (OART):

Office actions are formal documents that one prepares and communicates from the patent examiner at the USPTO. These are common in patent prosecution and examiner generally issues them before a patent grant. This type of action will include the requirements that one needs to cover for patent grant. Finally, after the applicant satisfies all the requirements, the examiner grants the patent.

Patent Proofreading Service:

Patent proofreading service identifies the error either before the issuing of a patent or after that. The process of proofreading takes into account the clerical errors, grammatical errors, error in claim dependencies etc. A lot of these errors especially the ones which are critical can ruin the enforceability of the patent. To avoid these mistakes, paralegal services play an essential role. It will thoroughly review the patent application and format the document as per the USPTO standards. The paralegal service will ensure the accuracy of details and consistency.

Also Read: US Patent Proofreading – with USPTO Best Practices

PTA Calculation:

PTA stands for Patent Term Adjustment. The USPTO carries out the PTA process in which it awards the day for day credits to the normal patent term. Any delay by USPTO that occurs during the prosecution of the application is offset by the delay which the applicant makes. The default term of a typical patent is twenty years starting from the earliest priority date of the patent application. But, due to the delay in the patent prosecution process, PTA has to increase the life of certain patents. The paralegal services help in maximizing PTA to increase the life of certain patents. They help in adding days, weeks and even months in patent term. These services help in reviewing all the events in prosecution to determine the correct PTA.

Also Read: Patent Watch: Why Do I Need It?

Looking for Online Patent Paralegal Services – Patent Paralegal Force

Online patent paralegal services play an important role in the patent process handling end to end documentation for the USPTO office. Patent Paralegal Force (PPF) provides you with the best possible patent paralegal services. With experienced paralegal support, the clients can concentrate on more critical IP matters. PPF consists of highly experienced professionals having the state of the art tool to support you throughout the entire prosecution process. We follow flexibility to accommodate the best of our client’s needs through our automation and manual techniques. Our team provides paralegal services such as docketing for multiple countries, proofreading, end-to-end IDS management, document procurement, etc. We also perform data verification while patent application filing. For more information, Visit Patent Paralegal Force.

1. **Why Should You Hire Good Patent Illustrators?**

Patent Illustrations are a graphical representation of an inventive concept in the patent application. Patent Illustrators help patent seekers to create an effective and stunning drawing for their invention. Illustrations begin with the disclosure of the design of the invention and the configuration of the product. They show a precise shading of the invention which shows the shape and design of the patent clearly. But these days there are only a few patent illustrators who are providing high standard illustration services to the clients. With the passage of time and advancement of technology, patent illustration process has to undergo certain changes. Thus, it becomes important for one to adapt to the change accordingly. So, there are some important qualities that one should seek while hiring a patent illustrator.

Related Article: Qualities of Patent Illustrators

Essentials of Patent Illustrators

Patent illustrations have always been an essential component of patents. Not only it gives a clear picture of one’s invention but also minimizes the examiner’s time to grant the patent. However, with the advancement of time creating patent drawings of the invention has become more complex. So, it becomes extremely important to hire a good patent illustrator. Some of the reasons to hire good patent illustrators are:

Technicalities in the illustration:

The technological advancement is changing every sphere of our life and the same goes with the patent illustrations as well. However, for an accurate patent illustration, illustrators use this software in conjunction with their expertise. It helps them describe invention precisely in an effective manner.

Timely delivery of the illustration:

The illustrators are mostly able to meet deadlines without compromising on the quality of the work. A proficient illustrator knows how to proofread and check his work for any errors within the time limit. Furthermore, he ensures that the illustrations capture the invention precisely to the point.

Confidentiality of the invention:

Until the publication of the patent application, it is safe to keep the idea of the invention as a secret. Ensuring the confidentiality of the idea is essential while disclosing it to some third party. So, the illustrator should ensure right at the beginning that the client’s confidentiality will remain intact. Keeping an invention secret is a sign of a good illustrator as ensuring confidentiality is of utmost importance.

Patent regulatory norms:

This is one of the most important steps while hiring a professional illustrator. The required format for patent illustrations differs from country to country. An expert illustrator is one who understands the nuances of patent drawings and has a good hold of all the regulatory norms. In short, the illustrator should be well aware of the patent office requirements. He should also be aware of the various jurisdiction and common examiner rejections. A good and experienced illustrator put all his knowledge in the drawings to make it an excellent patent drawing.

Method of implementation:

The experienced illustrator knows various methods to implement the patent drawings to make them look conventional on the patent application. He knows the required number of drawings and is able to illustrate the same including the complicated views to claim a design. The patent illustrations can also be made either manually or by computer-aided designing methods. Depending on the requirement of the client, a good illustrator knows which method to choose.

Related Article: Hiring Good Patent Illustrators Vs. Do it yourself (DIY) with Patent Drawing Software: which will be a smarter choice?

Looking for Patent Illustration? – Professional Patent Illustrators

If you want to get world-class patent illustrations, Professional Patent Illustrators (PPI) would ease your task in doing so. We are a team of professionals who are expert in providing you with world-class patent illustrations. Over the years, by offering quick and accurate services to several corporations, we have established our name for the clients. No matter how complex is the patent drawing you are looking for, our experts are well equipped in handling those. PPI also uses the latest software along with the manual expertise for the illustration with 100% compliance to patent office rules. For more information, visit Professional Patent Illustrators.

1. **How to Draft an Accurate Patent Claim?**

Inventors get patent grant only when the complete invention or part of it meets all the patentability criteria. Patent claims put forth what we intend to get a patent grant for. Therefore, a patent claim is of foremost importance in a patent draft. It serves the purpose of defining the scope or limits of legal protection. The Patent Office examiner gives first and foremost importance to Claims at the time of examining the Patent Application. Therefore, it is very much prudent for you as an inventor to draft the claims perfectly.

Patent Claim Drafting: Key Steps

Draft the Patent Claim first: at the time of patent drafting, it is advisable that you draft the claims before preparing the specifications. This will give you and your patent agent a clear view of what terms need a thorough description.

After writing the claims, put forth and discuss it with your agent/ attorney.

Note: A patent attorney or agent is an expert in matters of patent draft preparation. Hence, it is advisable to seek their help at the time of patent draft construction.

Revise the claims after preparing the specifications. This is to ensure that your claims are in conjunction with the invention description.

How To Draft an Accurate Patent Claim

Also Read:US Patent Proofreading – with USPTO Best Practices

Tips to portray Patent Claim(s) in a Patent Draft:

Patent claims clearly define the invention for what we seeking patent protection. The drafting of the patent claim(s) decides whether your invention is novel or if it is infringing upon someone else’s invention.

Take care of patent claim design: it talks about how we should represent our claims in the draft. That is, how much and what you are covering under your patent scope.

Be mindful of drafting claims of varying scope at the time of patent drafting. Also, include both independent and dependent claims in mixed fashion. There is no hard and fast rule that a dependent claim will follow an independent claim.

Include patent claims of both broad and narrow scope. This works at your advantage, as claims with broad scope catch a wider group of infringers. On the other hand, claims with narrow scope make your invention more definite and precise.

Write your claims in a very clear and concise form.

Choice of words: choose your words very precisely while drafting the claims. Also, draft it in terms of the technical features of your invention. At the same time, make sure that the statement of your claims explains your invention and its variants appropriately.

Use technical words while writing the Patent claims and explain to them while writing the invention description. Make it a point to write the claims in positive terms. Say, for instance, write “a hollow cylinder” instead of “a cylinder that is not solid”.

Talk about variations of your invention: There are many potential competitors trying to infringe your claim. Therefore, incorporate all the possible variations of your invention in the claims and description in order to protect the patent right. Try to cover the competing products as much as you can and make sure your patent claims overcome the prior art.

What do we bring to you?

Perfect Patent Claim Construction takes your invention to different horizons.

We, at Patent Drafting Catalyst, know that writing a patent application is not just about jotting down the claims and invention description. Our efficient team of patent drafters makes sure that your application passes every toll gate of prosecution. We strictly follow the USPTO guidelines while preparing drafts for our clients. Our services are available online and that too at budget-friendly rates. To know more about our services, do visit our service page.

1. **Most Important Points About Patent Docketing Systems**

Maintaining all the documents is a complex task when filing a patent application, which is why patent docketing systems exist. Filing an application with the USPTO isn’t a straightforward task, especially because of the number of documents to look after. Inventors often hire a law firm to assist them with the patent prosecution, but the law firm has multiple clients. They need to keep track of each and every application, its documents, and its deadlines. Hence, patent docketing systems become an integral part of any firm because they simplify the task of managing various patent applications.

This article explains all the key points about patent docketing systems.

Patent Docketing Systems: Definition and Importance

Definition

These are systems for managing the patent application process. It involves keeping track of a vast variety of information such as forms, client’s name, contact information, invention, etc. But this is not all of it, and we will explain the entire docketing system in detail down below.

Importance

We have seen what a patent docketing system is. Now, let’s see what exactly makes it absolutely important. It’s very crucial for patent law firms because:

A patent application comprises of several documents such as forms, drawings, etc which need intensive care while managing the applications.

Every law firm has multiple clients, and each client will have their own patent application(s). Without a proper system, keeping track of all the patent applications becomes incredibly complex.

A strong docketing system ensures streamlining of the entire system so that management of the applications becomes smooth.

Therefore, to ensure smooth management of this data, using patent docketing systems is a wise decision. Also, check out Patent Docketing Needs in the IP Lifecycle.

Patent Docketing Systems: Guidelines to Follow

You understand the importance of patent docketing systems. Let’s see the guidelines that you need to keep in mind while maintaining such a system.

Creation and maintenance of a separate portfolio for every application is crucial.

The data entries should be very specific and precise. This information should include:

Client’s name

Client’s contact information

Invention

Type of industry it serves

Digital copies of the application, forms, drawings, etc.

Status of application

Deadlines and due dates

Ensuring all the legal fees and their payment status for different applications has proper records in the system.

The system should provide standardization to maintain a consistent workflow and allow updating each and every patent application when applicable.

The flexibility of the docketing system itself is very crucial. Patent law firms should look for a docketing system that allows free text. The purpose is to allow entry of notes into each portfolio explaining where the application is still in the process.

Among patent docketing systems, here is a good example:

Anaqua- A Patent Docketing Software

Anaqua: A Patent Docketing Software

Also, read Top 5 Patent Docketing Solutions.

Protection of Intellectual Property

Inventors get patents for inventions to protect their intellectual property. We all know that the patent prosecution process itself is a very expensive affair. Hence, it’s important to manage portfolios and patent applications with the least possible expenses. This includes all patents’ commercial value. You should drop patents that have no commercial value, which saves on expenses. Dropping such applications also helps with managing the system more efficiently.

Also read: Why online patent paralegal services are important?

Need Patent Docketing Services? – Perfect Patent Docketing

Patents are elaborate documents and thus, we need to ensure that each of the adjoining documents is in place. All the deadlines for various steps are very important, and any mistakes can prove to be costly. Handling this information along with the entire procedure itself is a difficult process, and hiring a professional patent docketing service is wise.

Perfect Patent Docketing ensures a 4-eye quality check of each document. We ensure data security and offer premium docketing quality through our robust IT infrastructure. Our promise is a lightning fast TAT, keeping specific demands of the customer in mind. We offer docketing services at affordable prices with the best quality of outputs as well.

1. **A Beginners Guide for Provisional Patent Filing**

A Provisional Patent Filing is used to protect the idea of the inventor for one year. It usually refers to the filing of a provisional application to get the legal rights of the invention. The provisional filing establishes an early filing date. Although, it does not convert into an issued patent unless one files a non-provisional application. There is a time period of 12 months given to the applicant to convert the provisional filing into a complete one. It is the cheapest and fastest way of getting protection for your invention.

Provisional Patent Filing: Key Points

Basics of provisional patent filing:

A Provisional patent filing is an intricate document that needs to be clear and simple to understand. It allows the formal filing of the invention without any claims. Some of the key points regarding it are:

Provisional patent filing is a preliminary application before usual patent filing.

It is simpler and more concise than a complete patent filing as it explains the invention in a broad manner but not completely.

The provisional filing frequently takes fewer pages to describe the product’s design. Basically, it is a short term means of protecting the invention.

 Filing provisional patent helps in saving a filing date for a complete application. Although it is not mandatory, it is highly recommended as it has a lot of benefits for the inventor.

 Benefits of provisional patent filing:

There are few benefits of filing the provisional patent. The key benefit is the ability to test the invention without the risk of theft. There are some more benefits to it. They are as follows:

Firstly, the applicant gets an extension period of one year. This helps the applicant to lock in the potential patent rights of the invention. The applicant gets the time to complete the invention while the legal rights get protected.

 Another benefit is that the applicant avoids the cost incurred in filing the non-provisional application during one year period.

 Once the process of a provisional patent is complete, the inventor uses it for obtaining funds as the credibility of the invention increases.

 As there is no publication of the provisional filing, the priority date is also reserved by maintaining the secrecy.

Requirements for filing provisional patent:

There is a requirement of several documents for filing a provisional patent. Firstly, the documents must include a written description of the invention. The description must adequately describe the full scope of the subject matter. Secondly, the inclusion of any necessary drawings must be present, if required. The filing application also includes a prescribed fee while filing the application.

Content while filing provisional patent:

 Content is one of the most important things while filing a provisional patent. It contains the description and other specifications of the invention. Some of the essential things to mention while filing a provisional patent are:

Title of the invention:

Firstly, the inventor needs to mention the title of the invention. The title should fairly capture features of the invention. It should be short and to the point.

Description of the invention:

After the title, it all comes down to the description of the invention. The description includes the field and background of the invention. The inclusion of the technical field to which the invention belongs plays an important part in the content of a provisional filing.

Objects and Statement of the invention:

 It also includes the object of the invention. The point of having this section is in showing the necessity of the invention. The statement of the invention should also be included. Claims may not be a part of provisional specifications.

Related Article: Why You Should Not Avoid Patent Proofreading While Filing Patent Applications?

Difference between Provisional and Complete filing:

The filing of a provisional application is the start of getting a grant of patent in India. The complete application follows the provisional one after 12 months. However, there are certain differences between a provisional filing and a complete filing. They are as follows:

S.No Provisional Patent Filing Complete Patent Filing

1. The filing is possible even when the idea is not completely mature. There remains no scope of further development when filing the application.

2. The involvement of claims or abstracts may not be present. It includes all the parts of the patent application.

3. It has no existence if a complete application is not filed. It can exist independently.

4. It is inexpensive as it does not include all the parts of the patent application. It is expensive as it includes all the parts of the application.

Why Choose Us? – The Patent Filing Company

The Patent Filing Company (TPFC) is an exclusive group of the world’s leading technologies with a deep understanding of global patent laws. Our team consists of professional experts who will help you in the provisional patent filing. TPFC covers 300+ experts and serves over 45 countries. Our professionals utilize their expertise to advise our clients to help them get world-class advice and IP Protection. TPFC not only ensures that you get the strongest and broadest services but makes sure that you get the optimum cost. Our team will assist you in filing the provisional patent application. For more information, visit The Patent Filing Company.

1. **Importance of Patent Invalidity Search**

There are instances where a third party might challenge your patent after its issuance or vice versa. Either way, you have to perform a patent invalidity search (or patent validity search). It is the first step either party takes when they are in the middle of or are planning to file a patent infringement lawsuit. This is done to support your argument, whether it is to invalidate a patent or to reinforce it. Both types of searches are very similar, except their end results are completely opposite.

This article aims to explain the exact meanings of a patent invalidity and validity search, what are their purposes, and what is required to conduct them.

Also, check out the latest IPR issues in India before filing your patent application.

Meaning of Patent Invalidity Search

In some instances, an examiner might miss out on some prior art. Invalidity (or validity) search is a comprehensive prior art search which you carry out after the grant of a patent. This can prove to be paramount in a patent infringement suit.

Purpose

Invalidity search: You perform a patent invalidity search to uncover any prior art that can invalidate the claims of a patent. This is done when you are:

Planning to legitimately stop a competitor’s product.

A defendant in a patent infringement lawsuit.

Validity search: You conduct a validity search to ensure that no prior art exists for a patent so that the claims of the patent are strengthened. Here are the reasons to do it:

Before you enforce your patent and determine invalidity risks.

When you need to defend your patent against invalidation.

Also, know more about post-grant opposition in India to effectively carry out your validity search.

Requirements for Patent Invalidity Search

Now that we know the importance of a patent invalidity search, let’s see what we need to carry it out. You primarily require 3 things:

The patent number and the specific claims which you seek to invalidate.

Any prior art that you are aware of, but has not been listed in the patent.

The date of the prior art to ensure that it came into the public domain before the priority date of the patent.

You should conduct a Public Search for Granted Patents to gather necessary information en route the invalidation process.

Why choose our services? – Your Patent Team

While administering a patent invalidity search, you need to cover the entire scope. Some prior art may exist in the form of a non-patented matter, or in another language. If you are looking for professional assistance to carry out an exhaustive search, consider Your Patent Team.

YPT is a team of 225+ technology/industry experts who speak the inventor’s language and have a deep understanding of Indian & Global Patent Laws. We provide you with a wide patent and non-patent literature coverage (scientific literature, journals, conference papers, etc.). We have multi-lingual capabilities of 16+ languages, covering 100+ countries. Our aim is to provide strong “killer art” search results to invalidate a patent by litigation.

1. **Online Trademark Filing: Know How to Do it?**

Be it Offline or Online Trademark filing, it helps you obtain a unique identity in the form of Trademark, to distinguish your product from others. A Trademark can be any word, phrase, logo, sound, etc. However, you must register it first in order to seek the advantages. It is easier to file for a Trademark registration even online, thanks to the advancing technologies.

Online Trademark filing process:

You must follow some certain steps if you want to file for a Trademark online. Also, there exist some formalities regarding your identity proofs and other documents. The steps and formalities are mentioned below:

Trademark Search:

A Trademark search is the first step for Online Trademark Filing. During the Trademark search, your search for the pre-existing registrations on the same mark. Thus, you can register your mark only if it is unique. Also, you can make the necessary changes in your mark if a similar mark already exists.

You require a global database for a Trademark Search. The database consists of all the pre-existing, abandoned or pending Trademarks/applications. Also, it helps to find potential threats/benefits for your mark. For example TESS (Trademark Electronic Search System).

You can either perform a search on your own or take the help of a professional. Although, it is better to seek help from the professionals as they provide more accurate results that cover all the fields. Moreover, the professionals draw relevant results more quickly as compared to the self-search.

Related Articles: Hire A Trademark Attorney: What’s The Need?

Category Selection:

You must select the right category of registration for your Trademark. This is so because; the registered trademark provides you the right to sell your product within a certain sector of the economy. There are presently 45 classes/categories in the Trademark Registry.

A few classes/categories are mentioned below:

Chemicals

Paints and Coatings

Cleaning and Bleaching Products, Cosmetics

Fuels and Industrial Oils

Pharmaceutical and Dietetic Products

Thus, you must select the appropriate category for every mark.

Application:

We move ahead to the application process, once we ensure that our mark is unique and falls under the correct category. This includes preparing an official letter which requires your signature and acceptance norms. Also, only after receiving the letter, your documents are prepared and the registration process starts.

Documents required for Online trademark Filing:

There are certain documents that you must provide for the registration process. These are just some of your personal details and features of your mark.

Name of the Applicant

Type of Business

Objective of Business

Brand/phrase/slogan

Address of registration

Identity/Business Proofs;

The owner of the mark or the person authorized for the mark needs to submit their identity proof. It may be Voter ID, VISA, Passport, PAN card, etc. Business proof determines the area of use for the Trademark.

Using Logo/Tagline:

You do not require a logo if a Trademark comprises of only words. However, if you tend to use a logo, you must submit it in Black and White format. There should be an exact number of words in the logo as mentioned in the application/letter.

Form 48:

With Form 48, you provide authority to an attorney to legally file for a Trademark application. Also, you must submit the Trademark user affidavit in case you make a claim for a previous trademark in the application.

Some Important points about Online Trademark Filing:

There is a lot of advancement in technology these days. You can apply for registration online without appearing in the registration office. Also, you can hire a certified attorney online.

The Vienna Codification process:

Vienna codification is the most important step of the Trademark Filing process. Also, it provides an international classification to you after you fill the application form. Your pending application is termed as “Sent for Vienna codification” at this stage.

Trademark Examination:

Once the application comes under “Sent for Vienna codification”, it will now undergo examination via the officials. They might accept or reject the application on the basis of requirements and set criteria.

Hearing at Trademark Registrar/Officer:

An applicant can go for a hearing after the application gets rejected. If He\She is not convinced properly then He\She can contact the Intellectual Property Appellate Board.

Why trust The Trademark Filing Company?

We at the Trademark Filing Company are equipped with a team of experts in the field. Also, we deal with your every query regarding Trademark registration. You get a handy and supportive online procedure throughout the Registration Process. Our team members use manual searches on a global database for accurate results. we provide a regular update for every processing step. Moreover, you are presented with better advice that can prove helpful in long terms. Budget-Friendly fees and total customer satisfaction is what we serve. To know more about our services, please visit The Trademark Filing Company.

1. **Design Patent Illustration: A Primary Guide**

Design Patent Illustration is a drawing that depicts the complete design of the invention. Furthermore, by complete design we mean, all the contours, shape, texture, size and proportion of the object. It strictly includes all the features visible during the use of the product/object.

Here comes a piece of advice- do not confuse design patent illustration with utility patent drawings. As a utility patent illustration/drawing gives a complete visual of the invention for which you are seeking patent protection. On the other hand, a design patent illustration specifically provides those ornamentations for which you are claiming patent protection. A design illustration is an important element of design patent application.

Finally, let’s move onto the important specifications of design patent illustration as per the guidelines of the USPTO.

Design Patent Illustration: Important Specifications

Although a design illustration is a complete replica of the original ornamentation on the article. But, there are a certain set of rules for construction of those designs for submitting them to the USPTO. Also, here is a crux of the detailed USPTO guide on design patent application–

Multiple Views:

Show as many views of the object’s design as possible. In short, provide images of top, front, bottom, back, left and right views. A number of views also depends upon the dimensions and type of object. Say, for example, if an object is thin and flat like a photo frame, then you require submitting only the front and the rear views. But, if there is peculiar ornamentation on the edges of the photo frame then submit the complete view along with the edges.

Consider adding sectional and exploded views of the designs to bring the peculiar features in light. Always link the exploded view to the full design.

Figure 1- Front view

(Patent No. US3541976A)

Figure 2- Back view

(Patent No. US3541976A)

Figure 3- Right side view

(Patent No. US3541976A)

Figure 4- Left side view

(Patent No. US3541976A)

Figure 5- Top view

(Patent No. US3541976A)

Figure 6- Bottom view

(Patent No. USD689355S1)

Ink Type and Photographs:

The USPTO accepts black ink and Indian ink for design drawings or black-and-white images in lieu of the drawings. At the same time, try not to include environmental structures and focus on the design itself.

Therefore, do not submit photographs along with drawings as there is a high probability of inconsistency between both.

Figure 7- Black and white drawings

(Patent No. US3541976A)

Colour Drawings and Photographs:

Although generally not accepted, but color drawings can become a part of the patent applications if provided with reasons claiming their necessity. The color is essentially not a part of the claimed design. Moreover, PCT applications do not entertain color photographs or drawings.

Click Here to Download (Free Samples)

Surface Shading:

Enhance the surface characteristics of the illustration. It also helps in differentiating between open and opaque/solid areas of design. Also, perform black shading only when you represent the color black as well as color contrast.

Figure 8- Linear surface shading

(Patent No. US3242664A)

Figure 9- Stippled surface shading

(Patent No. USD486264S1)

Broken Lines:

Is not a part of the claimed design but represent the background or environment structures. Additionally, if the claimed design is just the surface ornamentation on an article then represent the article with broken lines. This criterion is variable i.e. broken lines work for U.S. patent applications but not in some foreign countries, e.g. China.

Figure 10- Broken lines showing unclaimed part of the invention.

(Patent No. USD689355S1)

Important Elements of Design Patent Application

Just like utility patent application for design patents, one needs to bring certain documents required by the patent office (here, USPTO). Furthermore, these elements are of critical importance and are exclusive to design patent applications.

These include:

Preamble: it consists of the name of the applicant, title of the design, a brief description of the intended use and nature of the article on which the design is present. The title of the design is specific and descriptive in nature. Moreover, it identifies the article by a generic name commonly used by people.

Cross-reference: in this section, you tag or refer to any prior related application. In short, this helps in setting a priority date for the current application.

Statement regarding federally sponsored research or development: some inventors take government support to come up with an invention. In this case, the government too has certain rights over the invention known as Government License Rights.

Description of the figure(s) of the drawing: it gives a brief on what the different views of the design are like. Also, any other description about the design in the specifications is not necessary, as a drawing in itself is self-explanatory.

A Single Claim: a design patent application comprises only one claim and defines the design to which it pertains.

Drawings or Photographs: as explained previously drawings or photographs provide visual of the design to the examiner and public.

Executed Oath or Declaration: oath and declaration of the applicant must comply with the rules put forth in 37 CFR §1.63.

What do we offer at The Patent Illustration Express?

A team of professional illustrators creating design and utility patent illustrations in compliance with the rules of the patent office is at your service. We ensure quick deliveries and free iterations (whenever needed). Our draftsmen with years of experience keep their knowledge and skillset updated with the new technology. And therefore, we meet the complexities of the patent drawings and deliver the best of the results. If you are looking for patent illustration service, do visit Patent Illustration Express.

1. **How Important is Computer-Assisted Translation?**

Computer-assisted translation or machine-assisted/aided translation refers to a software-based automatic translation utility which helps the translators in their translation work. This basically functions by translating text and storing it along with the source text into a database. This helps in further patent translation work by using that database for any queries in the future. This enables enhancement in the speed, consistency, and quality of the translation work. Computer-assisted translation even makes the translators work easy.

CAT has conveniently overtaken the manual data translation into an automatic machine translation process. This has made the process of translation much more interactive between the translator and the computer. There are other advancements in the tools like analysis of the word counts, units, text content, etc.

Features

Computer-assisted translation has made the translation work of text documents more reliable and fast with its database system. It uses the following features which primarily rely on its ever-expanding database:

1. Segmentation

It divides the contents of the document into a number of segments, which provides help in further translation work. These segments pop up when the translator works on similar sort of sentences and they should match up with the existing translations. This simplifies the process for the user. Instead of typing and performing the translation of a similar text once again, he/she can use the pre-existing data from the database. This saves time, energy, and efforts of the translator and even helps in maintaining consistency within the whole document.

Related article: Introduction to Freedom to Operate Search

2. Correspondence

It saves the translations with its respective sources to perform future translations in a more precise and accurate manner. You refer to both the source and its translation as a translation unit. It helps in maintaining a good quality within the translations. It provides a utility to search for any particular segment and then revise it if there is any doubt for translation.

3. Memorization

Its main and base functionality is its database, where the system saves, searches and retrieves the translations retrieved for future translations. This memory is commonly known as ‘translation memory’, without which the whole process of automatic translation becomes insignificant.

4. Automation

An automatic find-and-retrieve feature is a powerful tool. This makes it possible to find or search for a specific segment of data, and then retrieve its translation automatically. The translator can himself/herself decide if the segment in the suggestions is worth consideration for the use or not.

5. Add-ons

It also provides some additional features such as tools for index/concordance, import/export, text search, statistics, text formatting, and alignment. It even includes an automatic watch list to monitor the quality and Internet tools for information access through the Internet.

If Translation memory interests you, then you will get to know all the details of it here.

Importance

Using a tool like Computer-assisted translation clearly holds a lot of importance. It will provide the following benefits:

1. Systematic translation

Computer-assisted translation divides the data into smaller sections or segments and stores them into the memory with its source. This makes it convenient to use it in future translations with better accuracy. This makes it easy to work on projects that involve a large amount of translation and requires precise terminologies. It becomes easy to handle the translation of large-sized projects, in a shorter period of time.

2. Consistency and authenticity

Since all the translations can be directly incorporated from the suggestions of the previous translations in the entire project, consistency in terminology and style of writing can be easily achieved. Once you achieve the consistency by following the correct laws of translation, you can also maintain the authenticity within the data.

3. Less error-prone

The translation of similar segments happens in the same manner with the same terminology across the whole document. Hence, the chances of the occurrence of human errors decrease. Hence, the translator can directly use the part in suggestions everywhere. This avoids the chances of missing a segment or performing the wrong translation.

4. Time & energy-efficient approach

The existing database is constantly developing and updating according to its user. Utilization of this database saves the translator’s time and effort. The translator can easily focus on what is new for him, instead of translating everything he already knows. This makes both the translation work and the translator more efficient, by maintaining consistency and by enhancing the translation skills, respectively.

Related Article: Why To Proofread A Patent?

5. Assistance

Computer-assisted translation even provides the facility revision of translation from time to time. That is why it has become an essential and efficient tool for both the translation service buyers and the translators.

6. Base trainer

CAT can also be used to train other machine translation engines for creating translation memory.

7. Futuristic approach

CAT has been promoting a paper-less approach by suggesting and helping patent translators for a large number of translations.

8. Backup support

CAT even provides backup support for the existing files, so that the translator can never miss even a single translation work. In a case where a mistake is made, then the user can easily retrieve the file.

Related Article: What is the role of an Intellectual Property Paralegal?

Conclusion

A manual patent translation is always a better decision. Find out why.

Need a Professional Translator? – Patent Translations Express

It is absolutely necessary for you to have clear translations when working with patents. Be it translating existing patents or other relevant documents or translating your application. It is pivotal to translate every word without the loss of meaning at any point. Hence, hiring a professional is advisable.

We at the Patent Translations Express, have an exclusive network of native patent translators who are subject matter experts (SME’s) apart from having native language expertise. To know us better please and get an idea about the price quote please check out our Patent Translation Services.

1. **Benefits of Patent Drafting Service**

When you’re planning to file a patent application, it’s always wise to hire a patent drafting service. Your application is the tool with which you explain the invention to the USPTO. In your application, you mention the description and the claims, which are the basis for securing a patent grant. The draft is, needless to say, the most crucial part of the whole patent prosecution process. This draft, after the successful grant of the patent, serves as the specification part of the document. You have to draft an impressive application, hitting all the necessary checkboxes from the USPTO.

In this article, we’ll outline the importance of a patent drafting service in the patent prosecution process.

Why Should You Take Patent Drafting Service?

Our goal here is to explain the common flaws and mistakes that people do while working on a patent draft. These are important things which an inventor may not pay attention to, and later pay the price by not getting a grant.

1. Too much focus on the How; Not enough on the What

You have to explain how the invention functions since that’s how you will prove that it is in fact useful. But a common mistake is putting the majority of the effort in this only. You must ensure that you are clearly explaining what exactly the invention is and not just what it does. Your application may raise concerns you talk too much about the functionality and not enough about what the invention is. The concerns are questions about the invention itself and this also leads to a disclosure that is not terribly descriptive. You can check out the Patent Drafting Procedure here.

A good patent drafting service will ensure that this doesn’t happen and the right balance is struck.

2. Not enough Details

The general trend is that an inventor ends up describing too less about the invention. You must ensure that no matter how simple the invention is your description should be in great detail. If your description is too simple or straightforward, the invention might come off as obvious and that’s a nightmare. Check out the Importance of Narrow and Broad Claim Scope.

Another important reason to write elaborate description is ensuring the novelty of your invention. You must properly describe the differentiating factors of your design, the different materials it needs, and its efficiency.

Some inventors don’t describe too much with a fear of not revealing their trade secrets or process. But, this is a necessary risk in exchange for exclusivity. Patenting is not the time to hold back on information. The idea of the description is that a professional from the relevant field can recreate the invention after reading it. Read more about the requirements of the process here.

Also Read: Multiple Dependent Claims: When do we need them?

the patent proofreading company

3. Too much Detail

There also exists a rare case where you might describe so much that it comes off as unnecessary. You should start simple, and progressively provide specifics and not just jump into the thick of things. You must also ensure that the examiner shouldn’t feel that description consists of irrelevant or unnecessary information. For example, imagine that your invention requires a cloth as a part. You might use cotton but is cotton the only suitable cloth? You must be specific, yet comprehensive while relaying the information.

This is where a parent drafting service can help, by ensuring that the language and information are optimum.

4. Miswording

You need to be very vigilant while choosing your words in the claims and description. Any misfits can lead your patent to exposure. For example, Chef America, Inc. got a patent on a process to make a dough product, verbatim. The wordings say “to be heated to about 400° F to 850° F.” Sometime later, a competitor, Lamb-Weston came up with a similar product. Chef America felt that this is a case of infringement. However, their choice of words made them lose the battle because Lam-Weston’s patent claim says the dough needs heating up to 850° F. The court was in favor of Lamb-Weston whose patent specifies the dough is to be baked “at” 400° F.

You can avoid this if you hire a good patent drafting service. You’ll need to work in tandem with them, and the end result is going to be a great draft.

Also Read: Why you need the Proofreading of Patent Claims? to understand why claim proofreading is inevitable!

Need a Patent Drafting Service? – Patent Drafting Catalyst

You are aware of the importance of producing a good patent draft. Hence, you should take the necessary steps to ensure that your draft is as clear and concise as possible. If you’re looking to take the aid of a patent drafting service, consider Patent Drafting Catalyst. Our team boasts 10+ years of experience in supporting patent prosecution with 200+ full-time patent engineers in 30+ technology areas. Our experience includes working with multiple patent attorneys/counsels from multiple countries for patent drafting.

We are always up-to-date about the latest laws and acceptable practices. Our patent engineers understand the importance of comprehensive patent claims in terms of patent commercialization and infringement litigation. We ensure that we draft excellent quality patent applications with the best results. There will also be no surprise billing so that you only the fee that you fix with us and we ensure that our prices are economical.

1. **Design Patents 101 – Introduction**

Design patents as the name suggests are legal protection of the ornamental design, characteristics, and configuration of a utility article. In other words, it is known as an industrial design right. It does not include a listing of any structure or any textual description of the design. Instead, it simply protects the design of the product.

Salient features of design patents

There are some of the requirements for the intellectual property must possess to qualify for a design patent. The major ones are-

It does not focus on the structural or utilitarian features of the product.

It gives a visual description of the product.

Design patent doesn’t protect invisible ornamental features.

Design patents issued for utility-based items protect only the visible ornamental features of that product.

Design patents are subject to examination under the USPTO, which includes prior-art search.

It is valid for a period of 14 years if filed before May 13, 2015, and for 15 years if filed on or after May 13, 2015.

Factors to consider before filing the Design Patent Application:

There are some requirements for design in an IP to qualify for a patent grant. Here are some points that are a must while filing a design patent:

Clear subject: it is relevant to quote aesthetic skill and artistic conception.

Possess innovation: a completely innovative and novel design only gets the award of patent grant.

Follow standards: it must satisfy ornamental standards.

Possess un-obviousness: it is un-obvious and doesn’t come up as prior art.

Double-patenting: you can obtain a design as well as a utility patent for the same invention at the same time by filing a divisional application.

Copyright: it is possible to take copyright for the same product if it qualifies as a work of art.

Trademark: if the design is an embodiment of an article, one can get a trademark for it.

Appropriate Patent Search: a thorough patent search before application filing avoids future infringements and application rejection.

Core Elements of Design Patent Application

The core elements of design patent applications are:

Preamble, applicant first name, design title, description of nature, and its usage where the design is present.

Cross-reference of related applications

Statement regarding federally sponsored research or development.

Figure description.

Strictly a single claim.

Drawings and photographs

Oath and declaration.

In addition, pay a filing fee, search fee, and examination fee. Small business entities and independent inventors get the advantage of fee concession (fee reduced to half).

You might also want to know more about industrial designs. If so, you will get all the information on what are industrial designs and how to protect them here.

Importance of design patents:

Protection of designs is important because it protects the inventor’s right or claim for the invented design. Also, it restricts other individuals, companies, or businesses to take advantage of the product by copying and/or modifying the design. By securing the inventor’s right, the market regulates the continuous flow of inventions, by giving the inventors, their safety right against infringement.

Design is an important part of a brand that represents employee skills and offers a stand in the market. High-end fashion designers could lose millions of dollars in revenue without design protection because anyone else can create the same aesthetic.

Want to have a look at our design patent search samples. You can avail them free from here!

To conclude, design patents protect intellectual property by protecting the appearance of the invented product. Since design patent costs significantly less amount as compared to the utility patents, some patent attorneys recommend filing design patents while filing a utility patent.

What do we bring to your service?

We, at the patent search firm, with 8+ years in business bring the best research services at your end for getting and maintaining the patent right for your intellectual property. Our experts’ help you out with quick prior art search services for your design patents. We provide both pre-grant and post-grant search services to protect your invention from infringement. Also, we expand our horizon of patent searches by looking into the scientific literature, journal articles, conference papers, and TKDL library. Experts at TPSF know no language boundaries and provide our services in 16+ languages covering 100+ countries. To know more about our services, do visit The Patent Search Firm.

1. **Thomas Edison Illustration: Exemplary Cases of Patent Drawings**

We know that Thomas Edison has been pivotal in changing the course of history and technology through his inventions. But another key thing to note in each patent he has is the Thomas Edison Illustration. He had1093 patents to his name in the USA and 512 worldwide. Each patent, when you look at them, shows how visionary he was. The illustrations themselves were unique and futuristic for his time. Times change, and we have more rules and guidelines to follow but nonetheless, we should take inspiration from his work. Let’s look at some of his best inventions, and more particularly, each Thomas Edison Illustration.

Also, Read: Most unusual Illustrations

Thomas Edison Illustration: Top 5 inventions and their illustrations

Though it’s tough to choose 5 out of 1000, we are providing you with the most revolutionary inventions by Edison. Also, with each invention, we are sharing its revolutionary Thomas Edison Illustration. Let’s have a look at each one.

1. A Practical Light Bulb

Thomas Edison Illustration Light Bulb

Patent Number: US214636A﻿

It’s the obvious choice to start things off with. Edison is most famously known for lighting up the world with the light bulb. Though, he didn’t invent the very first light bulb. There were designs in existence, none of which were practical though. His innovation made it possible to have a light bulb at home without consuming too much electricity. The Thomas Edison illustration is the first practical design of a bulb and we can see that it’s precise and sharp.

2. Telegraph Apparatus

Thomas Edison Illustration Telegraph Apparatus

Patent Number: US91527A

It is quite rightly said that necessity is the mother of all inventions. Edison in his youth had to work as a telegraph operator for the bureau news wire of the Associated Press. Edison was partly deaf and had the desire to make the telegraph easier for him to use. Hence, he came up with an improvement in the Telegraph. This made it possible to send messages back and forth between trains in motion, or between a railway station and a moving train.

3. Phonograph

Thomas Edison Illustration Phonograph

Patent Number: US227679A

The phonograph was an incredible invention indeed. This technology made modern music business possible. Thomas Edison gave the world the first device to both record sound and play it back. This was a little different in comparison to his usual works on telegraphs and telephones. When we look at the illustration, we can see how intricate the design was. We should thank Edison for having the music we listen to on our devices every day.

4. Kinetographic Camera

Thomas Edison Illustration Kinetographic Camera

Patent Number: US589168A

Edison’s interest in motion pictures began before 1888. He had the desire to create a camera for motion pictures. He finally got a patent for his invention in 1897, which was a “the kinetographic camera”. The word takes inspiration from greek words “kineto” which means movement, and “scopos” which means to watch. Here we can see from the Thomas Edison Illustration that the device is quite convolute and has a lot of parts. This invention was the first step towards us being able to make videos.

5. Electric Automobile

Thomas Edison Illustration Electric Automobile

Patent Number: US750102A

You’ve all heard that Elon Musk and his company, “Tesla”, are the first to come up with commercially-viable electric vehicles. However, he was not the first ever to create an electric automobile. Surprisingly, Edison had the vision for this way back in 1904 and tried working to commercialize it for 12 years. He built an electric car in 1912 which came with tone 30-volt electric motor and two 15-volt batteries. One of its biggest problems was its price. It cost twice as much as the cars of his competitors. It also had too heavy batteries. Hence, it never got to see the light of day. However, Edison did have the first-ever patent for an electric automobile under his belt.

Need a Professional for you Illustrations? – Professional Patent Illustrators

We just saw some inventions from Thomas Edison. Each Thomas Edison illustration is precise and effective. To make such quality illustrations for your inventions, consider hiring a professional like Professional Patent Illustrators. We boast 10+ years of experience in delivering top quality patent illustrations. We specialize in Utility patents and design patents, with thorough knowledge of the latest guidelines and norms. Our turnaround time is incredibly fast and we guarantee any number of iterations until we satisfy your needs. To make an inquiry, contact us on Professional Patent Illustrators.

1. **Patent Prosecution Paralegal: Job Responsibilities & Importance**

Given the complexity of the patent prosecution process, hiring a patent prosecution paralegal is prudent. It’s important to first understand the role of a paralegal and then get into specifics of a patent prosecution paralegal. The amount of legal work for a lawyer during the entire process is immense. This includes communication with the client, the USPTO, document preparation, docketing, etc. You would obviously want to ensure that the entire process is seamless and flawless right down to the last thread. So, hiring a paralegal is an absolute necessity. Let’s understand why.

Also Read: Patent Monitoring: A Primary Guide

Patent Paralegal: Job Responsibilities

A paralegal is a person who takes care of substantive legal work while working for a lawyer. The work revolves around recognition, evaluation, and communication of relevant facts and legal concepts. A lawyer can do this work alone but there is a large magnitude of work that needs attention in short spans of time. Hence, hiring a paralegal takes a lot of weight off the shoulders of a lawyer. Check out the Benefits of a Patent Paralegal Service.

A patent paralegal’s legal work naturally revolves around matters of IP and more specifically, patents. Patent law requires a technical understanding of scientific principles and phenomena. Hence a patent paralegal needs to have extra knowledge of science like engineering, life sciences, chemistry, etc. This makes the job of a patent paralegal harder than other paralegals. Read more about the duties a patent paralegal needs to perform to understand their responsibilities better.

Also Read: Things to Do Before Patenting Something

The Role and Importance of a Patent Prosecution Paralegal

A patent prosecution paralegal is a person with a specialization in the patent prosecution process. They need to be proficient in certain domains. They are:

Patent application drafting and filing

Keeping track of deadlines

Handling docketing systems for multiple cases

Corresponding with clients

Performing administrative tasks

The patent prosecution paralegal has to understand the invention very clearly. This is key because they need to be able to assist in the drafting of the patent application. Hence, their correspondences with the client are very delicate and important.

They must also keep track of the deadlines so that everything is done in a timely manner and no undue situations arise. This is easier when they maintain a good docketing system. This will also help them to handle multiple cases together.

Also Read: How to draft an Accurate Patent Claim

Need a Paralegal? – Patent Paralegal Force

You can see the importance a patent prosecution paralegal has in the entire patent process. The process is tedious, time-consuming, and it is definitely not a one-person job. Hence, hiring a patent paralegal is a wise option. At Patent Paralegal Force, we offer cost-effective professional legal assistance and paralegal services to patent and IP attorneys worldwide. Our team has professionals who boast years of experience who use state-of-the-art tools to support you through the patent process.We follow flexibility to accommodate the best of our client’s needs, through our automation and manual techniques. Visit our Patent Paralegal Services to avail us.

1. **Information Disclosure Form: Top 11 Critical Aspects**

It is the duty of an applicant to disclose all the relevant details regarding the invention to the USPTO. Through an information disclosure form (IDF) an applicant submits used all the relevant invention details as a duty of disclosure.

This duty is of the inventors and on all other concerned persons involved in the preparation and prosecution of the application. The form generally includes details of the concepts behind the invention, all active members, prior arts, problems for rectification, drawings, and visual aids, references, etc. Information submitted in IDS includes other issued patents, published patent applications, scientific journal articles, and other relevant published material.

 Information Disclosure Form: Critical Elements

Take care while filling the information disclosure form since it apparently allocates the views of the inventor for his/her invention. At the same time, it gives a complete description of how your invention stands apart from the prior art. The major areas of concern are:

Invention Title: The title must match and indicate the functionality of the invention to a very specific and precise level. Also, with a title length of not more than 15 words.

Invention Area: depict the subject matter or the area of technology clearly in the title and the invention description area. Even the benefits must also clearly point out the application areas or the industrial applicability of the invention.

Prior art and rectified problem: Prior art and problems for rectification must clearly indicate the present status of the technology. This is with respect to the pending patent applications and the current developments. If your invention is in furtherance with any existing product, then give a distinguishing description of the invention from the closest prior art.

Invention Objective: objectives fulfill the requirements and importance of the invention. They fulfill the necessity of the invention when compared to the prior art. Whereas, the necessity portrays its importance when compared with the prior art. The objectives clearly depict that invention as a necessary step to improve the prior art.

Summary: Including summary and the mode of performing the invention, is a good practice. This part clearly reveals the main aspects of the invention. The summary provides the crux of the invention in a very concise format at a glance.

Detailed description: it includes all concerning factors, such as the nature of modifications, invention particulars, drawings examples and references in a detailed format.

Relevant drawings: drawings give a visual experience of your invention. Therefore, always attach all the drawings related to your invention. You can also pin the complex or important drawings or sketches on separate sheets for clarity.

Keywords: a set of keywords helps the attorney to understand the technical terms involved and makes the invention more lucid. This even helps in finding the exact arrangement of the patent elements.

Claims: Claims outline the scope of the invention, which in turns becomes the factor to decide the rights provided to an inventor, after the grant of the patent.

References: mention all the links related to the literature and patent search which are of similar nature as the invention.

Disclosure information: Sometimes, the disclosure information is also required which must depict the names and dates of the first disclosure of the invention. Inclusion of mode of disclosure (publication, presentation, or oral) makes the invention more transparent in front of the examiner. This enhances the chances of getting a patent.

Benefits of Information Disclosure

Giving a transparent disclosure of your invention majorly works in your favor as an inventor or applicant. Given below is how a well-described information disclosure form gets your patent application pass through all the toll-gates of prosecution.

Once you prepare the information disclosure, it becomes easier to draft the patent application. This happens simply because the form clearly states out every technical as well as logical detail about the invention. This, in turn, makes it much easier for the patent attorney to draft it.

Now, the patent attorney can frame wide-ranging claims without studying every minute details of the invention on his/her own, instead of the inventor is the subject expert helps out for this. This, in turn, creates a good relationship and cooperation between the inventor and the patent attorney.

A good relationship is a clear sign of a good workflow that makes the prosecution process more trustworthy and easier. Providing this sort of key support to the patent counsel will take the inventor one step more towards getting the patent for the invention.

After learning the importance of information disclosure, here you can find when and how you can file an Information Disclosure Statement.

Our Approach

We at the Smart IDS Solution, prepare ready-to-file Information disclosure forms in USPTO prescribed format. Our team comply the data with the obligation, maintain and update it by timely and accurately reporting prior art references. We ensure 100% quality assurance with our IDS creation and are remarkably appreciated by our corporate clients from more than 45 countries. We do not charge any licensing fees, monthly fees, and storage fees. To know more about our services, please visit SmartIDS Solution.

1. **Utility Patent Illustration: Major Tips**

A utility patent illustration is one of the most important aspects of a utility patent application. Even long pages of description of the invention may not be enough to elucidate your invention completely. You can use a utility patent illustration as a torch to illuminate and illustrate your invention properly. It is a great way to eliminate any doubts about your invention and it improves the scope of your protection. So it is absolutely necessary to put the hammer on the nail correctly while rendering these illustrations. For that, you must ensure that you follow all the latest guidelines and practices by USPTO.

What’s the Need of a Utility Patent Illustration?

Not only is an illustration a great option for you to use, but also it is a requirement by the USPTO. The applicant for a patent has to furnish a drawing of the invention whenever a drawing would help to understand the invention. Hence, you must include at least one illustration when drafting your patent application.

There are 2 basic tips that you must keep in mind while creating your illustrations.

Point of Novelty: You must be aware that your invention needs to be novel in order to receive a patent. There can be instances where your invention might overlap with an existing one. This is where drawings can play a game-changing role. You can use your drawing to make it stand out from any prior art. So you must make full use of an illustration.

Telling a Story: The illustrations should act as a visual story. You may use sequential drawings to explain a process or the making of a product. Either way, the drawing should make it absolutely clear about how your invention looks and functions. If you can successfully tell the story of your invention visually, then your chances of getting a patent will increase a long way.

Let’s see how to make the best utility patent illustration.

Utility Patent Illustration: Guidelines to Follow

There are some vital instructions from The Manual of Patent Examining Procedures that you need to follow:

Every illustration must be black and white in color and no other color.

You may use colors only when a part of the invention absolutely requires you to use different colors while explaining. You must also file a separate petition with the USPTO to avail permission for the same.

Use India ink for all illustrations.

Create all your illustrations on white A4 matte paper that is flexible and strong. Dimensions are as follows: 21cm x 29.7cm or 21.6cm x 27.9 cm.

Margins should be as follows:

2.5 cm on the top

1.5 cm on the right side

2.5 cm on the left side

1.0 cm on the bottom

Each illustration must include the invention name, name of the inventor, and application number.

Ensure that upon rescaling the drawing, it will not be crowded when reproduced at 2/3 size. Don’t write indications of scale-like “1/2” because that will lose its meaning upon rescaling.

The manual encourages you to use shading. However, avoid solid black shading except on bar graphs or to represent color.

You can also include charts and diagrams in your illustrations.

You may use symbols and legends if necessary to describe the invention.

Use lead lines to redirect the reader from the drawing to the associated symbol in the description.

Superimposition of drawings should not happen.

You don’t need an illustration if your patent is about a chemical compound or process.

The USPTO allows you to use photos, but only in exceptional cases. Photographs can prove to be useful in providing intricate details of the invention which might be difficult to draw. Hence, they must be in high definition to depict everything clearly. They must follow the same rules in terms of the type, size, and margins of the drawing.

The views

If your invention is a physical object, you should draw all the views; top, bottom, and all the sides. Wherever applicable, you should include the following views of your invention:

Six views (front, back, right, left, top, and bottom) for 3D objects and two views (front and back) for 2D objects.

Three-dimensional perspective views

Exploded views to represent how each part works during the operation of the invention

Sectional views to depict the functionality

You can leave out the surfaces which are without ornamentations. As the guidelines stipulate, you should make the most use of shading. It is another essential component of a utility patent illustration. It depicts depth, contour, and texture. You should use dots, lines, and distinctive patterns for this. Check out our sample utility patent illustration to see the quality of our work.

Need a professional illustrator? – Patent Illustration Express

You may feel that the margins for error are too fine and the guidelines are too many. Consequently, rendering your own illustrations may seem like a daunting task. If you feel the need to consult a professional, Patent Illustration Express is here to help you. Our team of professionals boasts years of experience and diverse skill-set of software and handmade drawings. Utility patent illustrations are our specialty. Your satisfaction is paramount to us. We offer an incredibly high turnaround time and unlimited iterations, all at an extremely affordable price.

1. **Patent Filing: Know How to Proceed**

Patent filing is a process of submitting a written application to the patent office to request a patent grant for the respective invention. It is necessary to maintain the guidelines and rules during the filing process. Also, a Patent grant is wholly based on the Patent filing.

You must specify the features of the invention, submit legal forms and follow the instructions of the Patent office to increase the chances of Patent grant.

Moreover, you must submit the application to the Patent office only if you have a patentable idea/invention. There exist different types of patent filing. It is very important to determine the relevant type for your Patent.

General Patent types:

Utility Patents

Utility patent preserves the working and use of a particular product or invention. It includes process, machine, products, or matter composition.

Moreover, they are meant for the invention having a useful purpose, for example, a new engine for cars.

A Utility Patent lasts for 20 years from the date of filing, if you file it after 8 June 1995.

Design Patents

The design patent deals with the visual shape or design upgrade to the article of manufacture. It describes a new ornamental feature of the item and protects the way how an invention looks.

The design patents get a time period of 15 years from the date of issue if you file it after 13 May 2015.

Example, You can attain a utility patent for a new function of the watch and you can also attain a design patent for it if you made any new ornamental changes.

Plant Patents

You may obtain a Plant Patent if you discover or reproduce (through cross-pollination) a new variety of the plant. The plant must not be present in any uncultivated state.

A Plant patent also have a lifespan of 20 years from the filing date, if filed after 8 June 1995.

You must decide the type of Patent application if you are done with the type of Patent.

Also Read: IDS Patent: Definition, Obligation and Requirements in Patent Applications﻿

Types of Patent applications:

There are generally two types of patent applications.

Provisional Patent application Filing:

In 1995 it became necessary to differentiate between provisional patent application and non-provisional patent application after USPTO authorized provisional application filing.

A provisional patent application is different from the non-provisional application. This is so because you do not fill all the formalities with it.

Moreover, it just states the motto of your patent application and helps to obtain a patent pending stage for your invention.

After this, you must file a non-provisional patent application within 12 months.

2. Non-Provisional Patent application Filing:

A non-provisional patent application is the complete detailing of your invention through illustrations and written claims. Also, you must write a description of the invention in such a way that any third person with ordinary skills is able to recreate the invention.

However, rafting this specification and claims makes the non-provisional patent application somewhat difficult. Complex patent applications require professional drafters to illustrate the details and create drawings to present the invention in a better way.

3. International Patent Filing:

PCT (Patent Cooperation Treaty) is an international agreement with many countries. According to PCT, the inventor must file a single international patent application to assure protection for the invention among the countries that had already signed the agreement.

The WIPO (World Intellectual Property Organization) contains a list of every member of the PCT agreement.

However, an applicant must follow the guidelines provided by the patent office of the respective country, if he/she wants to file a patent in a particular country.

Related Article: How To Write a Patent: The Most Important Tips, Tricks and Hacks

How The Patent Filing Company Serves You?

The Patent Filing Company is equipped with a team of experts in various fields of Patent filing. We believe in complete customer satisfaction while considering a pocket-friendly price. You are provided beneficial guidance in any stage of your patent. Also, you can keep an eye on the status of your patent application on a regular basis. Moreover, we provide you a quick turnaround time with after deal services. You can place your order online and for more service-related inquiry, you can visit The Patent Filing Company.

1. **Patent Translation Risks: What & How to Avoid?**

The literal meaning of the word Patent translation means to translate anything related to a Patent into another desired/relevant language. However, on legal aspects, Patent Translation works to translate a patent written in the current language into another. This proves to be a daunting task as the meaning of the contents should not change. Therefore, it associates many patent translation risks with it.

While patent filing, patent translation converts the whole textual form from one language to another. This requires to be in accordance with the current linguistic requirements. Documentation is in the form of patent claims, drawings, description, or legal files.

Translation services majorly include translations for filing, litigation (accurate translations to undertake legal action with confidence), and for technical insights.

Most Common Patent Translation Risks

A perfect translation keeps the anticipated meaning of translated words constant. While translating maintaining documents authenticity and bringing the same influence through some other language is not an easy task.

Let’s understand the most-common risks involved in translation, in the following section:

Misinterpretation of patent’s meaning and scope: this is the first of several patent translation risks. This happens when a translator needs to tackle the risk of language difference while translating legal documents. Some languages have jargons (special technical words that explain the term precisely) that enhance our understanding of its severity. But, there may also be cases when you don’t find those jargons in the translating language. This may seem a minor issue on the outer aspect, but the difference in wording can change the meaning completely. This, in turn, leads to a wrong interpretation of the complete sense of the patent application.

Multiple meanings identification: a consequence of using the wrong word is to interpret more than one meaning from the same sentence. This creates ambiguity since it can cause confusion for the readers about the significant meaning of the text. Moreover, doubts lead to wrong interpretation and misunderstanding about the patent’s purpose.

Incorrectness in patent’s applicability: in legal matters, every translated sentence must bear the same significance as the original sentence. Translation mistakes can change the literal meaning of the invention (basically, the claims), making it invalid or meaningless. Languages are so diverse that it is very difficult to translate everything word-to-word. This, in turn, leads to a wrong interpretation of the invention.

Related Article: What is the Importance of Patent Proofreading?

Maximize the probability of infringement: wrong use of words may also create new black-holes attracting infringement. This proves to be one of the major patent translation risks as the infringing claims leads to straightaway abandonment of the patent application.

 Measures to prevent Patent Translation Risks

Patent translation risk poses major drawbacks for a patent application. One needs to be very careful while translating the detailed patent document to another language. So, let’s now understand the ways to maintain the authenticity of your translated document to win the patent grant, despite facing risks.

Hire professionals: for the correct translation of a patent document, a patent translator must understand both the languages completely. He must also know the technique to use the correct word at the correct place to bring the correct interpretation of the invention. Not only this, he must write the sentences after analyzing its meaning from the perspective of a normal person having the domain-specific knowledge, the inventor’s ideology, and the patent examiner for his/her expectations from the application.

It’s better to look for a good and renowned translation agency that holds specialization in patent translation. Also, there is also a provision of assigning more than one person in the translation work. Through this, the second can check/ re-check for the correctness of the first translator’s work. There are firms that provide a number of quality assurance processes, from no-review to spot-checking, to three-person verification.

Related Article: Why should you hire a good patent illustrator?

Think before you invest: Applicants/inventors sometimes try to save their pocket by investing at business-promising firms that offer great discounts. But this becomes one of the major patent translation risks as they don’t provide the reliable and quality-assured translation. One must care to avoid as many mistakes as possible so that saving money would not become a nightmare.

Certified Translator: Certification becomes important when the inventor needs to submit the translation to a court or government agency. There are different cases when where the law doesn’t require the certification. Even in such cases, it’s a good practice to ask for certification of translation. This will ensure that the translation is precise, correct, unambiguous, and reliable. A certification is a statement of the translator’s good faith belief that the translation is true to the original. The USPTO and other patent offices prefer reports from certified translators. The work of a certified translator helps avoid patent translation risks as they are well knowledgeable professionals.

The aid of professional proofreader: making the translated application does not mark the completion of the translation story. Proofreading when done by another professional translator will ensure the integrity of the translated document.

Read before you sign: The applicant/inventor must make sure the quality and reliability of the patent application. Therefore, before signing the applicability of his/her translated patent application the translator must thoroughly go through the translated script. You can also take help from another experienced patent translator if you are not familiar with the translated language.

 What do we bring?

Patent translation is always a challenge because everything depends upon the translator’s proficiency and style of presentation of the translation. Only a professional can avoid patent translation risks and mistakes and will prepare a reliable draft. The level of formality may vary but the meaning remains consistent.

We at the Patent Translations Express, offer high-quality patent translations for IP law firms in many countries across the globe. Also, our PCT Nationalization and Multi-Country Filing services are well-renowned. Our patent translators hold Masters and PhDs, in disciplines of Science and Technology, with a deep understanding of patent literature. Our expertise in country-specific regulations and a pool of highly qualified patent translators sets us apart from other translation companies. Do give a visit to our service page to know more.

1. **What is Comprehensive Trademark Search?**

If you’re filing a trademark, then it is highly advisable to conduct a comprehensive trademark search with the USPTO. You might come up with a unique word/phrase for the product or service that needs a trademark. However, you need to be certain that your word/phrase doesn’t overlap with a pre-existing trademark. Hence, it is vital for you to carry out a comprehensive trademark search before filing one of your own.

This article covers all the important points you need to remember about a comprehensive trademark search. That’s not all! We’ll also show you how to conduct a trademark search on the USPTO website (with examples!).

Basics of Conducting a Comprehensive Trademark Search

Before we dive into the actual search process, let’s first understand the basics. You must keep these points in mind while carrying out a trademark search.

1. Elucidate the product or service that you want the mark for

This step is simple enough, yet very important. You must ensure that you are clearly describing everything about the good or service to eliminate any confusion.

2. Identification of specific terms for your product or service

You must identify particular terms that you can associate with your item. To ensure which terms are usable, check out the listing of Acceptable Identification of Goods and Services Manual. You need to locate terms that describe your item. For example, “football boots” is the acceptable term for boots specific for the sport, football.

Step 1: Type out your specific terms in the search bar

Fig1(a). Acceptable Identification of Goods and Services Manual Search page

Fig1(a). Acceptable Identification of Goods and Services Manual Search page

Step 2: Check results

Fig1(b). Acceptable Identification of Goods and Services Manual Search page

Fig1(b). Acceptable Identification of Goods and Services Manual Search page

3. Determine the International class

The online manual will also list the appropriate International Class for your item. Providing the class for your item is not a necessity for your trademark application. However, knowing your international class can aid in focusing your search. Click here to know more about International classes.

4. Identify related goods or services, and their classes

You must also identify and scan the terms for the goods and/or services that relate to your product in terms of usage, advertisement or sales. For example, football boot’s usage and sale happen with footballs and kits in the Acceptable Identification of Goods & Services Manual. You must also scan the goods or services that relate to your product in the International Classification of Goods and Services. The purpose is to determine their class as well.

Fig2. Search for relatable goods or services and their classes

Fig2. Search for relatable goods or services and their classes

5. Develop a basic search strategy

Try and think of other alternatives for your trademark if your first preference is unavailable. Play around with the keyword while coming up with an alternative if your mark includes a phrase. Also, use truncation devices (\*) or wildcards (?) to look for marks with word stems similar to yours. Comprehensive Trademark Search

6. Widen your search strategy horizon

You should also search for alternative spellings, homonyms, synonyms to your trademark. Also, search for words that have similar sounds or appearances or even phonetic equivalents. You can also narrow your strategy later. This can be done by limiting your search results with the goods/services you found in Step 2 or the International Class you found in Step 3.

7. Conduct the actual search

 Now comes the real part, the comprehensive trademark search on TESS-the USPTO’s web-based Trademark Electronic Search System. You can do this yourself if you have internet access. You can also go to your local Patent and Trademark Resource Center. Follow the screenshots for a more clear idea.

Step 1: Move the cursor on “Trademarks” on the USPTO Website homepage. Select “Searching Trademarks” from the dropdown menu.

Fig3(a). How to carry out Trademark Search on the USPTO Website

Fig3(a). How to carry out Trademark Search on the USPTO Website

Step 2: From the new page, select “Trademark Electronic Search System (or TESS)” Comprehensive Trademark Search

Fig 3(b). How to carry out Trademark Search on the USPTO Website

Fig 3(b). How to carry out Trademark Search on the USPTO Website

Tips for Using the TESS (Bonus Information + Example)

Now you know the basic methodology to conduct a comprehensive trademark search. But how can you optimize it on TESS? Let’s find out. Comprehensive Trademark Search

While performing trademark searches, keep the likelihood of confusion in mind. For trademark infringement, the courts abide by a standard, which is the likelihood of confusion. Your mark shouldn’t be very similar to another trademark so that it doesn’t confuse the consumers about the origin of the item. If it happens then one can consider it to be a form of trademark Therefore, you shouldn’t only look for trademarks that are identical to your mark. You also need to look for trademarks that are similar to yours.

Use the Word and/or Design Mark Search (Free Form) option to gain maximum flexibility on TESS.

Fig 4. Selection of search option on TESS

On the free form search page of TESS, apply the yes option in the plurals box so that you can look for plural forms of your chosen mark.

Fig 5. Selection of “plurals” option before searching

Fig 5. Selection of “plurals” option before searching

You should consider using quotation marks to enclose any phrases in your search query. If you don’t use quotation marks, the system will interpret your query as (first term) OR (second term). Because of this, any trademark that contains either the first term or the second term will appear in the results. If you get too many search results for a certain query, you should use quotation marks to enclose the entire term. This will help you narrow down the number of results you get. Comprehensive Trademark Search

Fig 6. Using Quotation marks while searching

Fig 6. Using Quotation marks while searching

You should verify domain names for web-based businesses. You can check domain name registrars through sources such as org. This organization oversees web domain registrations.

Need a professional Searcher? – The Trademark Search Company

You invest a lot in building your brand. Apart from the money, the hours of efforts in promotions, recognition and making it synonymous to what your business stands for. Before you make this effort, you need to be sure about heading in the right direction. That is conducting a comprehensive trademark search. Despite keeping these points in mind, you may feel that you need professional assistance. The Trademark Search Company offers the widest and the most flexible search coverage. To ensure this, we carry out all our searches manually, and not via computers. We also want to ensure that our prices are affordable without compromise on quality. Your satisfaction is our guarantee. Comprehensive Trademark Search

1. **Patent Registration in India: An all-encompassing guide**

India in the modern day is flourishing with ideas and inventions in a plethora of industries. More and more patents are being filed each day, making Patent Registration in India a very important task. It takes somewhere between 3 to 5 years to complete the patent registration in India. You may not get the grant for the patent if you fail to comply with the necessary processes. Therefore, it is of prime importance that one thoroughly understands all the steps. This includes all the important forms, formalities and deadlines i in the process. This helps to have a plain sailing patent registration.

Also, Read: Patent Fundamentals

Patent Registration in India: A 6 Step Guide

1. Patentability/novelty search

Before filing a patent application with the Indian Patent Office, a thorough patentability search should be done. The results of this search determine the chances of getting a patent based on the discovery of prior art. This should be done for both patent and non-patent references. You can conduct a patentability search on the IP India website.

A patentability search is highly advisable but it is not a mandatory step.

2. Drafting Patent Application

Once you get the results of the search, the next step is to draft the patent application (using form 1).

You must ensure that a patent specification accompanies your patent application (using form 2). Depending on the state of the invention, one can file a provisional or complete patent application. If the invention is still in development, then you should consider filing a provisional application. This blocks a priority date for the applicant. It also gives them a time of 12 months to see the invention to completion and file the complete application.

While filing the patent application, you must attach a patent draft to it. It is the patent’s representation in front of the patent office, so it is very important. The decision of granting the patent relies on this draft.

3. Patent Filing in India

Patent registration in India requires a list of forms. You can find them below along with their purpose:

Patent grant application form – Form 1

Specification form (complete/provisional) – Form 2

Statement and undertaking form (Necessary if a corresponding patent application is filed in another country) – Form 3

Inventorship declaration form (To be filed only along with the complete application) – Form 5

Request for Examination – Form 18

Patent agent authorization form (Necessary only if the applicant is using a patent agent) Form 26

Form for start-ups or small entity (Necessary only if the applicant is claiming start-up or small entity status) – Form 28

4. Publication of Patent Application

The Indian Patent Office publishes every patent application one files with them in the official patent journal. This does not require any separate requests. Generally, the patent office publishes the application 18 months from the date of filing. However, if an applicant wants an early publication, then they can get it done within a month (using Form 9).

The patent office does not publish an application if:

The invention falls in a category of publication which could be against the interest of the nation.

The complete application is not filed within 12 months of the date of filing of the provisional application.

The applicant requests a withdrawal (3 months prior to the publication).

5. Examination of Patent Application

This is perhaps the hardest part of the patent registration process in India. The IPO scrutinizes every patent application before granting the patent. An applicant must request for an examination after their publication (using Form 18). The application is queued for the examination once the IPO receives the Request for Examination (RFE). An examiner in the relevant field examines the application to ensure the same is in accordance with the patent act and rules. The examiner also performs a search to understand similar technologies to ascertain if the invention would satisfy the patentability criteria.

On the basis of the review of the application, the examiner will issue the First Examination Report (FER) to the applicant. It states the grounds for objections to the grant of the patent. The applicant must successfully overcome all the objections in order to get a grant for the patent. The total time to respond to the FER is 6 months from the date on which the patent office issues the FER. However, the applicant can file a request for an extension (using Form 4) and get an extension of 3 months.

6. Grant of patent

The patent receives a grant once the applicant overcomes all the objections. The patent is valid for 20 years, and it needs a periodic renewal during those 20 years.

The First Schedule specifies the fees which are payable with respect to the grant of patents and applications.

Patent registration in India: Key Points

A thorough patentability search is very important even though it is not mandatory.

The patent draft is of cardinal importance. The decision of granting the patent relies on this draft.

It is always better to get an early publication to avoid any possible competitions/infringements.

Ensure that your office actions responses are within prescribed deadlines and you follow the necessary protocol.

Why choose our services?

Before you proceed with the patent registration process, you need to decide if you would need the assistance of a patent professional. Consider the steps and deadlines involved. It is highly advisable that you engage a patent professional / firm who has years of experience in the patent field. YPT is a team of 225+ technology/industry experts who speak the inventor’s language and have a deep understanding of Indian & Global Patent Laws.

YPT utilizes its knowledge in patent prosecution and patent enforcement to draft patent applications, ensuring maximum enforceability and cost-saving. We have an in-depth understanding of the working style of all 4 patent offices in India and also have a good network with them to ensure expedited and accurate information.

1. **How to Write a Patent: The Most Important Tips, Tricks, and Hacks**

If you are planning to protect your invention, then you obviously need to know how to write a patent. You simply cannot understate the importance of the different sections, especially the patent claims. They can be tedious to write because of the peculiarity of the guidelines laid down by the USPTO. You may wish to write a patent application on your own. But it is important to understand that it is not easy to write a patent. But don’t worry; we’re here to give you a comprehensive guide to write a patent yourself.

How should you write a patent

Anatomy of a Patent Application

Let’s first understand the basic outline of a patent application. While drafting, the application will primarily include these sections.

Title of the application

Cross-Reference to related applications

Background of the invention

Summary of the invention

Brief Description of the drawing(s)

Elaborate description of the drawings

Claims

Abstract and Drawing(s)

The draft needs to follow this order. However, it’s advisable to start off with drafting the claims section first as it’s the most important part of the patent. It forms the basis for the rest of the application. Writing the claims will also pave the path for your drawings because you’ll be sure to cover the relevant areas. We’ll further see how to write the important sections of the applications.

Also, see Patent Drafting: A guide for beginners.

Take a look at this patent application from Nike, for an illuminating shoe. Notice how it mentions the title, “Method for Illuminating an article”. It is simple and crisp. The entire application is 39 pages long. It contains elaborate drawings and the description goes on for about 11 pages. This is to ensure that the patent has very broad and comprehensive protection.

Patent Application by Nike

Fig. Patent Application by Nike

Write a patent – How to draft the claims?

We’ve already made the importance of the claims section clear. Let’s understand the drafting of the claims section in detail.

Declarations

First, you should work on two declarations, one broad and general, and the other one more specific. The first declaration should describe the broad terms of your invention, without any pointless ideas. The second declaration should describe your invention more specifically, considering all the realistic possibilities. This is important because the claims need to be current and must have an applicable scope, some broad and some specific. After doing this, you have a broad and generic model of your invention and a very specific one. Check out Omnibus Claim: Importance of Narrow and Broad Claim Scope and Antecedent Basis.

Characteristics of the Claims (and hacks)

Let’s dive deeper into the important characteristics of the claims. The crucial points to keep in mind while drafting the claims are:

The claims should be complete.

They should have adequate support in terms of what area they intend to cover.

The claims should be precise.

The claims should be written such that each claim must be its own sentence and it should be clear to the reader. You must ensure that you don’t use lengthy technical language by using words like “strong”, “major part”, “such as”, etc. This can prove to be the differentiating factor in your application. Each claim identifies the innovative features of the invention and the elements that put the claim in context. Make sure to support the claim in the description section by explaining your invention elaborately.

Also Read: Multiple Dependent Claims: Why do we need them?

Claim Structure

The structure of every claim should be as follows:

Introductory phrase – This phrase introduces the invention and often the purpose of the invention.

The body – This is the legal description which entails the exact ideas that you are seeking protection for.

Interlink between the two – This section links the body and introductory phrases. It’s important for how restrictive or permissive a patent is.

In conclusion, the claims section is the heart of your application. Everything else, from drawings to description, should revolve around the claims. The claims define the legal boundaries of your patent so they need the utmost care and attention during drafting.

Also, check out Jepson Claims: Know the Importance.

Continuing the previous patent application example from Nike, we will take a look at their claims:

Claims section of an application by Nike

Fig. Claims section of an application by Nike

This claims section goes on for another 2 pages and lists all possible uses of the invention. This ensures that nobody thinks of infringing because the scope of the claims is incredibly vast.

Also read: US Patent Proofreading – with USPTO Best Practices

Tips and Tricks to Write a Patent

You need to make your application stand out, so you require a few hacks which will help you achieve it. Let’s read about them now:

Description of Embodiments: Inventors often get confused between “different embodiments of the invention” and “different embodiments”. You must understand that your invention has more than just one model. If you don’t describe something, then it isn’t a part of your invention.

 For example, consider that you say that your invention comprises of the components A+B+C+D. If someone else presents an almost identical invention but leaves out certain components, then it wouldn’t be an infringement. That’s because your claim meant that the invention is complete when it has all 4 components A, B, C, and D together. Your description is too narrow. So you must understand the embodiments of your invention and make sure that it is not subject to exposure.

Usage of the invention: You should describe alternate models of your invention. These need not be specific, but you should still describe it. Inventors should consider the different ways in which their invention can be put to use. This is to ensure that your protection is all-encompassing and comprehensive.

Terminology: You must make sure that the terminology you use is the best fit. It shouldn’t be incorrect or ambiguous at any point because that can lead to exposure. It’s best to hire a professional to draft your application. But, if that is too expensive then you should seek advice on the quality of your draft from a professional.

Enablement Requirement and Drawings: When you write a patent application, you must describe all of your inventions that would clarify how to make and use it. You must explain how all the parts of your invention work and interrelate to each other. Further, you must use the drawings wisely. The drawings give a clearer understanding of your descriptions because they provide visuals. An examiner may be able to get an idea about your invention by looking at the descriptions. But when he/she sees the drawings, there will be no doubt left at all.

Need a Professional to Draft your Application? – Patent Drafting Catalyst

We’ve given you the entire procedure to write a patent application by yourself. However, you can see for yourself that the precision and the use of correct language aren’t easy to achieve. Therefore, it is highly advisable to hire a professional. Our team boasts 10+ years of experience in supporting patent prosecution with 200+ full-time patent engineers in 30+ technology areas. Our experience includes working with multiple patent attorneys/counsels from multiple countries for patent drafting.

We are always up-to-date about the latest laws and acceptable practices. Our patent engineers understand the importance of comprehensive patent claims in terms of patent commercialization and infringement litigation. We ensure that we draft excellent quality patent applications with the best results. There will also be no surprise billing so that you only the fee that you fix with us and we ensure that our prices are economical.

1. **Global Trademark Search and its significance**

Global Trademark Search is a process of scanning among the existing International Trademarks or Trademark applications for any potential infringement. Companies that plan to supply their goods/services in foreign countries take the help of these services. The complete process of application and registration for global trademarks is managed by the Madrid Protocol. However, the registration protects the intellectual rights of the owner over a Trademark at the global level.

The WIPO (World Intellectual Property Organization) provides a database for Global trademark search. Also, it allows the customer intending to use the Trademark globally to know about the status of existing Trademarks/Trademark applications.

GlobalTrademarkSearch:Types

There are different types of International Trademark searches according to the selecting criteria. Preliminary type is the easiest type of International trademark search facility. It is a basic web search for identical/similar trademarks.

The main categories involved in the preliminary search are:

Word search

The search points out phonetic similarities among the categories and products.

Logo search

We perform the Logo search on a NICE classification database based on the NICE Agreement.

Device mark search

A Device mark search is run over the database of International Classification of Figurative Elements of Mark.

NOTE– Some other search engines also include serial numbers and company numbers.

Related Articles: How to Perform a TESS Trademark Search?

Global Trademark Search: Features

Searching pre-existing similar/identical Trademarks at global level helps the company to avoid infringing any trademark registered in another country. However, for registering a Trademark at a foreign country, a company needs to register the Trademark in the native country.

Registering a product/service in a foreign country after the search prevents the third parties to use the original Trademark. Also, it helps to maintain the reputation and sales of the company.

However, if you don’t want to register your Trademark in another country, you don’t need to go for a Global Trademark Search.

Common mistakes

There a few usual mistakes that a company does even after performing a trademark search. These mistakes can lead to a loss of value and economy of a country. Some of the common mistakes are as follows:

You cannot file for a Trademark in a foreign country if it is not registered in the Native country. To gain protection in another country it is necessary to register the Trademark at the home country.

Companies are also unaware of some facts regarding Trademark protection.

For example: To get protection on the Trademark in abroad, you must have existing live protection for at least 5 years.

Not planning according to the search and application may lead to a loss of investment and even current business. There are online calculators available to answer queries regarding business.

Not translating the names and logos according to the registered country. They should meet the logical and emotional requirements for the correct translation. However, this is only possible when they consult their international partners.

How does The Trademark Watch Company serve you?

The Trademark Watch Company, with the help of their experienced staff, provides you a package of World-class Global Trademark search Service. Our main focus lies on understanding the requirements and then providing the most satisfactory results. We own a global database as the search engine that shows every possible outcome. You obtain the final results within the deadline and at a budget-friendly price. Do give a Visit to us know more about our Trademark watch services.

1. **Why should you hire a good patent illustrator?**

Patent illustrations are the graphical representations which ease the task of describing the invention in the patent application. Patent illustrator helps the patent applicant to create an effective and stunning drawing for their invention. A first-time inventor always asks if he really needs a patent illustrator for his patent application. It is because he may not be familiar with the patent drawings standards of the USPTO. If one does not follow patent drawing rules properly, it might lead to rejection of his application at the prosecution stage. Good drawings make better patent and to draft a better patent one needs to hire a good illustrator.

Also, read: Things To Do Before Patenting Something

Qualities of good patent illustrator:

As we know, not all inventors are good illustrators. That is why most inventors hire illustrators who have got vast years of experience in patent drawings. A good patent illustrator must have a great sense of imagination so that he can properly visualize the product to be drawn. Hence, some of the qualities of an exceptional illustrator are:

Method of implementation:

A good illustrator knows various methods to implement the patent drawings in order to explain the invention easily. He knows when to use computer-aided design and when to draw the invention manually. Moreover, he must have all the latest software to make sure he is well aware of all the tools in the software.

Confidentiality and security of the invention:

One should never overlook the value of security. Ensuring the confidentiality of the idea is essential while disclosing it to some third party. A good illustrator always maintains the secrecy of the invention while making illustrations. Keeping the confidentiality of the invention intact is a sign of a good patent illustrator.

Patent regulatory norms:

This is one of the most important steps while hiring a professional illustrator. An expert illustrator is one who understands the nuances of patent drawings and has a good hold of patent regulatory norms. The illustrator must ensure that the illustrations are as per the USPTO standards thereby minimizing the errors. Therefore, he should also be aware of the common rejections that the applicants face while submitting the application.

Timely Delivery by the Patent Illustrator:

Making the illustration look accurate and descriptive in a short span of time is an art. A patent illustrator should be able to meet the time deadlines of the clients without compromising on the quality of work. Therefore, this ensures client satisfaction and increases the market value of the illustrator which is a good sign.

Technical Understanding of Patent Illustrator:

A properly written specification of the invention is very important to avoid unnecessary troubles at the examination stage. Hence, it is important for a professional illustrator to understand the principles of the invention and portray it in a descriptive manner. A good illustrator makes it easy for the examiner to understand the technicality of the invention by a simple and precise illustration.

Also, read: Patent Prosecution Paralegal: Job Responsibilities & Importance

Other characteristics of a quality patent illustrator:

An experienced patent illustrator knows how many numbers of drawings a patent application requires.

A quality illustrator makes sure to cover all the aspects of the invention in a broad way through illustration. He also keeps in mind to display all the different ways in which his client’s invention can be of use in the future.

A skilled illustrator always has the ability to analyze even minute details of the invention. This helps to minimize the number of errors in the illustration.

He is able to provide the embodiments and technicalities of the invention along with the holistic view of the invention.

Also, read: When & How to File IDS?

Looking for Patent Illustration? – The Patent Drawings Company

Patent illustration is one of the essential parts of any patent application. If you want a descriptive view of the invention in your patent application, The Patent Drawings Company (TPDC) is the best possible solution. Our team boasts of experienced professionals offering quick services at low cost. TPDC offers accurate drawings of the invention no matter how complex the patent drawings you are looking for. We have established our name for the clients by providing our clients with the most flexible output formats. Our turnaround time is incredibly fast and we guarantee 100% satisfaction to our clients. To avail our services, Visit The Patent Drawings Company.

1. **What is The Role of an Intellectual Property Paralegal?**

Intellectual Property Paralegal works for law firms, organizations, and government agencies. They prepare trademark/patent/copyright applications; assist in litigation and conduct research related to intellectual property. They possess all the necessary knowledge related to science, technology, and mechanics which proves beneficial for patent application process and litigation.

Application in Trademark/Service mark:

You must file a Trademark/Service mark application with the USPTO (the United States Patent and Trademark Office) if you want to claim your rights on the mark or prevent third parties from misusing it.

Here, Intellectual Property paralegal may file online trademark applications for the clients. They may also assist the identification and description of the goods/services offered by the client. Moreover, they may help the client in selecting proper trademark filing basis, monitoring trademark applications and filing receptive forms.

Also Read: Patent Watch: Why Do I Need It?

Tips and Tricks for High Quality Patent Draft

Application in Patent

USPTO provides an IP right to the owner of the invention in the form of Patent. It prevents third parties from remaking, using or selling the invention. Intellectual Property paralegal may compose patent applications for the clients. They may also file reconsideration replies/requests if USPTO asks for other information or rejects an application.

Moreover, they may perform patent searches to avoid infringement from the client to an already existing patent.

Application in copyright

The author/creator of a literature/artwork may want to register the copyright of the workpiece, for creating a public record and maintaining unshared legal rights. Also, it may help to generate monetary benefits.

Here, Paralegals in IP law offices help by working on copyright applications, tracking their status and maintaining the record of copyright transfer. They also deal with the document termination on the call of the client.

 IP Litigation

In a case of infringement, the USPTO office allows the original owner to take legal actions against the infringing party. Also, it helps the owner to take revenue from the third party for the damage caused due to the infringement.

Here, Intellectual Property paralegal supports attorneys at the time of IP litigation by preparing pleadings, doing research to find proper case law, getting exhibits ready and coordinating with experts and witnesses. Sometimes IP paralegals also assist at trials, watch the jury and make notes on testimony.

Intellectual property research

An IP paralegal searches the USPTO database before finalizing a patent/trademark application. This is done to ensure that we do not conduct any sort of violation to the claims of an already existing mark or invention.

Moreover, they perform litigation research to find statutory that may support the client or oppose third party’s position.

Also Read: Patent Search Affects Your Business: Learn How?

IP paralegal: Other responsibilities:

Intellectual Property Paralegal is also responsible for maintaining the patent/trademark of the Client. They not only update the attorney calendars but also review and draft licensing agreements.

Also Read: Significance of Patent Proofreading

Why only the Patent Paralegal Force?

Our expert group of techno-legal professionals at Patent paralegal force works on a customer-centric base. We ask our clients for maximum requirements to work on at a negligible cost. Currently, we own clients from 45+ countries. Also, we have our presence in 90+ jurisdictions all over the world. Our clients include top firms, growing organizations and some of the fortune 500 companies. Moreover, our experts work on latest tools/software and provide services in multiple languages. To get a hold of more of our services, do look Patent Paralegal Force.

1. **Why should you hire a Patent Docketing Specialist ?**

A Patent docketing specialist acts as a helping hand for the lawyers in the Patent Docketing process. Lawyers who have a specialization in the patent law need some trained assistants. These assistants are Patent docketing specialist.

Patent docketing is a way to track and manage patent application. Also, there is a big amount of paperwork to do during the process. Moreover, patent docketing is either a method or a system for keeping an eye on all important dates, deadlines, timelines, drawings, and forms.

Some patent firms use customized software for maintaining these documents and other use docketing specialists, who perform the work manually.

Qualities of Patent Docketing Specialist:

A Patent Docketing specialist must contain certain qualities that allow him\her to perform productive working. A few responsibilities and key skills required are:

Good administrative working:

It is one of the most important aspects. A Patent Docketing Specialist must have the ability to read the work precisely and provide all the details. Also, he must work according to the fixed schedules. It is necessary to have a good command on common administrative tasks to maintain the patent-related tasks daily. Moreover, you must work comfortably on computers/software and accordingly manage the calendar.

Also read: 5 Major Benefits of Patent Paralegal Service

Organized Skills:

The docketing system totally works on organization. You may face a number of applications and dockets at a time, but it is necessary that the patent docketing specialist must remain organized. It is applied on both physical documentation and management of time frames of each patent that falls under your responsibility.

Patent-related Training:

It seems anyone who has an administrative framework is suitable for this job. However, it is more preferable to bring some patent training to working. You must have a proper idea of working on patents and their documentation. Moreover, you also require a college degree.

Capable of Performing Repetitive steps:

It is obvious that as a docketing expert you must follow similar steps for each patent that is handed to you. However, if you want to have a new experience every time then this is not your dream job. Patents include repetitive processes and you must perform similar steps again and again. It requires concentration and patience.

 Looking for Patent Docketing Specialist?

Our patent docketing experts at the Perfect Patent Docketing provide you a full term dynamic support. You can submit your documents online and expect the results before the target dates. Also, we provide you a budget-friendly experience with 100% satisfaction. Our highly skilled professionals not only finish the work with precision but also provide you helpful advice to make the work much better. Moreover, you can stay connected with work status every time. To look inside more of our services, do visit Perfect Patent Docketing.

1. Patent Monitoring: A Primary Guide

Patent monitoring is about tracking the upcoming inventions in your field, predicting future trends and specific IP rights of interest. With patent monitoring, one can keep them updated on the new technology in the market. Also, they can find potential licensing opportunities for their inventions.

The USPTO updates its bibliographic data weekly. The bibliographic text consists of all the non-provisional utility and plants patent applications. The data is present from March 15, 2001, till the present.

Related Article: Patent Search Types: ‘The Major Eight’

Significance of Patent Monitoring

Patent monitoring as the term reflects, it is about being vigilant of the status of your invention to ensure its enforceability. Also, it is about keeping yourself updated of the latest inventions seeking a patent grant. The major reasons include:

Prosecution Monitoring: you can determine the legal status of your patent applications. In essence, you can get updates on the level of prosecution you patent application lies.

Infringement and License Monitoring: by keeping an eye on new inventions you can protect your invention from patent infringement. By keeping a strict tab on new inventions to determine if they are not made on the same lines as your invention.

 Services for Patent Monitoring

The USPTO offers a Patent Watch service known as Patent Application Information Retrieval (PAIR). It offers its service in both the public and private domain. Private PAIR reflects the status of your patent application in a very confidential and secure manner. On the other hand, Public PAIR performs a search for issued patents and published patent applications of various people in different domains. While performing patent prosecution status of your application, you can also monitor the latest patent applications.

Related Article: Importance of Patent Proofreading Services

Note: Public PAIR allows people to access information regarding issued patents and published application only.

The PALM (Patent Application Locating and Monitoring) System is the automated data management system used by the United States Patent and Trademark Office (USPTO) for the retrieval and/or online updating of the computer record of each patent application. The PALM System also maintains examiner time, activity, and docket records, and technical support staff backlog records.

 Patent Monitoring: Application location in PAIR

The USPTO offers a patent monitoring service known as Patent Application Information Retrieval (PAIR) as discussed above. The Public PAIR service allows you to find patent applications of other inventors in the area of technology of your interest. Follow the steps to locate a patent application in Public PAIR.

Visit the Public Patent Information Retrieval Portal at the USPTO website. You will find a page as given below asking to decipher the recaptcha image.

Figure 1- recaptcha for security check

Figure 1- recaptcha for security check

2. The second page comes up with various options like Application number, Control Number, Patent Number, PCTNumber and so on as given in the image. You need to select one option and hit on the search button.

Figure 2- options for finding the patent application

Figure 2- options for finding the patent application

 3. As you will move further you will get on a page providing the application data with all sorts of related information. Additionally, there are 6 more tabs for retrieving related data to the application and one tab for selecting a new case.

Figure 3- information related to a patent application

Figure 3- information related to a patent application

The tabs are:

Select New Case: to move to a different issued patent or patent application.

Application data: gives the bibliographic information of the application.

Transaction history: showing all the transactions that took place in the process of prosecution.

Image file wrapper: extracts PDF copies of documents.

Continuity data: a patent application which is in continuation with a prior application and claims a priority date for it.

Foreign policy: applicant claims a priority right wherein he/she gets the benefit of filing a subsequent application for the same invention. It is a time-limited right and belongs to the inventor or his successor in the title of the invention.

Published documents: it provides the publication number, date with PDF of full text and image of the invention related documents. It comprises an abstract, inventor’s description, related US patent documents, claims and description.

Contact information and address of Patent Agent/ Attorney

Assignments: It is an agreement wherein the inventor gives his rights to an assignee and gives him/her the right of enforceability of patents.

Display References: it comprises the list of references cited by the examiner.

Our approach:

Carrying out patent monitoring through PAIR is quite a tedious task. It requires detailed and vigilant inspection of competitor’s applications. Let experts perform this meticulous task for you. Our exclusive team perform 100+ monitoring task every week and always keep you ahead of your competitors. We retrieve data from areas and perform patent watch using state-of-the-art tools. Our approach is to cover all the patent and non-patent literature in every possible domain of technology and generate monitoring reports.

We are out delivering patent watch and monitoring services in 100+countries for more than 10 years at cost-effective rates. To know more about our services, please visit The Patent Watch Company.

1. Patent Proofreading Service: An Overview

Patent Proofreading means analyzing and reading the content of the patent application after drafting the application. Patent proofreading service plays an important role in making the patent application error free. The chance of having errors in the patent that USPTO issues is usually significant. So, it is important to find out the errors left during the creation of the application and then possibly correcting it. Patent proofreading service also helps in removing any possible harm that could generate infringement risk.

Patent Proofreading Service: Essential factors:

It is very important for one to reduce the technical risk that associates with the functionality of a product. Patent proofreading service not only focuses on checking for the errors but also reviews the application from every possible angle. Some of the important factors to take these services are:

Claims:

Claims define the boundaries of the scope of the protection that the government provides to the inventor. Proofreading helps in analyzing the claims on the basis of the meaning they convey and data ambiguity. It also ensures the proper use of words in the claim and whether something is missing from the claim or not. Claims also define the documents getting legal protection and the ones that are left to research upon. So, it becomes essential for one to proofread claims accurately.

you can also learn How to Draft Patent Claims?

Invention Statement:

It is one of the most important factors where proofreading is a must. The invention statement should be written in a proper, precise and descriptive manner. One has to make sure that the invention statement is crisp and easy to understand. It is important that even a person who does not hold any previous knowledge in context can also analyze it. In proofreading, the proofreader checks and reads all the statements once again. This makes sure that the description is easier to depict for even a wide range of audience.

Terminology:

It is important to be elaborate and at the same time to not get away from the technical aspect of the invention. Proofreading helps in checking proper terminology and technical terms when one compiles the whole description of the document at once. Since one cannot exclude specifications from the application, it is essential to write them diligently. Choices of words play an essential role while getting a patent. So, proofreading the terminology ensures you of covering all the aspects and possibilities of the invention in a very broad manner.

Also read: Why Online Patent Paralegal Services are Important?

Grammar:

Using grammar in a number of ways can make a huge difference in sentence formation. The use of grammar laws must be in such a way that the sentence depicts precise and unambiguous meaning. Patent proofreading service helps in reviewing grammatical errors and removing them to make sentences accurate with a specific meaning. It makes sentences more clear and convenient for the audience to understand.

Drawings:

Technical drawing is the core element while filing the patent application. Drawings are important as it is a shortcut to learn about the specifications of the invention. Sometimes, patent illustration become too complex while making which increases its chance of rejection. Proofreading helps in reviewing the specifications and technical details of the drawing. It also ensures the clarity of drawings and the use of good quality ink on which one makes the drawing.

References:

If you want to improvise any product then it is essential to give reference to that product to the examiner. It is important to cross verify the references and check for the already defined patent content at the end of drafting. Proofreading service helps in identifying the missing references and the references that are of no use in the application.

Also read: Patent Paralegal: Duties to Perform

Standards:

Proofreading is important to check whether the application follows patent standards according to the territorial area or not. It also helps in checking all the standards according to legal laws. One must ensure that the use of language grammar and certain qualities of the page is in accordance with the standards. Proofreading also checks standards which relate to the page margin and writing that one follows constantly across the whole application.

Also read: How Patent Docketing Works?

 Looking for Patent Proofreading Service – The Patent Proofreading Company

Patent proofreading service is a very important process while getting a patent grant. It reduces the number of errors in the patent application which in turn helps you to secure patent quickly. If you are looking for a world-class patent proofreading service, you should definitely go with The Patent Proofreading Company (TPPC). TPPC provides you with the proofreading services of high quality in minimal time. Our professional proofreaders identify errors and omissions before they become an issue. We constantly follow our multi-step quality check and quality assurance process. Our deep industry experience provides the most cost-effective patent proofreading solutions with a comprehensive report. We ensure 100% data security and confidentiality while maintaining high-quality standards throughout the process. For more information, Visit The Patent Proofreading Company.

1. **Tips & Tricks for High-Quality Patent Draft**

A patent draft is at the very core of getting a patent grant. It is about taking the very first step of your journey towards a patent grant. It comprises the specifications and the claims of the invention in detail. Furthermore, prepare a patent draft as per the format of the jurisdiction in which you want to get the patent grant. For instance, for getting a grant in the U.S., prepare the draft as per the USPTO guidelines. The composition of the Patent draft as per the USPTO must include claims, abstract, specifications, drawings, and an oath/declaration. A provisional application (incomplete application) draft is devoid of claims.

Also read: Patent Proofreading Benefits: The Best Five

12 Major Contents of a Perfect Patent Draft must include:

The contents of a patent draft are more or less the same, but the format differs from one jurisdiction to another. Also, preparing a patent draft at first place is all about writing a crisp and clear content in a legally accepted format. Parts of Patent Draft for a Non-Provisional Application (complete application) as per USPTO include:

Invention Title (10-15 words): A title should reflect the objective of the invention. Hence, keep the title precise as it provides a subtle idea about the invention.

Cross-reference patent applications list: a cross-reference works as a reference link for the current patent application. For instance, a provisional application works as a cross-reference for a non-provisional one. It is the parent application from which we get the benefit of claiming a priority date.

Statement regarding federally sponsored research or development (if any): some inventors take government support to come up with an invention. In this case, the government too has certain rights under the invention. Moreover, the Government License Rights statement follows immediately as the second paragraph.

Reference to a Sequence Listing (if any): when we file a biological patent application in reference to a previously filed application which contains sequence listings on its date of filing. Those sequence listings form part of the application as originally filed.

Invention Background: it talks about the related inventions or the prior art of the claimed invention. Break the background in two parts – the field of the invention and the background of the prior art. Section 37 CFR 1.77(b) (7) suggests that a patent application should include a background of the invention.

Invention Summary: summary represents the crux of the invention. A properly written summary depicts the exact nature, operation, and purpose of the invention. This, in turn, works as a reference for future prior-art searches. Be mindful of keeping the summary before the description of the claimed invention.

Drawings Views and Description (if any): this includes a brief overview of the drawings. Justify them in separate single sentences for each figure within 1-3 lines. Consider covering all the views i.e. top view, side, horizontal and the cross-sectional view. Be mindful of following USPTO drawing rules while drafting the same.

Invention Description: describe each and every aspect of the invention in detail. Moreover, write the description in such a way that a person skilled in the art can make use of the invention.

Patent Claims: Patent claims clearly define the invention for what we seeking patent protection. The drafting of the patent claim(s) decides whether your invention is novel or if it is infringing upon someone else’s invention. You can also add omnibus and Jepson claims as per your requirements.

Disclosure Abstract: it is a concise statement regarding the technical disclosure discussing the newness or novelty of the claimed invention. You can follow 37 C.F.R. 1.77(b) which states that every patent application must include an abstract of disclosure.

Sequence Listing: mention a list of amino acids/nucleotide sequences if you are seeking patent grant for a biological invention. Filing a sequence listing via EFS-Web in PDF format is not recommended. A sequence listing in PDF format is equivalent to a paper copy required by 37 CFR 1.821(c). This would require filing both a separate CRF and a statement that the written copy and the CRF are identical as required by 37 CFR 1.821(f).

An oath or declaration: any person who files a patent application under USPTO has to take oath or declaration. This is in accordance with sections 37 CFR 1.66 and 37 CFR 1.68 respectively. A statement under oath or declaration asks that the declarant should give his/her authority for preparing the patent application. Here, the declarant is essentially the original inventor or the joint inventor of the claimed invention. For detailed knowledge, you may refer to MPEP 602.01(a) USPTO.

Also read: Patent Proofreading Benefits: The Best Five

Tricks of delivering a Precise Patent Draft/ How to deliver a Precise Patent Draft:

Developing a patent draft is the very first milestone for getting a patent grant. The idea is to provide an elaborative idea of your invention that too in an easy language. Therefore, one can’t go wrong in any part of preparing a patent draft.

Knowing the importance of a patent draft, let’s learn the tricks that help prepare a patent draft that fetches a patent grant for your invention.

Detailed yet Specific Draft: write information in detail and at the same time keep it to the point or specific. Save yourself from beating around the bush while delivering a draft. Portray the background, technical details, and drawings in such a way that it doesn’t raise ambiguity at the time of prosecution.

Clarity of Claims: claim(s) is the building foundation of a patent draft. The award of the patent grant is largely dependent on the claim(s) since it describes the scope and novelty of the invention. Be mindful of always drafting the claims first. This helps refine the idea of the invention in the minds of both the inventor and the agent. While doing so, always remember to file claims with broader scope first. Gradually move towards writing claims that are specific and are dependent on the independent claims.

The Narration of Specifications: portray the specifications in such a way that a person with some basic of the knowledge in the domain can understand it easily. While writing the specifications, never deviate from the main objective of the invention.

Always Follow the Guidelines: of the respective patent offices of your jurisdiction from the very first stage of patent drafting. Always maintain an order as per the patent office guidelines. According to the USPTO, the sequence is- invention title, background information, invention summary, explanation, description, claims, abstract and a sequence list.

Never Hesitate to Ask for Help: patent agents and experts are there to help out. They hold technical and legal expertise and prowess in different domains. They are well-versed with the guidelines of patent offices of different jurisdictions. With the best of their expertise, one gets a patent draft that sails through the storm of prosecution.

Why trust our services?

Our team, at Patent Drafting Catalyst, of 100+ expert patent drafters ensures that your patent draft passes through every toll gate of prosecution. The quality of a good patent draft outshines when it stands tall against the technological advancements and infringers. Moreover, we make sure that our clients do not spend a fortune getting a patent grant. We serve our clients in many countries providing our services at budget-friendly rates. We cover the domain of patent services which includes patent drafting, filing, patent drawings, paralegal services and many more.

1. **Back Translation and Reconciliation- What, How and Why**

The primary motto of back translation and reconciliation is to check the correctness of an article. Here, we will discuss in detail what they are and how they affect an article. Also, we will find out why are they necessary. Moreover, these services provide you additional quality and surety of accuracy for most sensitive translations. They become more important if you deal with valuable content and want to translate it in multiple languages while conveying the actual message.

What is Back Translation?

It is the translation of a target document to its original or source language. This will help you determine the quality and accuracy of the translated text with respect to the original text. Thus, it helps to establish the same meaning between the original and translated text.

How to do a quality Back Translation?

Let us take an example (Refer, Figure 1.). So, you have a set of documents to translate from French to Swedish. A Skilled translator has completed this translation. Now another translator will translate the translated version (Swedish) to the original French version. There is one important point to note. The translator must remain unaware of the original French document while executing the translation (Swedish to French). Only then you will be able to establish the fidelity of the translated document.

Figure 1. Example

Figure 1. Example

Do not hope that you will get an exact word to word translation of the original document. What we need to keep here is the coherent meaning of the original document. You can detect confusions, ambiguity if any, in the translation itself.

The final document is compared to the original document after translation to omit any inconsistencies and translation errors. However, it is not necessary that the final document must be 100% similar to the original one.

The main motto behind the translation is to form a document that is as close as possible to the original one. Also, it serves as a proofreading tool that helps to pick out the following errors:

Inaccurate Terminology

Grammatical discrepancies

Cultural Opacity

In the case of a medical document, Back Translation is an invaluable tool to spot any improper use of terminology that may cause serious problems. Similarly, a small grammatical error or cultural ambiguity may affect customer understanding and lead to the failure of communication with people.

To prepare a Reconciliation Report, you must trace and highlight the differences after comparing the two translations. However, you must consult an original translator and a project manager to ensure the optimization of the final translation report before sending it to the client.

Why is Back Translation important?

They are extremely important when you are working on sensitive content. It can also be a content that has risky information. The translated document must have a similar meaning as that of the original one. This is because in many cases the translator misunderstands or misinterprets the meaning. Also, the translator can miss or overlook a complexity. As a result, the final translation might contain some meaning different from that of the original text. Keeping all these issues in mind back translation is necessary to keep the concept accurate. Hence, the translation must be culturally suitable for the target audience.

What is Translation Reconciliation?

What is the meaning of reconciliation? It means bringing back friendly relations. It also means to make someone or something compatible with others. So what is translation reconciliation? It is the minor changes or amendments on the translated document to make it conceptually similar to the original document.

How to do reconciliation?

A subject matter expert team will conduct the job. They will find out the equivalence of meaning between the translated and the back-translated original document. At this point in time, changes are already made to the translated document.

What are the results of back translation and reconciliation?

Both the above-discussed processes yield assured quality results. It should be true for documents carrying a significant message. The meaning delivered in a language should be similar to the original document. There can be instances where a translator misinterprets or overlooks a particular term. Therefore, even a minor mistake may totally change the meaning of a document.

The Patent Translation Express Assistance

Our dedicated and skilled team at the Patent Translations Express work diligently to give you the best results. We own a team of native experts of the languages and provide you the most accurate translations. You just need to provide the input data in the form of txt, pdf, jpg, gif or any other format. We will update you with received confirmation and you can check the work progress any time. Moreover, we provide you the translated document within 1-4 working days and you can download the result online. To get to know more about our services, do visit Patent Translation Express.

1. **How to create a quality patent illustration?**

Patent Illustration is a set of representation showing the details and specifications of the invention in the form of patent drawings. They are the visual form of patent description which provides a way to understand the invention details. One needs to make sure that the patent illustrations are in compliance with the USPTO rules. The patent illustration must include embodiments, stages, and flowchart for good visual representation. Simple, clear and precise images also help judges to interpret the description quickly in case of patent infringement. Quality patent illustration explains the invention more easily than the reams of description. Accurate and clear drawings strengthen the patent application which helps the overloaded patent examiner understand the invention quickly. Moreover, quality drawings that make the patent understandable reduce the chance of patent infringement in the future. This is because it acts as an educator between the patent applicant and the examiner.

Tips and Tricks to Create Quality Patent Illustration:

One should not underestimate the inclusion of the quality patent illustration in their patent application. The quality illustration can also work to the advantage of the patent holder for settling damages in his application. This is because one can settle the infringement case within one year by showing the invention details in the illustrations. Some of the ways to create quality illustrations are:

1. Multiple Illustrations:

To properly accomplish the goal of having the best disclosure possible, one should not think in terms of single illustration in the patent. The patent application should have at least several sheets of drawings with each sheet having multiple views of the invention. The benefit of multiple illustrations is that it completely covers all the permutation of the invention.

Related article: Patent Illustration Importance From Multiple Perspectives

2. USPTO Guidelines:

Enforcing USPTO’s comprehensive rules regarding patent illustration will remove many errors before applying. The USPTO instructs the users to use a certain form of papers and ink in the patent application. It also specifies the margins of specific lengths in the sheet of illustration. There are certain guidelines that you need to follow:

One should use black ink on white paper.

The USPTO only allows color when necessary in the illustration. One needs to submit a separate petition to the USPTO for the use of color in the illustration.

The paper must be white, flexible and strong. The USPTO allows only one-sided writing on the paper.

The paper size must be either 21 cm by 29.7 cm or 21.6 cm by 27.9 cm.

A top margin of 2.5 cm, left a margin of 2.5 cm and the right side margin of 1.5 cm is mandatory. The bottom side margin must be of 1.0 cm.

The illustration should be drawn on a non-crowded scale at 2/3 size. Indications like full scale or “1/2 scale” are not acceptable.

Numbers are preferable to letters as reference characters in a drawing. If one follows these rules properly it becomes easy for the applicant to pass his patent application.

Related article: Why you should not avoid accurate patent illustrations?

Click Here to Download (Free Samples)

3. Parts of Patent illustration:

There are certain parts that you can insert in your patent illustration. These parts of the illustration increase the quality of the overall patent application. They are as follows:

Black and White drawings:

This is the traditional way of making patent drawings with pen and ruler. It requires knowledge of basic drawing techniques. Here, the perspective is necessary to show all the features of the invention.

Colored drawings:

For this part, you need to demonstrate the importance of colored drawing in your application. You need to submit a request to the USPTO to allow for using it.

Photographs:

Photographs show the invention more clearly. The acceptance of a photograph only takes place when it helps to show the invention in a more descriptive manner. It is rare to use black and white photos.

CAD Software:

It is computer software which is great for the production of modern computer drawings and it is easy to use. In short, it creates sharp 3D drawings that help to describe and break down the physical characteristics of the invention

4. Clear and accurate illustrations:

It is important for one to include clear and accurate illustrations in a patent application. Simply, a clear and precise image gives you priority in cases of IP litigation. In chances of negotiation and settlement, a well-defined patent application always favors you for the best talk. Even any third party will think twice while copying an idea from an unambiguous and well-defined patent application.

5.Computer vs. hand-drawn figures:

It is not the quality of the equipment but the skill of the draftsperson that is important. One of the most cost-effective processes is to make drawings from CAD files. Furthermore, creating drawings in CAD has its own advantages as archiving electronic data helps to simplify the subsequent amendments of drawings. On the other hand, manual illustrations are also of equal importance as the illustrations made by the software. One can easily see all the shapes, sizes and angles on one sheet with a clear vision in manual illustrations. Also, it is easier to bring the creative style and expression and a degree of depth to the illustration.

6. Detailed Illustration:

Detailed illustrations are indeed worth a minimum of one thousand words if not more. If you accidentally leave something out of the written disclosure, the illustration you submit may save you in the long run. This is provided if the drawing entails more details and you want to convey even the slightest of information about your invention. The detailed illustration can also cover different angles of the invention for using it in the future for a different purpose.

7. Good Illustrator:

Generating good drawings require technical skill and creativity. For this purpose, hiring a good illustrator becomes an essential step. A draftsperson’s experience, the body of work, professional references and use of technology are good indicators of his competence and skills. Also, a good draftsperson who boasts experience under the supervision of senior professionals will provide you with a broad skill set. He knows when to use black and white drawings and when to use colored ones. A good draftsperson has the ability to create quality illustrations by using his expertise in patent illustrations.

Looking for quality Patent Illustration? – Patent Illustration Express

Patent Illustrations play a vital role in a patent application for displaying of the invention. If you are looking for any assistance regarding patent illustrations, Patent Illustration Express (PIE) will guide you with the illustration process. PIE is a team of professional patent illustrators, who boast years of experience in creating illustrations. We provide our clients with super-fast delivery of the illustration services. Our team creates illustrations that have 100% compliance with the USPTO regulations. PIE provides flexible output formats for our clients with a full satisfaction guarantee. Also, we make sure to cover a descriptive invention of our clients through illustrations. For more information, Visit Patent Illustration Express.

1. **What is the Article 19 Amendment under PCT? (And Bonus Information)**

If you’re filing an international patent application, then there is a chance that you have come across the Article 19 Amendment. But what exactly does it entail? There are situations where you might want to make changes to your claims after receiving your International Search Report (ISR). The way of going about it is in Article 19 Amendment. However, you must be clear about the boundaries and the timeline within which you can make changes.

This article sheds light on what exactly does the Article 19 Amendment stipulate, how and when you can invoke it.

Article 19 Amendment: The Conditions

Upon receiving your ISR, the PCT entitles you to one opportunity to amend the claims of your international application. You can do this by filing amendments with the International Bureau. You must do this within 2 months from the date of receiving the ISR. You may also file a brief statement explaining the amendments and their impact on the description and the drawings.

Remember that you can make changes to the claims only and NOT the description or the drawings. Also, keep in mind that the changes must not go beyond the disclosure in the application. Basically, it means that you cannot to add any new matter to your application.

You can make changes beyond the disclosure if the national law of one of the contract states allows it. However, these changes will only be valid in those states which allow you to make amendments beyond disclosure.

You don’t have to pay any extra fees while filing under this Article.

When should you opt for the Article 19 Amendment?

Consider a situation where the ISR or the WOSA refers to any prior art that overlaps with your invention. You might not have a strong argument against it and it might hamper your chances of getting a patent. To ensure that this doesn’t impede your patent application, invoke the Article 19 Amendment.

As we have just told you, with this amendment, you can make changes to your claims. This will allow you to be in a stronger position to get the grant of your patent in such situations.

Article 34 – Bonus Information

If making changes to the claims is not enough, then you have the boon of article 34. This allows you to make amendments in the description, drawings, and the claims. You can move information from one part of the specification to another part of the specification. This basically means that you can use the description as claims or you may redefine the text in the specification.

For filing an amendment under Article 34, you need to file a PCT Chapter II Demand. You have a time limit for filing this demand. You must file within

3 months from the issuance of ISR or

22 months from the priority date, whichever is later.

You must pay an extra fee for this. With this, you get an opportunity to partake in a formal discussion with the International Examination Authority (IEA). You will get a chance to satisfy the IEA about meeting the criteria of the novelty, utility, and inventive steps. You must notify the national offices about the amendments done under Article 34. This happens upon national phase entry of your application. Remember that under this article, the International Bureau will not republish your application as an “amended application”. However, it will be available on Patentscope after 30 months.

Need assistance with PCT Procedures? – Your Patent Team (YPT)

You know that an international filing faces a lot of stumbling blocks. You have the Article 19 Amendment and Article 34 Amendment to help you overcome such problems. However, you might need help to be absolutely certain about your plan of action while filing a PCT application.

YPT is a team of 225+ technology/industry experts who speak the inventor’s language and have a deep understanding of Indian & Global Patent Laws. We can assist you with the entire PCT procedure, from filing and making amendments to your application, to the national phase.

1. **Trademark Filing Timeline**

When you’re seeking trademark protection, it’s a good measure to clearly know everything about the trademark filing timeline. It generally takes somewhere between 12 to 18 months for registering a trademark with the USPTO. The whole trademark registration process involves different stages of the trademark application process which make up the trademark filing timeline. The timeline depends not only on different stages but also on the filing basis you select in your application. You should be aware of all the deadlines and response times so that the entire procedure goes smoothly.

This article explains the entire trademark filing timeline in great detail.

Trademark Filing Timeline- The Filing Basis

The timeline of your trademark application will differ according to the filing basis, i.e. the article under which you file. Each article has its own set of criterion that needs to be met in order to file under that particular article. We shall explain each one below.

Section 1(a)

This comes into play when you are currently using your trademark in commerce with your goods and/or services. The timeline varies from about 7 months to as long as nearly 2 years. Let’s take a look at each step through this flowchart.

Trademark Filing Flowchart

Application Filing: The very first step is to file your application. Over a period of 3 months, the USPTO reviews it and takes action accordingly.

USPTO Review: The USPTO either approves and publishes your trademark or issues an Office Action within 1 month.

Publication of Trademark: If the USPTO approves your trademark, it will publish it in the Trademark Official Gazette (TMOG).

NOTE: Publication is not registration.

Office Action: If the USPTO has any objections against your application, then it will issue an office action in the form of a letter. You will have a time period of 6 months to respond to it in the form of First Office Action Response. The USPTO reviews it over a period of 1-2 months. If you clear the objections, then the USPTO publishes the application. Otherwise, the USPTO issues a Final Office Action. The time limit to respond to it is the same as the First Office Action.

Trademark Registration: After the USPTO publishes your trademark, it waits for 30 days for anybody to raise objections against it. If the application doesn’t face any opposition, then the USPTO officially registers the trademark after 3 months. It will be valid for 10 years.

Declaration under Section 8: Before the end of the first 6 years of the registration, you must file a declaration under Section 8. This states that your trademark is still in commercial use along with evidence.

Renewal under Section 9: Before the end of the 10 years of your trademark’s validity, you must file for renewal under Section 9. This is done along with another declaration under Section 8, with the same requirements to get the trademark renewal.

Section 1(b)

Applicable when you have a genuine intention to use your trademark in commerce with your goods/services in the near future. The trademark filing timeline remains largely the same as the one in Section 1(a). The difference comes after the USPTO publishes your application in the TMOG. Instead of registering the trademark after 3 months, it issues a Notice of Allowance. The timeline from that point is given below:

Notice of Allowance (NOA): The USPTO issues an NOA within 2 months of publication in the TMOG. This notice is not the registration in itself, but it means that your application didn’t face any opposition. You can get the registration after filing a Statement of Use on time.

Statement of Use (SOU): Once you start using the trademark for your products/services, you must file an SOU with the USPTO. This is to be done within 6 months of issuance of NOA.

Extension Request: There can be a situation where you are still not using the trademark after 6 months of issuance of the NOA. Then, you have to file for an extension request. This way, you can prevent your application from being labeled as “abandoned”. You can file a maximum of 5 extension request for a trademark application and each extension lasts 6 months.

Review of SOU: After you file the SOU, the USPTO reviews it and takes action accordingly. It takes about 1 month to review it. If it approves the SOU then the USPTO registers the trademark, otherwise, it issues an Office Action. The time period for responding to it is the same as any Office Action. The renewal and declaration remain the same as well.

Foreign Applications

You may want to register a trademark in the US on the basis of a foreign application/trademark. You can read up about their trademark filing timeline here and follow the hyperlinks for more information on the same.

Section 44(d): You use this when you own a foreign application. You must file that within six months of your U.S. application for the same trademark and the same goods/services.

Section 44(e): You own a foreign registration of the same trademark for the same goods and/or services from your country of origin.

Section 66(a): Your application basis is filing under the Madrid Protocol. It is a filing treaty that ensures the protection of trademarks in multiple countries.

Need assistance with your Trademark Filing? – The Trademark Filing Company

It is absolutely crucial to secure the necessary protection for your brand by registering a trademark. The trademark filing timeline is full of delicate deadlines and each step requires clear and concise delivery of the requirements. Therefore, if you wish to take professional aid, The Trademark Filing Company can help you. We focus on protecting your business identity from copycats. Our expertise lies in providing gold-standard trademark data and our team boasts years of experience in trademark filing. We are aware of the latest rules and guidelines that exist in the trademark laws. We’ll ensure that your trademark application adheres to them. However, we don’t stop there. You cannot worry about your trademark 24/7, so you can also use our trademark monitoring services.

1. **Patent Filing Cost**

Patent filing cost is the cost which the patent applicant incurs for filing and obtaining the patent. The cost of a patent filing basically depends on the type of patent application while filing the patent. The type of invention and the market opportunities related to the product also decide the patent filing cost. If the invention constitutes more claims and illustration, then the patent filing cost would be higher. The overall cost of obtaining a patent also includes the pay for the patent office and the patent service provider such as The Patent Filing Company.

The factors determining the Patent Filing Cost are:

There is a certain procedure to get a patent grant. While following the procedure, the patent applicant has to incur a certain amount of charge for getting a grant of patent. The steps present in the patent filing cost are as follows:

Patentability Search of the invention:

The first process in the patent grant is getting a patentability search of the invention. It is always preferable to hire a professional searcher as he will find all the information related to the prior art. The cost for patentability search depends on several factors such as:

The amount of written analysis you want to receive.

The complexity of the invention.

The amount of consideration of the prior art discovered.

The type of patent file.

The fees for a patent search for different types of the patent are:

Description Fee Small entity fee Micro entity fee

Utility search fee $660 $330 $165

Design search fee $160 $80 $40

Plant search fee $420 $210 $105

Reissue search fee $660 $330 $165

Although, paying for the best patentability search with a written analysis directs the entirety of the remainder of the patent project.

 1. Patent drafting cost:

Patent drafting is the process of writing description and claims. Although, an inventor can himself write all the specification of his invention, but it is always safe to consider a patent consultant. The cost of filing the patent is quite steep and there is always a chance of a loss while doing it yourself. The cost of patent drafting varies from $200-$500.

2. Patent application filing cost:

The patent filing cost of a patent application depends on whether the application is provisional or a non-provisional one. A provisional application needs to disclose the invention completely as a non-provisional one, there are a reduction informalities. This reduces the overall cost of filing the provisional application. Although a provisional patent application is not a true patent, it protects your invention for 12 months.

The application filing fees for different patents are:

Description Fee Small entity fee Micro entity fee

Utility application fee $300 $150 $75

Design application fee $200 $100 $50

Plant application fee $200 $100 $50

Reissue application fee $300 $150 $75

Provisional application fee $280 $140 $70

 In the case of a non-provisional application the cost of filing slightly increase due to the increase of some formalities. A non-provisional application charges an extra $400 along with all the charges in the above table.

3. Examination Cost of the application:

After filing the patent application, it goes for publication which discloses the invention. After publication, the examination of the application takes place. The examination cost depends on the different types of patents. It also depends whether the patent is utility patent, design patent or any other type of patent. The fee also depends on the entity of the patent.

The fees for different types of patents are given below:

Description Fee Small entity fee Micro entity fee

Utility examination fee $760 $380 $190

Design examination fee $600 $300 $150

Plant examination fee $620 $310 $155

Reissue examination fee $2200 $1100 $550

4. Patent post allowance cost:

Patent post allowance fee is also a part of this process. The patent applicant gets a notice of allowance after the patent examiner decides to grant patent. The notice of allowance shows that the application is complete and meets all the requirements.

The fee for the patent post allowance is :

Description Fee Small entity fee Micro entity fee

Utility issue fee $1000 $500 $250

Design issue fee $700 $350 $175

Plant issue fee $800 $400 $200

Reissue issue fee $1000 $500 $250

5. Renewal of patent cost:

Renewal of the patent is an essential process, if you want to protect your invention from coming into the public domain. One has to renew his patent within a certain time period to protect it. Renewal of patent also includes some pat of the patent filing cost.

The fee for renewal of the patent is:

Description Fee Small entity fee Micro entity fee

Renewal fee due at 3.5 years $1600 $800 $400

Renewal fee due at 7.5 years $3600 $1800 $900

Renewal fee due at 11.5 years $7400 $3700 $1850

Looking to file Patent? – The Patent Filing Company

If you want to file a patent, The Patent Filing Company (TPFC) is the best option for the same. TPFC helps their clients file the patents with maximum efficiency and minimum time and patent filing cost. TPFC covers 300+ techno legal experts who come from different backgrounds to cover different types of inventions. Our professionals utilize their expertise to advise our clients to help them get world-class advice and IP Protection. TPFC not only ensures that you get the strongest and broadest services but makes sure that you get the optimum cost. Our team will assist you in filing a patent application. For more information, visit The Patent Filing Company.

1. **Design Patent Illustrator: A Smart Consideration for Your Patent**

A design patent illustrator is a professional producing detailed design patent drawing as per the patent office guidelines. Occasionally, creating a professional patent illustration proves a cumbersome task. And why not, there are so many guidelines put forth by the patent office (here USPTO) to meet. Be it in the selection of the color of ink to the dimensions and views of diagrams. Consequently, you need to take every minute detail into consideration to come up with a professional design illustration.

Thus, in such a scenario it is always preferable to seek the help of design patent illustrators. A professional design patent illustrator is the Picasso of this art. They bring the best and correct design illustrations for your intellectual property. Certainly, let’s look at the benefits of hiring them.

Related Article: Design Patents 101 – Introduction

Professional Design Patent Illustrator – Service Benefits

There are obvious advantages of hiring a patent illustrator for remarkably unique professional design patent illustrations. Here is why you should go for a professional design patent illustrator for producing incredible patent illustrations:

Imaginative Minds: these professionals have an inherent inclination toward art. They have an imaginative mind and come up with creations that are unique and appealing. So, if you are not that imaginative sort of a person, do consider hiring a design patent illustrator.

Up with Latest Guidelines: you as an inventor can read the guidelines and can come up with a design illustration. But, a design patent illustrator knows exactly what and what NOT to include in an illustration.

Fast turn-around-time: indeed yes! Professional design illustrators are well-versed with their work and come up with the best of the results in a lesser amount of time.

Technical Accuracy: computer-aided technical drawings with up-to-date software aid in delivering a complex of complex illustrations with much ease and accuracy. Thus, design patent illustrators are expert at handlings this software.

An eye for Detail: the ornamental details of a design illustration are what help in fetching patent. A design patent illustrator sees the bigger picture but along with that works on the minute details with great precision.

Service Feasibility: the services of design patent illustrators are viable. You can easily reach out to them through call or through the internet. Also, the services available are quick and are at domestic rates.

Related Article: Why Should You Hire Good Patent Illustrators?

Patent Illustrators and their area of Expertise:

Patent Illustrators broadly work on Utility patent illustrations and Design patent Illustrations. The major difference between the both is that Utility patent gets protection for the function of the invention. On the other hand, a design patent protects the new and non-obvious ornamental design of an article.

Utility Patent Illustrators: They aid by providing a vision to the public as well as to the examiner at the time of publication and prosecution respectively. They work as a support for a faster prosecution and a steadier patent grant.

Design Patent Illustrators: As a design, the patent gets protection for its unique ornamental design. Therefore, a design patent illustrator produces replicas of the original design in the form of illustrations.

Both of the Patent Illustrators have an imaginative skill set and an eye for precision. Moreover, a professional patent illustrator these days work on state-of-the-art tools and remain updated with the guidelines of patent offices.

What do we bring?

Producing a detailed patent illustration is a matter of concern and requires great precision. Your search for a professional patent illustrator ends here. Let the best among the rest to come to your service. In other words, we, at Professional Patent Illustrators, are a team of patent illustrators with specialization in utility and design patent illustrations. We take pride in producing detail-oriented illustrations with precision using state-of-the-art tools. In short, customer satisfaction is of the highest priority with a quick turn-around-time.

1. **Trademark Registration in India: An 8 Step Guide**

When it comes to protecting your brand name, the idea of trademark registration comes to mind. Be it for starting a business or for an existing business, you must ensure that the brand identity is safe. A trademark does the job of securing that identity. This ensures that you can freely do business under the umbrella of your brand.

But the process of trademark registration can be slightly daunting. There are resources in the form of time and money that you need to consider. You need to be clear about the guidelines, the deadlines, the forms, fees, etc.

Let’s understand everything there is to know about trademark registration.

What is a Trademark?

A trademark is a distinguishing visual symbol in the form of a logo or text (words, phrase, or sentence). It should be something that resonates with your business/product. The purpose is to distinguish your brand such that the target audience can easily recognize your business through the trademark.

If you have a federal trademark for your business, then nobody can use that mark or even a mark resembling yours. The idea is to ensure that no other business misleads your target audience.

For example, Amul is one of the biggest brand names in India. It markets its products under this name and no other business can use the name for their product/services.

Fig: Amul’s logo is a registered trademark

Another example is that of Coca-Cola, the world-famous beverage brand. It has a distinctive mark, with a rich, illustrious history. When it comes to a cold beverage, coca-cola is generally what comes to people’s minds.

Fig: The Coca-Cola Trademarked Logo

Colgate is yet another brand that has a nationwide presence. When it comes to oral healthcare, Colgate is often the go-to product. You can see the ® symbol on the logo, letting the world know that it is a registered trademark.

Fig. The Colgate logo

The bottom line is that these companies have become the face of their product’s field. That’s where their trademark has come in handy for marketing purposes. Essentially, a trademark acts as the face of your brand.

Trademark Registration Process

Let’s talk about the actual process now. It involves a series of steps that one needs to follow to ensure a smooth sailing trademark registration.

1. Pick your Class

First, you need to pick a Class under which your company belongs to. A class lists together a similar range of products to ensure more clarity about products/services.

The Indian Trademark law enlists 45 classes of goods and services. For example, if your company is into clothing, footwear or headgear, then you need to pick Class 25.

2. Create a Unique mark

This part requires you to be creative and novel. This is the most delicate part of the trademark registration process. You need to think of a unique symbol that makes your product/service stand out in the crowd. Your brand will be dependent on this mark because your audience is going to recognize you through this mark.

You can either come up with an abstract word or use an existing word. It doesn’t need to be a word that directly relates to the field of the product. Consider the example of Amul. The Indian titan in the dairy industry is a household name in our daily lives. The word “Amul” itself doesn’t mean anything in relation to dairy. But, the brand’s popularity and usage have successfully planted an image of dairy products when you see the word.

That is exactly why you must pick something unique. Hopefully, it can prove to make your business the symbol of a particular product/service in the public eye.

3.Conduct a Trademark Search

After creating a unique mark, the next step in trademark registration is to conduct a trademark search. The purpose is to determine if your mark is, in fact, unique and it is not infringing on an existing trademark. This step is vital because it can decide whether or not you should file a trademark or not.

Since there is always the possibility that your mark might already be in use, you should create 2-3 backups. This will help you to still register a trademark in case you have issues with your first choice of the mark.

4.Draft the Application

Now is the time of drafting your trademark application. If creating the mark is the most creative part of the trademark registration, this is the most technical one. This involves using different forms which are available on the IP India website. It also enlists the fees for each type of form.

The primary requirement is form TM-A. Fill out the form very carefully and spend time in deliberating what you should write. Also, attach the necessary supporting information. You must also attach a sheet of the description of the goods and services you wish to trademark. This description should not exceed 500 words.

Last but certainly not least you must attach a 9x5cm image of the trademark for your application. Along with it, you must submit 5 duplicate images as well. Make sure to proofread your application before moving on to the next step.

5.Filing the Application

Now that your draft is ready, you can file it with the Trademark Registry Office. You have an option to file it online or offline. Though, the offline option is more expensive. Check out the First Schedule Fees.

There are 5 Trademark Registry offices that accept trademark applications. These are Delhi, Mumbai, Kolkata, Chennai, and Ahmedabad. Otherwise, you can file your application online. The office receives E-filings immediately but manual filings take 15-20 days.

You can use different payment methods for the payment of the fees. For manual filing, you can use cash, money order, or bank draft. For E-filing, you can do an electronic funds transfer (EFT).

6.Overcome Objections during the Examination

After filing the application, you must wait. An examiner needs to assess your application to see if you should get the trademark. He/she might raise certain objections that you need to overcome. The objections may include technical errors in the form. Other deeper issues can impede your trademark registration.

You need to justify how your mark is unique and distinct while overcoming the objections. The method of communication is in writing. The judgment depends on the trademark officer. He/she can either reject your appeal to the objections or pass them and move your application to the next step.

7. Publication of Trademark and Opposition

Once you overcome the examination, the Trademark Registry office publishes your trademark. This is done in the weekly Trademark Journal under its respective class. The purpose is to allow any entity to the review and challenge the trademark if they wish to.

If someone opposes your trademark, then you will get a legal notice with the reasons for the third party’s opposition. You must file a counter-statement within the next 2 months. Failure to do so will lead the Trademark office to reject your application.

The legal procedure for this can be time-consuming and may even take years. But, it depends on the merits of the case.

8. Proof of Your Registration

The Trademark Registry office issues a trademark registration certificate upon successful registration of the trademark. Once you get this, you can use the trademark symbol ® next to your logo.

The trademark is valid for 10 years from the date of the application. You can renew it after paying a renewal fee.

Your trademark will only be applicable in India. In order to secure protection across countries then you should consider other options such as the Madrid Protocol.

Need a Professional’s help? – Your Trademark Team

You can go through the trademark registration on your own or you can hire legal services, which is advisable. That is because you lack the experience to carry out certain steps such as the search or drafting the application. A legal service will cost you money. But, in the long run, if it means protecting your brand identity, then the investment is worth the money.

If you need help, Your Trademark Team is at your service. We’re a team of trademark agents/attorneys who boast 10+ years of experience in the field. We will ensure to help you out along every step of the way in trademark-related services. Your satisfaction is our guarantee.

1. **IDS Patent: Definition, Obligation, and Requirements in Patent Applications**

When you think of “prior art”, IDS patent surely comes to mind. The USPTO labels it as an indispensable part of your patent application. Not having IDS in your application could cause problems of varying degrees. But what is IDS? Why do you need it in a patent? We are here to explain everything there is to know about IDS patent. This will help you to draft your patent application accordingly.

Definition of IDS Patent Application

IDS stands for Information Disclosure Statement. A patent applicant needs to disclose every information that can be prior art to the USPTO in the IDS. Any information that classifies as material to patentability needs to be a part of the IDS. But the disclosure limits to only the information that he/she is aware of. The IDS plays a key role in the patent application.

Obligation to submit IDS

It is the patent applicant’s obligation to submit the IDS patent. The duty to disclose information material to patentability falls on the patent applicant and the inventor. This is because the inventors are more aware of a particular field of technology than a patent examiner. Hence, they should disclose each piece of information that they are aware of. However, does that mean that you need to find every prior art while filing an IDS? The answer related to a patent search.

Patent Search

You conduct a patent search to see if any relevant prior art for your invention exists. However, it is not a mandatory step for the USPTO. So, if you don’t conduct a patent search then you will not be aware of every prior art. That means you will have lesser information to disclose.

But this is a very risky gamble because if the patent examiner finds a prior art then your application can face rejection. Not only will you discover new prior art, but also you will have to find a way to distinguish your application from it. This can be very risky and it is advisable to conduct a patent search.

The bottom line is you need to disclose all the information that you are aware of only in the IDS patent. You don’t need to do extra research to discover prior art that you are not aware of.

You must understand that failing to file an IDS will never benefit you. The USPTO may believe your intent is to deceive the office. You will have to defend yourself against charges of intent to mislead.

Requirements in the IDS

Finally, let’s clearly elucidate on the information that needs to be a part of the IDS. We know that all material to patentability needs to be in the IDS. Primarily, there are 4 such types of information which classify as prior art:

Pre-existing patents

Patent applications that are in the process

Research publications in conferences, journals or blogs

Commercial products

When should you file an IDS?

Ideally, you should file an IDS along with your patent application immediately. However, the USPTO gives you other chances to file it at other stages of the patent prosecution process as well.

You can file it at 3 stages in particular, under 37 C.F.R Section:

1.97(b): It allows you to file it within 3 months of the US filing date or before receiving the First Office Action.

1.97(c): You can file the IDS after passing the first stage of filing or before mailing the Final Office Action. It also allows you to file it after mailing the Notice of Allowance.

1.97(d): It allows you to file after passing the second stage of filing or before or with payment of the issue fee.

You can read more about when and how to file IDS here.

Need help in drafting an IDS? – Patent Drafting Catalyst

You can understand that an absolutely critical part of the application is the IDS patent. Drafting it to perfection, knowing what to include, how to include is vital. It is advisable to seek assistance from a professional for this. At Patent Drafting Catalyst, we believe in filing IDS smartly. We will ensure that you file your IDS with the least cost. Our job is to make your prosecution process smooth and simple. We can also assist you in drafting the patent application.

1. **Patent Filing Requirements in USPTO – in a Nutshell**

There are certain patent filing requirements in USPTO that an inventor should meet in order to get a patent grant for their invention. These requirements include various documents like patent application, which again comprises inventors and/or applicant’s information, request form and detailed description. Additionally, you can attach patent drawings, if required.

Also, there are certain milestones to reach before going for the crucial step of patent filing in the USPTO office.

For all this, an inventor can also take the assistance of patent drafting and filing services by agents and attorney. The USPTO itself suggest the inventors to go with the assistance of patent agents/attorneys for patent filing and other proceedings.

Here, we will discuss those patent filing requirements in USPTO so that your patent application goes through a seamless and smooth prosecution.

Patent Filing Requirements in USPTO

Patent Filing Requirements in USPTO – The Major Ones

There are certain basic yet crucial necessities that comprise a patent application. These fundamental requirements are as per the rules of USPTO. Also, these work in favor of the inventor if he/she meets those basic necessities.

Type of IP protection you seek: you may come up with an invention, but before filing, be clear with the type of protection you seek for your invention. This includes patent, trademark, copyright, trade secrets or a combination of these.

Patentable Invention: once you are clear with the type of protection you seek, determine whether your invention is patentable or not. For this, your invention needs to meet the patentability criteria, which includes: Novelty, Non-Disclosure, industrial applicability, patentable subject-matter and non-obvious. For this, a thorough prior-art search solves the purpose.

Kind of patent protection: there are 3 types of patents- Utility, Design, and plant. The type of patent protection you seek depends totally on your invention. So, determine whether it goes with a utility patent, design or plant or a combination of two or all.

Once you are sure about the type of IP and/patent protection you are going to seek.

You can now proceed with the patent filing proceedings. But again, there are multiple patent filing requirements in USPTO that act as a precursor to the patent filing. These factors will make you mentally prepared for all the filing proceedings that take place at the patent office.

These are:

Boundaries of Patent Protection: decide whether you want to file an international or a national application. The procedure for filing both the type of applications is different. One can file a direct application, PCT application or application to Paris convention countries for international applications.

Type of Patent Application: determine the type of patent application you want to file. You can file a provisional (incomplete) before filing a non-provisional (complete) patent application. Both serve their own purpose. File complete application within 12 months of filing a provisional application. Be mindful of submitting the application(s) with all the required parts.

Complete Prosecution Cost: there is a fee for the different hierarchy of proceedings as the patent application moves. A patent application is subject to a basic fee and additional fees. Additional fees include excess claim fees, fee depending upon the number of office actions and so on.

Elements of Patent Application: there are many elements that comprise a patent application. They make up what we call a complete patent application as per the guidelines of USPTO. It should meet the requirements of 35 U.S.C. 111(a).

Hiring a Patent Attorney: consider hiring an attorney while drafting and filing a patent application. This is so because an attorney knows patent office rules, and identifies what to add in a patent application. Be mindful of signing a Non-Disclosure Agreement to safeguard your invention prior to sharing information.

Therefore, before going for self-patent filing learn whether it is a wise decision or not.

Working with Patent Office Examiner

In case if your application is incomplete for some reasons, you will get a notification from the patent office. There is a time period of 3 months for giving a response to an office action. Make sure you or your agent corrects the omission within the specified time. Delay will lead to disposal of your patent application.

Once your patent application meets the USPTO requirements, it proceeds with the prosecution. Here the patent office examiner determines whether the application meets the requirements of 35 U.S.C. 111(a). Here 2 things can happen:

Meets the requirements of USPTO: the application will proceed for patent grant.

Fails to meet the USPTO requirements: you will receive an office action with errors. If you fail to meet those requirements then it will lead to the abandonment of your application.

If they reject your application twice, you may make an appeal to the Patent Trial and Appeal Board (PTAB).

You can view your pending patent application and documents status in Private PAIR.

Note: if you hire a patent attorney, the USPTO will communicate all the proceedings to the agent or attorney only. USPTO doesn’t engage in double correspondence with the patent applicant and also the agent.

Assistance at The Patent Filing Company

TPFC has a team of experienced personnel who will help you meet all the patent filing requirements in USPTO. We cover 300+ experts provide our services in over 45+ countries. Our patent experts and advisors work up to their full potential to provide world-class advice and IP protection. Also, we do ensure you receive quick responses and results with no compromise on its quality. If you want to know more, do give a visit to our service page.

1. **Technical Patent Illustrator – Benefits of Hiring**

A picture is worth a thousand words, this very well goes with patent illustrations. But, the delivery of a detailed illustration/drawing is in the hands of a Technical Patent Illustrator. It is only the details of a drawing that takes your invention forward instantly. Consequently, at the time of prosecution, the examiner might not need to go through the written description thoroughly if you deliver well-detailed drawings.

An amazing inventor might not be a technical patent illustrator. If this is the case with you, do consider hiring a patent illustrator. This works in your favor only as USPTO and another patent office(s) accept drawings that are as per their guidelines.

Need for a Technical Patent Illustrator:

Always bear this in your mind that only a professional patent draft fetches patent grant. Draft everything i.e. claims, specifications, technical drawings with accuracy covering each and every aspect of the invention. While drafting patent illustrations some people wonder whether to go for Do-It-Yourself software drawings or rather precede with patent illustrators.

Benefits that a technical patent illustrator brings to an application are:

While the examiner at the patent office reads through the written description, the patent illustrations speak for the invention. This demands the drafting of patent illustrations meticulously. Therefore, it is always a plus point to go with a well trained professional for the same.

A technical patent illustrator serves the best purpose. They keep themselves updated with all the rules and regulations of all the patent offices and furthermore, have a creative way of doing work.

They are very well aware of what and what NOT to include while preparing patent illustrations.

Qualities of a Technical Patent Illustrator

If you are planning on taking help of a patent illustrator but want to know what characteristics make an ideal patent illustrator. Before going any further go through the qualities of an ideal technical patent illustrator mentioned below:

Patent Illustrations Compatibility:

A technical illustrator furnishes both Design Patent Illustrations and Utility Patent Illustrations. They are also knowledgeable of technicalities of both the types of patent illustrations.

Profound imagination:

a patent illustrator is an imaginative person. In essence, he/she has a mind that creates illustrations as per the instructions that the inventor provides regarding his invention.

Master of state-of-the-art tools:

He/she is an expert of various technical tools of patent illustrations. These include AutoCAD, CorelDRAW, Visio, SolidWorks and many more.

Covers every detail of the invention:

Technical patent illustrators include each and every detail regarding the invention. You can judge the quality of their work by the precision with which they deliver both simple and complex designs.

Meets deadlines with no quality compromise:

A good technical patent illustrator is highly efficient. He/she delivers their work on or before time. At the same time, there is no quality compromise in their work. Meanwhile, you can go through the samples of the technical patent illustrations for your reference.

Well-versed with Patent Office guidelines:

The rules for patent illustrations of patent offices keep changing from one jurisdiction to another. A technical patent illustrator knows the details to draft the illustrations for different countries.

Integrity and confidentiality maintenance:

Along with technical expertise, a patent illustrator should keep the invention’s details and drawings confidential. He/she should not share the information with anyone without the permission of the inventor or applicant, whatsoever.

Technical patent Illustrators at Professional Patent Illustrators:

If you are looking forward to a well-drafted patent illustration, let the experts be at your service. At professional patent illustrators, you will find a team of proficient technical patent illustrators. We bring both utility and design patent illustration services at your end, and also free-of-cost sample illustrations service. Our illustrators take pride in bringing detailed illustrations using tools that are best in the market. And for us, customer satisfaction is of the highest priority.

1. **Trademark Image: Know the Possibility**

Do you have a unique image ready with you which stand-apart from the rest for your business? You want complete ownership over it as a trademark image so that it distinguishes your brand from the rest. But wondering whether it is possible to trademark an image or not? You will get all your questions answered here.

To start with, a trademark, in general, is a sign which protects the goods and services of an enterprise from another. Therefore, logos in the form of images can get trademark protection if they work as an identification mark of that business. Merely copyrighting the image won’t make it work as a brand logo. A copyright protects literary and artistic work. But, on the other hand, a trademark recognizes a brand and protects the goods and services being offered by a company.

Therefore, an image or logo falls under the realm of both copyright and trademark protection. But copyright and a trademark image provide different sorts of protection.

What does a trademark protect?

If we break the word trademark, we get two words ‘Trade’ and ‘Mark’. From here it becomes evident that a trademark is a mark that identifies a trade or a business. It is in the form of a word, a combination of words, numerals, letters, drawings, symbols, 3-D features, sounds, fragrances, color shades, etc.

For example, the “Swoosh” logo of brand “Nike” is a brand image or a trademark image. The owner of the company can sue anyone who tries to utilize or make a resembling image of the same for promoting their business. Similarly the iconic bitten apple logo of the brand “Apple” and the Golden Arches logo of “McDonald’s” and much more work to distinctly identify the brands they are in association.

Therefore, a trademark not only protects the goods and services offered by a company but also builds brand recognizance.

How to register a trademark image?

In order to get trademark protection for your logo one needs to make sure if their symbol or image is totally unique. Also, that image should not share even slightest of resemblance with any of the logos in use. For this, one needs to start with a trademark search.

Trademark Search: the purpose of looking into worldwide databases is to look for existing and filed trademark applications. This ensures if your image or logo is unique enough for trademark protection.

World Intellectual Property Organization (WIPO) has launched on May 10, 2014, an exclusive database which has an image-search function. It allows people to upload and search a visually-similar trademark and related information about the brand from millions of images.

The USPTO provides the Trademark Electronic Search System (TESS) for conducting a clearance search. By clearance search we mean, looking for trademarks that are conflicting with image or mark in question.

Apply online: once your image or logo is over the step of clearance search, now you should safely proceed with the application process with the USPTO. If you are a first-timer, do go through the basic information that one needs to learn before filing an initial application form.

Now, wait for the approval as the prosecution proceeds at the patent office.

The validity of a trademark is of 10 years. You can apply for its renewal before 1 year of its expiry date or before 6 months

Note: Consider hiring a private attorney as you proceed with the trademark registration process. A trademark attorney help from the very first stage of trademark search till final stages of getting trademark protection. Also, he/she helps you realize and enforce your trademark rights to the maximum extent.

What do we bring?

Getting a trademark that distinctly identifies your brand is a great deal of importance for us as much as it is for you. Our professionals at the trademark search company provide expert solutions of trademark search and monitoring services. We provide you the right guidance so that you can get a unique trademark image for your brand. Because only the right trademark gives your brand a distinct image and builds a reputation which it deserves. To know more about our services, please visit The Trademark Search Company.

1. **Trademark Filing: A detailed insight**

Trademark is a logo or combination of numbers and characters which helps in distinguishing its products from others in the market. So, we can say that trademark filing can help a business invest in branding and ensure its unique branding in the market. It also helps the trademark owner to protect the trademark and prevent its fraudulent use. If one wants to scale up his business to increase profits, trademark filing plays an essential role in it. Also, a registered trademark is an intangible asset for a business and protects the company’s investments. We will discuss the process of filing a trademark application.

Trademark Filing: Key points to consider

The filing of the trademark attracts a lot of brand recognition. The little effort of yours will preserve the trademark and develop a unique identity of the brand. The several steps that the trademark filing process involves are:

Also see : List of well known Trademarks

Trademark Search:

Trademark search is an important part of the trademark filing process. It is critical to decide the goods and services for which one wants to apply for the trademark. Hence, trademark searching becomes essential as it tells the applicant whether the registration of a particular mark exists or not. If someone is already an owner of a specific trademark, you cannot have a similar one.

Related Articles: Manual of Trademarks Practice & Procedure

Submit the trademark application:

After the trademark search, you need to decide on the trademark and fill the trademark application to proceed further. You need to mention all the trademark information in your trademark application. Also, the filing of the trademark application takes place at the Indian Trademark Office.

Examination of the application:

Once you file the trademark application, the next step is an examination of the application. The trademark application goes to the examiner who examines the discrepancies of the application if any. Also, the examination process takes around 12-18 months from the priority date. The examiner reviews the application to determine the compliance of the application with the official rules.

Office Actions:

The examining attorney decides whether to register the trademark or not. If all the claims are correct, he will accept the trademark application without any due. Contrary to it, if the examiner decides not to register the trademark, he will issue a letter explaining the substantial reason for the refusal of the application. The examiner will claim to correct the deficiencies of the application.

The applicant must respond to the office action within 6 months of the action. The applicant must amend the claims which the examiner wants him to correct.

Publication of the mark:

If the examinee attorney raises no objection, or if the applicant overcomes all the objections, approval of the application takes place. So, after approval, the trademark office publishes the trademark in the “Official Gazette.” “Official Gazette” is a weekly publication of the trademark office. The trademark office sends a notice of the publication to the applicant stating the date of publication. Trademark office gives 30 days of time for the opposition of the trademark to happen if anyone wants to oppose it.

Search for trademarks here

Notice of Allowance:

After the publication of the trademark, the next step is notice of allowance to the applicant. If there is no opposition regarding the trademark application, trademark office issues a notice of allowance to the applicant. Moreover, a notice of allowance means the successful survival of the trademark filing in the opposition period after publication.

Filing the Statement of Use (SOU):

A time period of 6 months is given to the applicant from the date of allowance to file the Statement of Use (SOU). The applicant needs to use the trademark in commerce and file SOU. However, if the applicant fails in doing so, it results in the abundance of the trademark application.

Reviewing the Statement of Use:

A Statement of Use (SOU) must meet minimum filing requirements before an examining attorney fully reviews it. If SOU meets the minimum filing requirements, the attorney determines whether it is acceptable to permit registration or not. If the examinee identifies no refusals or additional requirements, he approves the SOU.

Trademark Registration:

This is the final stage of the trademark filing process. Once you pass all of the above steps, the registration of the trademark happens. The following points are important to remember:

Registration Certificate Issue:

Within approximately 2 months after getting the approval of SOU, the USPTO issues the trademark registration. To keep the registration live, the applicant must file the specific maintenance documents. Hence, failure to make these filings will result in cancellation of the registration.

Monitoring Registration Status:

 Even if your trademark registers, you should monitor the registration on an annual basis. So, it is important to check the status of your registration after making any of the filings to keep the registration alive.

Trademark renewal:

Once the trademark filing process completes, one has to renew it perpetually after every 10 years. Hence, the protection span of your logo or brand increases.

Looking for trademark filing – Your Trademark Team

You invest a lot in building your brand. You not just invest money in creating your logo and trademark, but the hours of effort into promoting your brand. Before you put this effort, you must make sure that it is in the right direction. Your Trademark Team (YTT) is a team of professionals who have years of experience in the trademark filing process. If you want to register your trademark, YTT with its world-class facilities and professional expertise would help you in doing so. We file quick and easy trademark applications for our clients at an optimal cost. Our team also provides timely notifications to our clients at each step. YTT is well aware of every guideline and the latest trademark laws to ensure our client’s trademark safety. We will also report you with the proper updates. To avail our services, Visit Your Trademark Team.

1. **Patent Translations Types: A Complete Guide**

Patent translation is the task of converting patent documentation into another language. Patent translations types are very important in today’s world while filing an official patent in foreign countries. These are most likely to be read by legal professionals and potential patent licensee in a foreign country. One translates only relevant portions of the patent for the purpose of evidence in the court proceedings. You should translate your patent in a way that a person having no prior knowledge of it also understands the invention. Patent translations types make the patent application process more effective and efficient abroad. They allow patent translation to undergo localization to meet the country’s specific patent norms.

Related Article: Patent Proofreading Benefits: The Best Five

Patent Translations types: Essentials

Even though the patent documents are legal documents, we can further categorize them depending upon the nature of the document. The patent translations types are:

Patent translation for prior art documents:

Prior art is evidence that your invention is already known. The fact that someone has previously given the description of the technology similar to yours is evidence of the prior art. So, it becomes important for the patent applicant to establish the novelty of the invention before the examiner.

Translations of such documents fall under this category and are important when you intend to protect a patent. So, one needs a good patent translator who is proficient in the spoken language of the patent filing country. It is important that the content, meaning and the nature of the patent document remain intact while translation.

Patent translation for litigation proceedings:

This is one of the most important factors in patent translations types. It is important for you to have a clear and accurate patent translation to undertake legal action with confidence. In an increasingly international business environment, litigation is becoming far more common. It means that the need for litigation translation is more than ever before. There is a possibility of having a large number of international lawsuits relevant to one’s invention. The litigation translation service might prove helpful in document sifting, where an expert translator sifts the documents on-site. It helps in filtering and prioritizing the criteria you provide. The translation can also quickly summarize key documents. One requires an expert patent translator to fully understand the technicalities of the invention. So, it helps the translator to maintain the accuracy of the invention in another language.

Related Article: Patent Watch Service: Types & Advantages

Patent translation for foreign filings:

It is essential for one to translate the patent application in the national language of the patent filing country. If you want to file a patent in a particular country then patent translation plays an important role. These are among the patent documents that require precision and accuracy. You need to make sure that the patent translation covers all possible claims of your invention in the desired language. Even a minuscule error can make or break the deal. So, it is necessary to consider a professional who has got years of experience in this service.

Need Patent Translation Service? – Patent Translations Express

 For accurate patent translation, it is important for the translator to have expertise on the subject matter. If you are looking to seek assistance in patent translation, Patent Translations Express (PTE) would guide you with the best possible solutions. PTE offers the most economical patent translation services to the clients without compromising on the accuracy of the translation. With the team of professional experts, we have been translating the patent-related documents in various technical domains. Our team of patent translators has a deep understanding of patent literature. At PTE, we optimize the manual translation effort to achieve faster turnarounds for our clients. We cover more than 40+ languages across the world for patent translation.

1. **Trademark Monitoring: Why is it Important for your Brand?**

After successfully registering a trademark with the USPTO, trademark monitoring is the next most important step. Enforcement of your trademark rights is your responsibility, and that is possible when you monitor your trademark closely. In order to stop someone from infringing your trademark, you must be aware of the infringement in the first place. This is why you must have a system in place for trademark monitoring. You would naturally want to ensure that no other brand uses your mark.

This article aims to explain all the key points about trademark monitoring.

Significance of Trademark Monitoring for your Business

Opposing Competing Trademark Registrations:

Imagine a scenario where a competing business files a trademark that is potentially harmful to your brand. As a trademark owner, you may object to any new trademarks that are deleterious for you. The USPTO might approve a mark that you believe is confusingly similar to your own. This can happen despite searching its database of registered and pending marks as part of the registration process. Hence trademark monitoring becomes absolutely crucial to stop any registrations as soon as possible.

Detecting and fixing potential conflicts early:

It is highly advisable to nip the problem in the bud before it becomes too big. The more a potential infringer invests in the trademark, the more likely they are going to fight back. Trademark monitoring aids you to detect cases of infringements or use of your mark without authorization. Successfully protecting your trademark against any infringement has another benefit. It strengthens your trademark in future disputes.

Basically, a good trademark monitoring helps you resolve potential conflicts sooner and without much investment of time or money.

Scope of Trademark Monitoring

Trademark monitoring requires keeping a constant eye on a lot of domains of information. It is of utmost importance that all your bases are covered to ensure maximum protection. The following should be the scope of your watch:

Federal Trademark Applications: You must monitor filings with the USPTO to protect your rights. As we told you, some entities may inadvertently file a trademark application that is very similar to yours. It is your job to enforce your rights and raise the alarm about an infringement.

Common-Law Trademarks: Some brands may not want a federal trademark, and so they won’t register for one either. But they can use a common law trademark, which has no records in the USPTO So you must keep an eye for such trademarks as well.

Search Engine Results. To get the full picture of how trademarks are in use, search for your mark on the Internet. Some businesses may not do any searches and just start using a mark callously. That mark may turn out to be very similar to yours. You can set up Google Alert for your trademark name so you get automatic notifications whenever Google updates its index.

Trademark Squatting: It’s an act of registering other people’s marks as their own by squatters in other countries in order to gain benefits from original marks or real trademark You have to keep an eye on this to prevent it from happening.

Need a vigilant Monitoring Service? – The Trademark Watch Company

You know that a lot of your business rides on the brand name. That brand name needs protection in the form of trademarks. But that protection is not enough, and trademark monitoring is absolutely crucial. It is difficult to manage so many things at once. So it’s advisable to hire a professional to take care of this for you. The Trademark Watch Company offers the widest and the most flexible search coverage. To ensure this, we carry out all our searches manually, and not via computers. We also want to ensure that our prices are affordable without compromise on quality. Your satisfaction is our guarantee.

1. **What is Patent Docketing?**

Patent Docketing includes maintaining a database or portfolio of applications received at the patent office. The USPTO and other patent Offices receive lakhs of patent applications every year, and it keeps on increasing year by year.

[You will get the exact status of patent applications by visiting US Patent Statistics Chart.

Pertaining to this huge data, it is quite evident that these many applications need a proper system for their maintenance. Also, a timely update to patent applicants is essential for informing them about the upcoming due-dates to get a timely patent grant. Patent docketing is a system of maintenance of record of patent applications at patent offices filed by applicants around the world. Moreover, patent docketing is not only about maintaining the documents. It is also about maintaining fee record status and updating clients and attorneys about the due dates and responding to office actions. A patent docket serves the purpose of maintaining patent applications and other documents like forms and drawings. Similarly, client trust accounts maintain the fee records of the applicants.

Patent Docketing Process:

The process of Patent Docketing starts with the arrival of a patent application to the patent office. Firstly, the docketing specialist labels each document with the name files number and then scans and updates the information to the database. By doing this, the attorneys and applicants can get an update on each and every detail related to their patent application at just a click. Furthermore, they create templates and templates to other law firms as well, if required.

Purpose of Digitized Patent Docketing:

In earlier times, people maintained records of patent applications in registers. The entries made in a chronological order marked by a serial number or docket number. Maintaining docket of a patent application on a register or a wall-sized chart is undoubtedly an intimidating task. With this came the need digitizing the docketing system. This made the hectic task of maintaining patent applications much more manageable.

At the same time, a digitized patent docketing system help updates the information in no time. It also updates the applicants about their deadlines for submitting documents.

What is patent Docketing

What is a Docket Number?

Attorney Docket number is a 25 Alphanumeric character which identifies a patent application. You can retrieve a list of patent applications by entering the first 3 characters of the alphanumeric code. The system performs a suffix wild card search when the user enters a partial attorney number. This happens when the user selects the “start with” radio button option.

Note: You can also take help of other numbers like Application number, Control Number, Patent Number to find your patent application. You can follow USPTO Search for Application to learn more about these numbers.

Also Read: Patent Docketing Software: Its Importance and Applications

Why Patent Docketing is a must?

Prevent Malpractice Suits: insurance companies associated with patent law firms demand them to keep up a patent docket. This is so as it will help prevent malpractice suits for when if the law firm misses any filing date. Moreover, some insurance companies prefer to have 2 different docketing systems in order to increase the robustness of the system. In this case, patent docketers maintain the docketing system and cross-check one another.

Meeting Deadlines: patent docketing help meet the deadlines without which the applicant might miss the golden chance of getting a patent grant. This, in turn, leads to the lost trust of clients in their patent attorneys.

Therefore, maintaining a robust docketing system is a must for every patent law firm, in order to maintain a smooth workflow.

What do we bring?

Our experts, at Patent Drafting Catalyst, maintain and track patent portfolios using commercial docketing systems. For us, maintaining our client’s legal and technical associated with their patent application is a task of utmost importance. We process and docket all the emails and send reminders on time, in order to fetch timely patent grants for our client’s invention. Our robust data security and integration with third-party software makes us much trusted among our clients. We are providing with best of our services in 45+ countries, throughout the life-cycle of the patent process at budget-friendly rates. To know more about services, please visit Patent Drafting Catalyst.

1. **Effect of Late IDS Filing – Reduces Patent Term Adjustment**

Delay in the submission of any document at the time of filing affects your patent application in many ways. One such delay is the effect of late IDS filing on patent term adjustment. The USPTO calculates the 20-year term of the patent grant from the date of filing the application. This 20 year time comprise the complete prosecution period. The period of prosecution associates with itself the delays which are at the end of the applicant and/or patent office. This called for patent term adjustment post-grant of the patent.

According to 35 U.S.C. § 154(b)(2)(C) “The Patent term adjustment will reduce by a period equal to the time during which the applicant failed to engage in reasonable efforts to conclude prosecution of the application.”

Taking on this, the effect of late IDS filing reduces the patent term adjustment.

Ideal IDS Filing Time

In the patent lifecycle, there are ideal timings for each and every step to take place. Similarly, there is the right time for filing an Information Disclosure Statement for smooth prosecution and timely patent grant. The timings are:

For national applications: within 3 months of patent filing or on/before the mailing of the first office action. After this period but before the prosecution of the examination closes i.e. the final office action, or a notice of allowance, or Ex Parte Quayle Action, whichever is earlier.

For international application: within 3 months of the date of entry of the national stage. Or before the mailing of first office action in the national stage. After this period or on/before the payment of the issue fee.

Continued examination: before the mailing of the first office action. After this period or on/before the effective withdrawal of the patent application from issue under 35 U.S.C. 1.313(c).

If you file IDS after the above mentioned time period your patent application will no longer be considered.

To learn more, read: IDS Patent: Definition, Obligation, and Requirements in Patent Applications

Types of Delays

The prosecution at the Patent Office is not an easy task. It has its hurdles and complexities. But this can adversely affect the duration of the patent grant. The USPTO is solely responsible for these types of delays and makes patent term adjustments accordingly. These delays include:

”A delay”(35 U.S.C. §154(b)(1)(A)(i) and 35 U.S.C. §154(b)(1)(A)(ii)): failure to issue the first office action within 14 months of filing the application and other applications within 4 months of receipt of an applicant’s response.

“B delay” (35 U.S.C. §154(b)(1)(B)): failure to issue a patent within 3 years from filing.

“C delay” (35 U.S.C. § 154(b)(1) (C)(i) – (iii)): delays due to Patent Trial and Appeal Board, secrecy orders and interferences.

For these types of delays, only the USPTO is responsible and will increase the duration of the patent grant.

Applicant Delay: There is another type of delay at the end of the applicant. This can because of late submission of a reply, or any document. Also, because of filing a supplemental reply or document other than what the patent examiner requested. One such case is the effect of late IDS filing on patent term adjustment. These reasons cause a reduction in the patent term adjustment.

Overlapping Days: the calculation of overlapping days in between delay A and B, and delay A and C. The PTO subtracts the number of overlapping days so that the days do not repeat twice.

We can understand this through an equation:

Patent Term Adjustment (PTA) = A Delay + B Delay + C Delay – Applicant Delay – Overlapping Delays.

Effect of Late IDS Filing – A Case Study

If the court finds a delay in the prosecution because of the applicant will result in a reduction of the patent term adjustment. Moreover, the statute also accounts for the delay and will reduce the term of PTA if he/she fails to engage in reasonable efforts to conclude prosecution of the application. One such effect of late IDS filing illustrates this case study.

Gilead Sciences v/s the Federal Circuit – Case No. 14-1159 (Fed. Cir, Feb. 26, 2015)(Wallach, J.).

February 22, 2008- Gilead filed a patent application for the ‘374 patent.

November 18, 2009; the PTO issues a restriction requirement. Sometimes the patent examiner finds that there is more than 1 patentably distinct invention in claims. They issue a restriction requirement to divide the claims into segments (37 C.F.R. § 1.142 (2007)).

February 18, 2010: Gilead responded to the restriction requirements and selected one of the 4 groups of inventions.

April 16, 2010: in the meanwhile, Gilead filed supplemental IDS disclosing 2 other co-pending patent applications of Gilead.

July 29, 2011: the PTO issued a notice of allowance.

April 3, 2012: patent issued for the ‘374 patent.

Both the parties agreed that Gilead should get a PTA because of the delay on part of PTO. They issued 245 days of ‘A Delay” and 406 days of “B Delay”. This 651 days reduced by overlapping and applicant-induced delay.

35 days of overlapping delay and an additional 57 days of applicant-induced delay.

October 27, 2011: Gilead contested its filing of the supplemental IDS did not cause any actual delay. But the PTO rejected this argument because Gilead’s filed supplemental IDS after its response to the restriction requirement. And also it failed to engage in a reasonable effort to conclude prosecution stated in 37 C.F.R. 1.704(c)(8).

In this case, late supplemental IDS caused a delay in the process of prosecution. Hence, the effect of late IDs filing results in reduced patent term adjustment.

Why Choose SmartIDS Solutions?

The effect of late IDS filing on Patent Term Adjustment is surely not in favor of you as an inventor/applicant. We, at SmartIDS Solution, are here to help you out. Timely delivery of information disclosure statements and opportune patent grant for your invention is our top priority. We provide ready to file IDS forms in USPTO prescribed format. Our team remains up-to-date with the current regulations and always comply with the rules of the USPTO. To know how it works, do give a visit to Smart IDS Solutions.

1. **Patent Watch Services : A Vigilant Eye on Patent**

Do you really need Patent Watch Services? It does not matter which industry your firm operates in, it is necessary to watch all the activities of the competitors to remain safe. Doing so makes it easy to pick out any product/patent that may infringe or harm the reputation of your brand. Moreover, patent watch helps you to keep a close look at the following activities of your competitor:

Dynamics of IP

Patent litigation

Research and Development strategies

Development of Technology

Licensing and Acquisitions

Transferring the patents

Recent Patent related activities

Thus, the Patent watch allows you to stay a step ahead from the competitors.

Patent Watch Services: Must know

The Patent watch helps you to keep a track of the latest technology or information about the innovations related to the industry you are into. Moreover, these important updates motivate the research and the development department of the firm to think something more productive.

A Patent watch provides an update regarding new Patents and Patent Applications. Thus, it gives you enough time to act against the Patents that may harm or infringe your Patent or invention. The main goal of the Patent watch is to avoid Infringement from either side.

You can keep an eye on the expired/abandoned Patents or the patents which may soon fall into the public domain. This enables you to sort out the Patents which are safe for your use.

The patent watch helps you to modify your patent/product in time if your technical team finds out that it is infringing any other patent/patent application. Thus avoiding legal actions against you.

You not only get to know about the details to new inventions but you can also seek the advantage of the information that is open in front of you.

Patent Watch Services: Fields

A company that provides services or produces goods must seek the help of Patent watch services to be on the safe side. There are a few types of watch services available for these firms:

Design watch:

It monitors the Design Patents that are recently published or granted. Also, it tracks the expired or abandoned/rejected Patent applications.

Trademark watch:

The Trademark watch service tracks the Trademarks which are newly filed or granted.

Infringement watch:

The Infringement Watch service keeps an eye on fresh EOU (Evidence of Use) in various fields i.e. Goods, process, services, and others.

Competitor patent watch:

The competitor Patent watch tracks the competitors in the same industry to get information regarding the grant, rejection, publishing or expiration of the Patent application.

Technical patent watch:

Technical Patent watch searches for the Patents which are newly grant or published in the relevant technical field.

Patent legal status watch:

It helps to check the status of the Patent application during processing and the Patent after acceptance. Also, it allows updating the client for any sort of change or iteration needed in the Patent.

There are various types of Patent watch services and it is better to seek the help of a patent specialist. This will help you to know which type of Patent Watch services will benefit you the most.

Related Article: How to Draft an Accurate Patent Claim?

Why only the Patent Watch Company?

The Patent Watch Company receives input from you and utilizes them as the base to the search online and manually. As soon as we receive the data, our experts start preparing the strategy and working plan for the task. Also, they inform you on a regular basis with timelines, work progress and expected results. We deliver the outcomes within the deadlines and at a budget-friendly price. Our motto is to completely satisfy the customer and provide better than what they want. To seek more advantages of our services, please visit The Patent Watch Company.

1. **Patent Illustration Rules: Must Know**

Patent Illustration rules are the standards set by the USPTO for drawings, pictures, and diagrams present in the patent application. An illustration requires you to explain and outline the subject matter that associates with the patent. The illustrations are essential in almost all patent applications. Thus, to increase the chances of getting a patent grant, it’s important to follow patent illustration rules given by the USPTO. The illustrations don’t have to be works of art but describe and demonstrate the invention with a great deal of accuracy.

Related article: How to create a quality patent illustration?

The Patent Illustration Rules: Key Points:

Good quality patent illustrations are very important for the correct disclosure of the invention. So, there are some of the general rules one needs to follow while creating a patent illustration. The patent illustration rules are as follows:

Colour drawings:

Utility patent and Design patent rarely accept color drawings. Also, they may be necessary as the only practical medium to disclose the subject matter. The color drawings must be of sufficient qualities such that all the details are reproducible in black and white printed format. Although, one cannot use color drawings in the PCT application.

Graphic Forms in drawings:

Tables, formulas of mathematics and waveforms are subject to the same rules as any other type of drawing. Formulas and waveforms also have specific requirements:

Formulas: One needs to label each formula as a separate figure and include brackets to show any necessary information.

Waveforms: The presentation of waveforms must be in a single figure that uses a vertical and a horizontal axis to showtime. Also, each individual waveform must have a letter designation adjacent to the vertical access for identification.

Tables: The tables in the illustration should be present in the sideways of the sheet. Also, the top of the table must be present on the left side of the sheet to make it look desirable.

Click Here to Download (Free Samples)

Views of the drawings:

It is one of the most important factors in the patent illustration rules. To show how the product looks and works, one needs to use several viewpoints in the drawing. If possible, one should use the following views of the invention:

The standard six views which include front, back, right, left, top and bottom view.

Perspective views with three dimensions.

Only the front and back views of a flat object.

Sectional views to show the function of the object.

Exploded views to show how a single part works during the operation of the invention.

Shadingis another key part of the patent illustrations. It shows depth, contour and texture of the object. To do this, one can use dots, lines and distinctive patterns.

Margin Requirements:

Margin requirements are also an essential part of the patent illustration rules. The sheets must not contain frames around the usable surface of the object. But they should have a scan target point that means cross-hairs printed on two corner margins. Each sheet must include:

A top margin of at least 2.5 cm.

A left-side margin of at least 2.5 cm.

A right-side margin of at least 1.5 cm.

A bottom side margin of at least 1.0 cm.

Identification of the illustration:

The patent application must include Identification of the drawings. Hence, it should include the title of the invention, inventor’s name, and the application number. If the assigning of the application number has not taken place, one should use the docket number. Also, the placement of these to identify the illustration must be on the front of each sheet, centered within the top margin.

Other Considerations:

Even with all these rules, there are some general considerations that one should take into account while creating patent illustrations. These are as follows:

Copyright or Mask Work Notices:

You can place these notices in the illustration directly below the portion they pertain to. However, they must only be 1/8 inch by ¼ inch.

The numbering of sheets:

The numbering of the illustration must be in Arabic numerals in the middle of the top of the sheet. But it should not cover the margin. Numbers can move to the top-right if they interfere with the illustration.

The numbering of views:

 Views numbering must be independent of the sheet numbering. Partial views must also use Arabic numerals followed by a capital letter.

Security markings:

Security markings use is essential in the center of the top margin.

Corrections:

 All corrections that one submits with the patent illustration must be permanent and durable.

The character of Lines, Numbers, and Letters:

All illustrations are made by a process which will give them satisfactory reproductive characteristics. In short, every line, number, and letter must be durable, clean, uniformly thick and well-defined.

Symbols:

Graphic illustrations use symbols for the conventional elements when appropriate. The elements for which one uses symbols must have an adequate identity in the specifications. Known devices should use symbols which have universal recognition and are generally accepted in the art.

Paper used in the illustration:

The paper must be white, flexible and strong. The USPTO allows only one-sided writing on the paper. One should use black ink on white paper. The paper size must be either 21 cm by 29.7 cm or 21.6 cm by 27.9 cm.

The illustration should be drawn on a non-crowded scale at 2/3 size. Indications like full scale or “1/2 scale” are not acceptable.

Related Article: Difference between Illustration and Drafting: For a Perfect Patent Application

Looking for Patent Illustration? – Patent Illustration Express

Patent Illustration plays a vital role in a patent application for displaying of the invention. If you are looking for any assistance regarding patent illustrations, Patent Illustration Express (PIE) will guide you with the illustration guidelines. PIE is a team of professional patent illustrators, who provide our clients with super-fast delivery of the illustration services. Our team creates illustrations that have 100% compliance with the patent illustration rules. Furthermore, PIE provides flexible output formats to our clients with full satisfaction guarantee. Also, we make sure to cover a descriptive invention for our clients through illustrations. For more information, Visit Patent Illustration Express.

1. **Best Patent Drawings services – Whom to trust?**

Patent drawings services are the services provided by Patent illustrators. This includes the creation of drawings according to the Invention. Every new Invention needs an illustration in the form of drawings to ease the interpretation of the invention.

Patent drawings services provide a professional’s touch, who ensure that your drawings follow the latest guidelines and regulations. They will boost your chances of getting a patent grant with great drawings. But, you must be wary of which service to hire. Let’s look at every aspect of patent drawings and the services, one by one.

Patent drawings and their need

Patent drawings comprise of the set of illustrations that describe an Invention and its various features precisely. They are submitted during the Patent filing process, to help the Patent examiners understand the Invention clearly. During the process of drafting a Patent application, the applicant needs to describe the invention in the best possible way. If they do not provide a detailed description, he/she can lose the possibility of getting the Patent.

Thus, for dealing with this problem we need Patent Drawings. A Patent Drawing helps to illustrate the Invention thoroughly, as it contains

The physical design of every part of the Invention.

Different views of the Invention, including exploded and sectional view.

The detailed working principle of the Invention.

Processes and steps required for the making of the Invention.

Graphs, charts, formulas, tables and key aspects of the Invention.

Also Read: Patent Watch Services : A Vigilant Eye on Patent

Patent drawings on Patent Prosecution Process

For a Patent to either get granted or not, patent drawings are the deciding factor. They play a significant role in the decision related to the Patent.

The Patent drawings contain visual details about the invention. They describe the parts of the Invention with different views; this helps the Patent examiner to understand the Invention clearly and easily.

The Patentee could also include the points in the drawing that he might have forgotten in the written description.

The more detailed the drawing is the more are the chances of acceptance for the patent application.

The Patent application can get accepted the very first time if proper drawings are provided. This may help the Patentee to save precious time and money as he won’t have to file for the same Patent again.

Also, visit: 5 Major Benefits of Patent Paralegal Service

How to get the desired Patent drawings services?

By now you must have realized the worth of a good patent drawing. Now the question arises, How to get one?

It is a time taking and complex procedure, but you don’t have to take any burden on yourself. We already have a solution in the form of TPDC. They own Patent experts and professionals that are ready at your service for an escape to this problem.

You just have to provide them your Input data in any form, such as photographs, videos, sketches, etc. They will confirm your order online. The moment they receive your files, their team of experts starts preparing the drawings. You can check the running work at any time you want. Your drawings will be delivered within 4-6 working days and you will be able to download them from your TPDC account.

They also provide you free iterations until you get fully satisfied. This step is rarely used though as they try to present you with the perfect work at the very first time. patent drawings services

Since the last decade, they are known for their adequate, reliable, instant and quality services. They provide services on Patent drawings that are within the guidelines of the USPTO.

Let us make your Invention a masterpiece

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1. **A Quick Guide for Patent Registration**

Do you wish to get patent registration in India? A patent registration helps one to get the legal rights of a certain invention. It is an exclusive right given to the inventor that restricts others from selling and making use of the same. It stands for 20 years before coming in public domain. There are certain mandatory steps involved to complete the patent registration process in India. The patent registration process and several steps involved in the process are discussed below.

Patent Registration Complete Process:

Check patentability of the invention by Prior Art Search :

A prior art search helps in checking the patentability of the invention. You can perform your patent search here to determine the patentability of the same. It helps in determining that the invention is already in use or not.

Draft a patent application :

Once you have completed your patent search in order to complete your patent registration, drafting of the patent application comes into play. You need to complete your application which has to be accompanied by a patent specification. The patent draft is important as it helps to specify and declare in-depth information about the invention which in turn will help the patent application getting proper protection. Whether a patent will be granted or not is decided by a patent draft.

File the patent application:

The next step of patent registration is the filing of the drafted patent application. If the state of invention is yet to be completed, file a provisional application, and if the invention is in a complete state, file a complete application for that patent. If one has filed a provisional application, there is a time of 12 months allocated to the applicant for filing a complete application. Declaration of the inventor’s name is one of the most important things to mention in the application. The application is to be submitted to the patent office of the region where the applicant resides.

Publishing of the patent application:

The patent office publishes the patent application. Further, after 18 months to a prior date, the application gets its publication in the office patent journal. Only the publication of complete application takes place. If the application is provisional, then one needs to complete it to publish the application. It is important to publish the patent application as early as possible due to the fact that the rights of the patentee start accruing only after the publication date.

Examination of the patent application:

This is one of the most important parts of the whole process of patent registration. After the application is published, it goes to the patent examiner for the examination of the application. The examiner compares the details of the invention to the prior art. The examiner asks to amend the application if any obligation is present in the application. The application moves ahead by issuing out a letter to the applicant citing the requirements. The application won’t move further if the applicant is unable to satisfy the required examiner’s objection. On the contrary, the patent application moves ahead if the applicant provides acceptable arguments and clears all the objections of the examiner. This is the last step before the grant of patent.

Patent Grant:

Finally, the application gets a patent grant after following all the above steps. However, the patent gets grant only after clearing all the objections of the patent examiner.

Looking for Patent Registration?

It is true that patent registration is a time-consuming process. There are tons of inventions happening all around the world and whoever files the patent application early gets the legal rights of the patent.

 Your Patent Team (YPT) would help you in doing so. YPT is an exclusive group of the world’s leading technology experts. We are having more than 225 employees serving in more than 45 countries and helping innovators to file the patent. Our professionals have an in-depth understanding of the working style of each of the four patent offices in India. The experts utilize their experience to help you complete the patent registration process effectively. We will assist you with all the steps involved in the registration process.

1. **Who is an IP Paralegal and Why do You Need One?**

While dealing with matters of intellectual property, an IP paralegal is of very high importance. IP matters always involve a lot of paperwork, keeping tabs on deadlines and a lot more. An IP paralegal can act as a super assistant because it’s their job to make your life easier.

But how exactly can they help you? To what extent can they help you? It is important to know everything before hiring one that you know how much money to allocate for this. Let’s dig in and find out everything there is to know.

Also, Read: Intellectual Property (IP) Paralegal Facts

Who is an IP Paralegal?

An IP paralegal, as the name suggests, is a paralegal that specializes in matters of IP. Their job is to assist in IP matters such as patents, trademarks, copyrights, etc. They work with clients to help them protect their IP by assisting them in various processes. These processes include preparing trademark, patent or copyright applications, assisting intellectual property litigation, and conducting IP research.

To be an IP paralegal, one needs to not only have the legal knowledge but also some technical knowledge/experience as well. Preferably, one should have a scientific background in terms of education, like engineering, life sciences, or biotechnology. This makes the job of an IP paralegal harder than a regular paralegal.

Let’s understand their job responsibilities in greater detail further.

Role of an IP Paralegal

Now, you understand what an IP paralegal is. Let’s focus more on their role now. They are responsible for handling a lot of paperwork and maintaining the application docket. It is a challenging task which requires a lot of vigilance and awareness.

You can see that their responsibilities focus on 5 domains, which are:

IP Research

Before filing any form of intellectual property, it is vital to perform a background check. Whether it is trademark, patent or copyright. Every aspect of IP requires you to be absolutely firm and assertive about your creation so that you can get the right protection for it. If you find something similar to your creation then you may not get protection for your IP. Hence, researching before filing is very important.

An IP paralegal will conduct searches like:

Prior Art Search

Patent Novelty Search

Trademark Search

Patent Invalidity Search

They can also conduct other relevant important searches so that you have all the information before making a decision.

Document Preparation and Filing

This is an absolutely critical task and requires skill as well as experience. Any IP document needs to be elaborate, thorough, and completely unambiguous. You will need their assistance and expertise in the following processes:

Patent Drafting and Patent Filing

IDS Preparation and Filing

Patent Proofreading

Trademark Preparation and Filing

Other necessary IP documents

Client and Court Interactions

Their job also requires them to act as an intermediary between the court and the client. Such processes require lengthy interactions, both via written documents and in-court hearings. An IP paralegal will help you to prepare documents such as Office action response.

They will try their best to help you secure protection for your IP.

Docketing and Tracking Deadlines

The amount of documents in any IP process is very large. Naturally, you will need to keep them in an orderly manner. An IP paralegal can efficiently docket your documents. They utilize docketing systems to help them manage all your documents easily.

Also, they will ensure that you don’t miss any deadlines and stay up-to-date about everything happening with your application.

Watching your IP Post Grant

Once you secure protection for your IP, you also need to guard it. If an infringement occurs, then it is your responsibility to enforce your rights. An IP paralegal service can provide you with Patent Watch and Trademark Watch among other watch services.

They will monitor your IP and sound the alarm as soon as an infringement occurs.

Need Paralegal Assistance? – Patent Paralegal Force

For any technology company or R&D, the main concern is to keep track of their leading competitors, dynamically. This can become tricky to do if you are alone or new to this. You should consider hiring a professional like Patent Paralegal Force.

We provide you with patent application monitoring. We alert you on a regular basis about the latest patents in your field of invention. Our fully-functional team of paralegal professionals uses state-of-the-art tools, which reliably provide a bouquet of services. These include docketing for multiple countries, proofreading, end-to-end IDS management, document procurement, data verification and even form preparation and filing. We are currently serving our clients from more than 45 countries. Client satisfaction is paramount to us. So, we offer the best paralegal services at a negligible cost.