Patent application procedure (...and costs)
Reminder...

What can be patented?

- Inventions which are:
  1) **New** – not already in prior art
  2) **Inventive** – not obvious to someone skilled in the art
  3) **Industrially applicable** – solves a technical problem

Date of Filing
The Patent System

- Patent Application
- Application published
- Applicant (20 years)
- Granted Patent
- Publication
- Application withdrawn prior to publication
- Applicant (if kept secret)

Knowledge Transfer | Accelerating Innovation
Finding Happiness In... 20/03/2018
Application procedure...
Question...

When can you disclose information about your invention without jeopardizing your patent application?
Disclose only after filing (typically)
PCT vs. Paris Convention

- Costs for:
  - translations
  - Office fees
  - local agents

- File local application
- (months) 0
- Paris
- (months) 12
- File applications abroad
- International publication
- (optional) Request for supplementary international search
- (optional) Supplementary international search report
- Enter national phase
- (optional) International preliminary report on patentability
- (optional) International preliminary examination
- (optional) File demand for International preliminary examination
- File PCT application
- (months) 12
- PCT
- (months) 16
- (months) 18
- (months) 22
- (months) 28
- (months) 30

Patents cost money

Prosecution (approx. 3 – 5 years)

Cumulative CHF for an application covering Europe, US and Japan

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Search for commercial partners (licensing)

Revenue
Patent application v. patent

• Patent application:
  Document as submitted to the patent office.

• Patent:
  Document as granted (i.e. approved) by the patent office

How can you distinguish between the two?
It is written on the document
A = Application
B = Patent
A note on European patents

There is no such thing as a European patent that is legally enforceable over all European countries.

Once a European patent is granted it must be validated, and subsequently renewed, in each individual country of the applicant(s)’ choosing.
Questions?