

ELG's Practical Guide to

COMMON PATENT APPROACHES

for the
Cost-Conscious Inventor

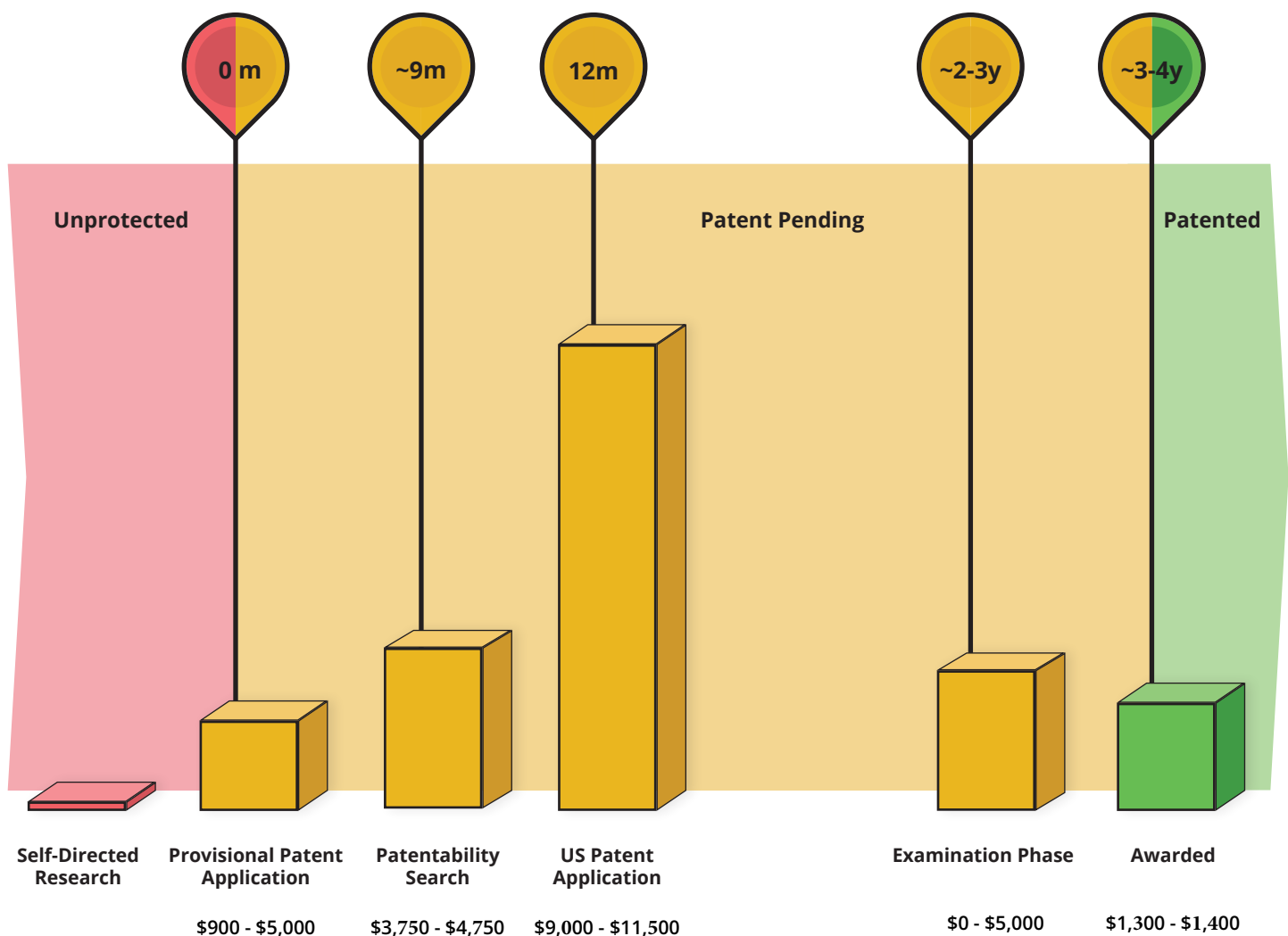
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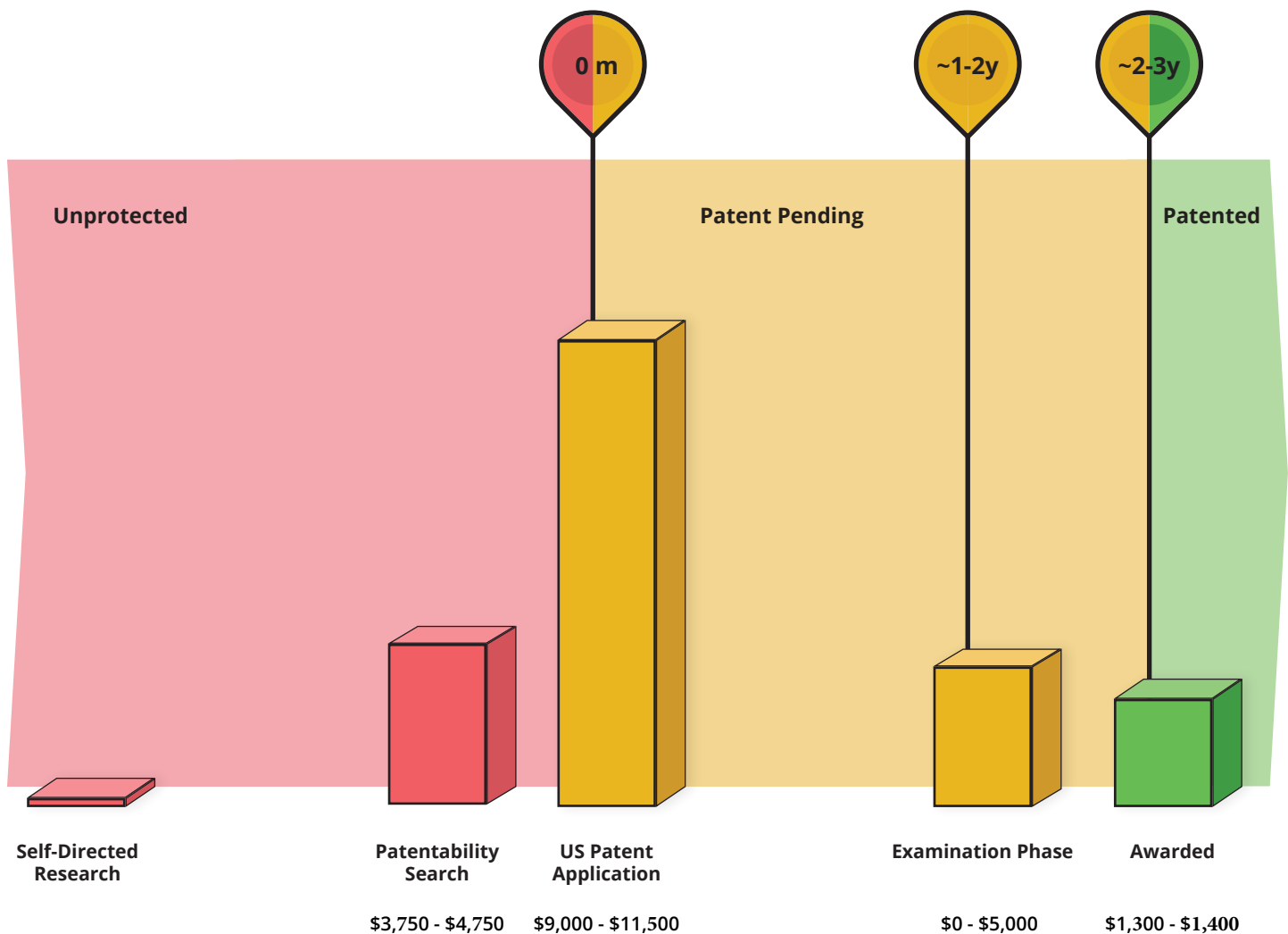


Provisional (PPA) First

Many US inventors start the patent process with a Provisional Patent Application (PPA). Filing a PPA is a bit like making a restaurant reservation. In a way, the PPA saves your place in the line of every patent office in the world for 1 year. Use that year to explore technical modifications, test commercial viability, raise capital or solicit licensees. If international patent rights are desired, a PCT application can be filed within 12-months, provided the invention was not commercialized or revealed to the public before the PPA filing date.

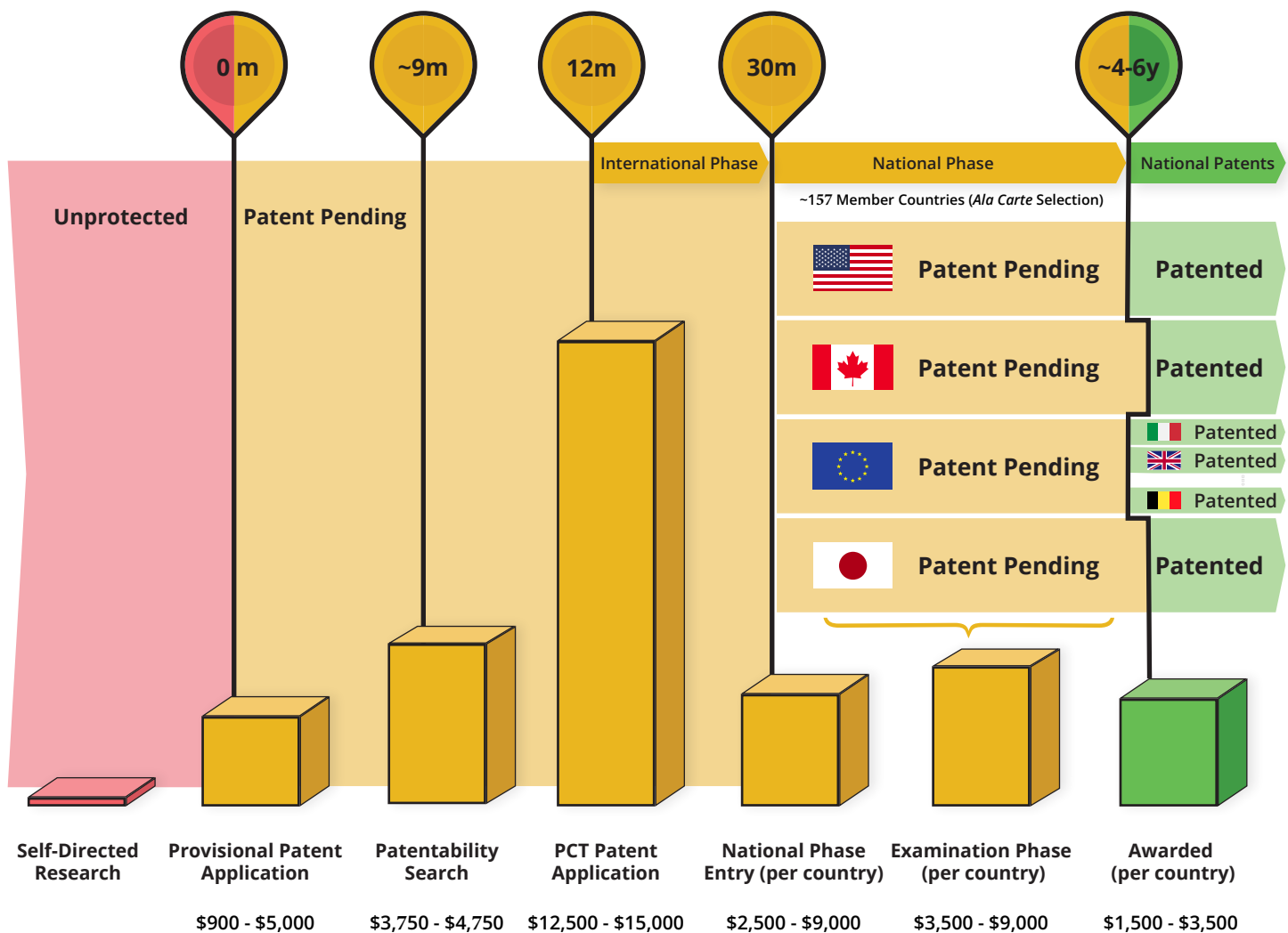


When an invention is fully developed AND its commercial value is certain, it might make sense to skip the PPA and go straight to a Utility Patent Application. In the long run, this will save some money and result in a patent awarded sooner. Before filing the Utility Patent Application, it is very important to conduct a quality patentability search. If international patent rights are desired, a PCT application can be filed within 12-months provided the invention was not commercialized or revealed to the public before the Utility Patent Application filing date.



Going International (PCT)

A PCT application is a common approach to obtaining international patent protection. First, a patent application is filed in the US and then within 12 months the PCT application is filed. (Provided the invention was not commercialized or revealed to the public before the original US filing date.) The graphic below shows starting in the US with a PPA, but a Utility Patent Application works too. Many inventors favor this approach because important decisions and a significant portion of the costs can be deferred for 2½ years (30 months) after the original US filing date.



Average costs for a simple mechanical invention in 2025 @ Small Entity Rate. For comparison purposes only. Actual costs may vary. © 2024 Endurance Law Group PLC. All rights reserved