

The PATENT PROCESS

STC.UNNM

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Disclosure

When Should You Disclose an Invention?

- ❑ As soon as the invention is clearly conceptualized
- ❑ Before public disclosure in such documents/events such as abstracts, manuscripts, seminars, posters or even news articles
- ❑ It is never too early to call STC to discuss if it is the right time to disclose
- ❑ STC can file provisional patent applications very quickly to protect your idea in advance of public disclosure

Disclosure Process

- ❑ Prepare an invention disclosure form (IDF) and submit it to the Research & Technology Law (RTL) office or STC
- ❑ Form is available on the STC website at www.stc.unm.edu/inventors/downloads.php
- ❑ The IDF should contain:
 - a complete description of the invention
 - dated signatures of all inventors
 - dated signatures of witnesses who understand the invention
 - dated signature of the department chair

Intellectual Property Protection

- ❑ Patenting is the most common
- ❑ Other forms of protection include:
 - trademarks
 - copyrights
 - trade secrets

Types of Patents

- ❑ Plant
- ❑ Utility
- ❑ Design
- ❑ Provisional

What Is a Patentable Invention?

- ❑ Any new and useful process, machine, method of manufacture, composition of matter or any new or useful improvement thereof
- ❑ Must be non-obvious to someone “skilled in the art”



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Provisional Patents

- ❑ Lasts one year
- ❑ Can be filed quickly
- ❑ Holds your place (no new information)
- ❑ On file with U.S. Patent and Trademark Office (USPTO)
- ❑ Can be less expensive
- ❑ Multiple provisionals can be filed and folded into one utility application

Utility Patents

- ❑ Length: 20 years from filing
- ❑ Time from filing to issuance (prosecution) is 2 to 4 years
- ❑ Cost \$8,000 to \$50,000 (\$15,000 average)

Questions and Discussion