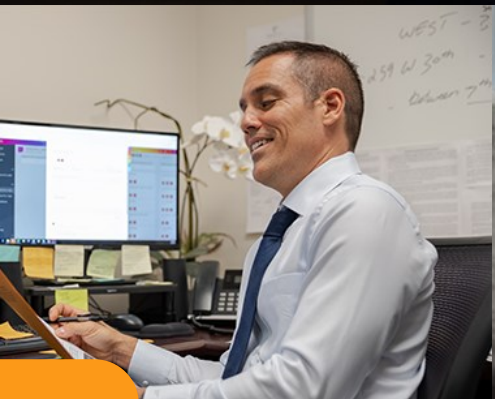




THE
PLUS IP FIRM
Patents.Trademarks.Copyrights.



THE PLUS FACTOR
+ PATENTS

WHAT'S NEXT?



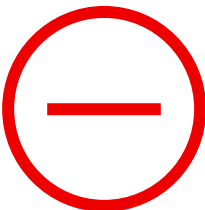
RECEIVE ENGAGEMENT LETTER AND
PAYMENT INSTRUCTIONS



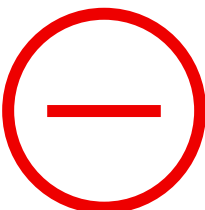
SIGN ENGAGEMENT LETTER



RENDER PAYMENT



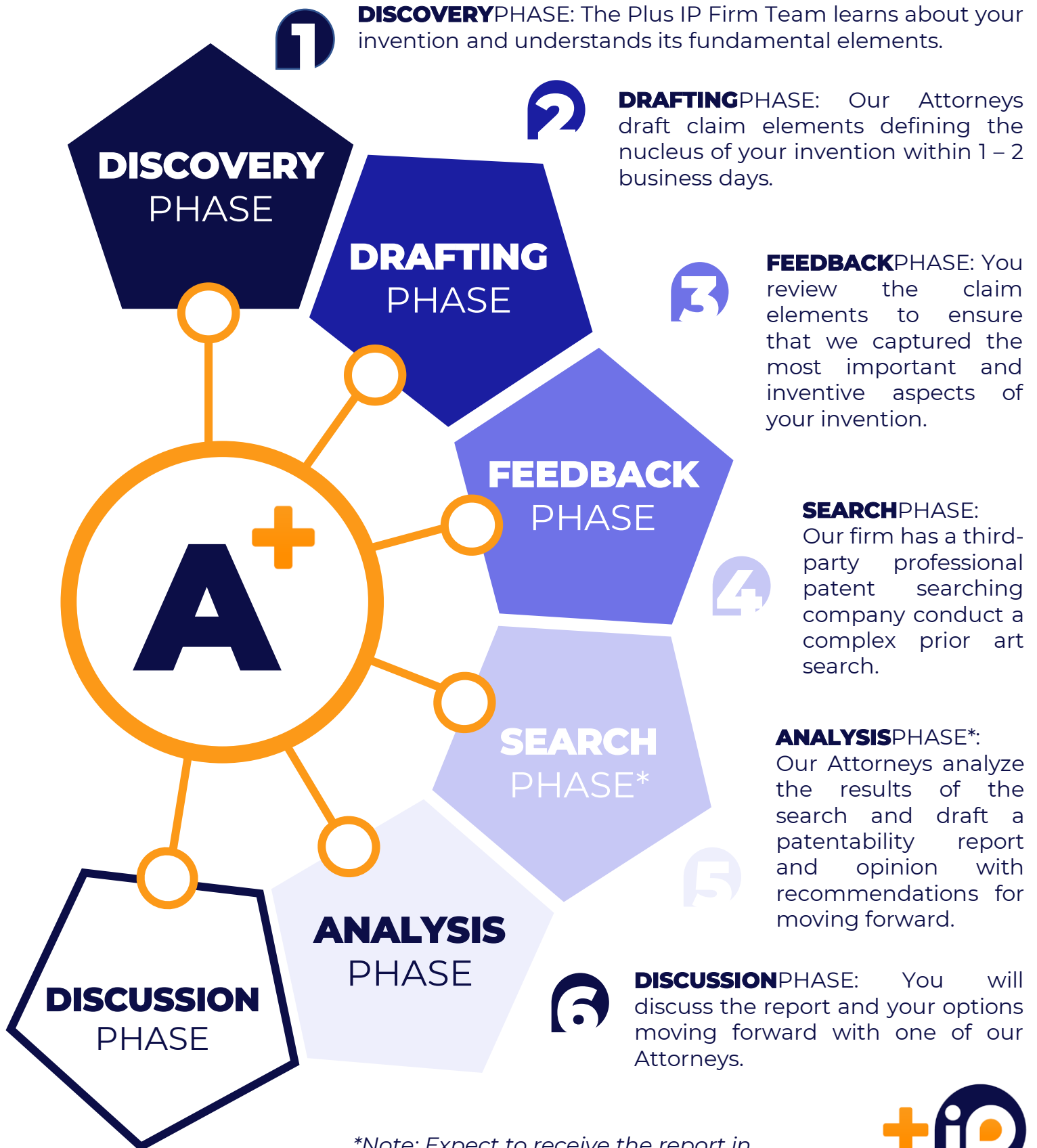
SCHEDULE A MEETING WITH OUR
ATTORNEYS TO GO OVER YOUR
INVENTION AND DRAFT CLAIM
ELEMENTS



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PRIOR ART SEARCH & PATENTABILITY OPINION

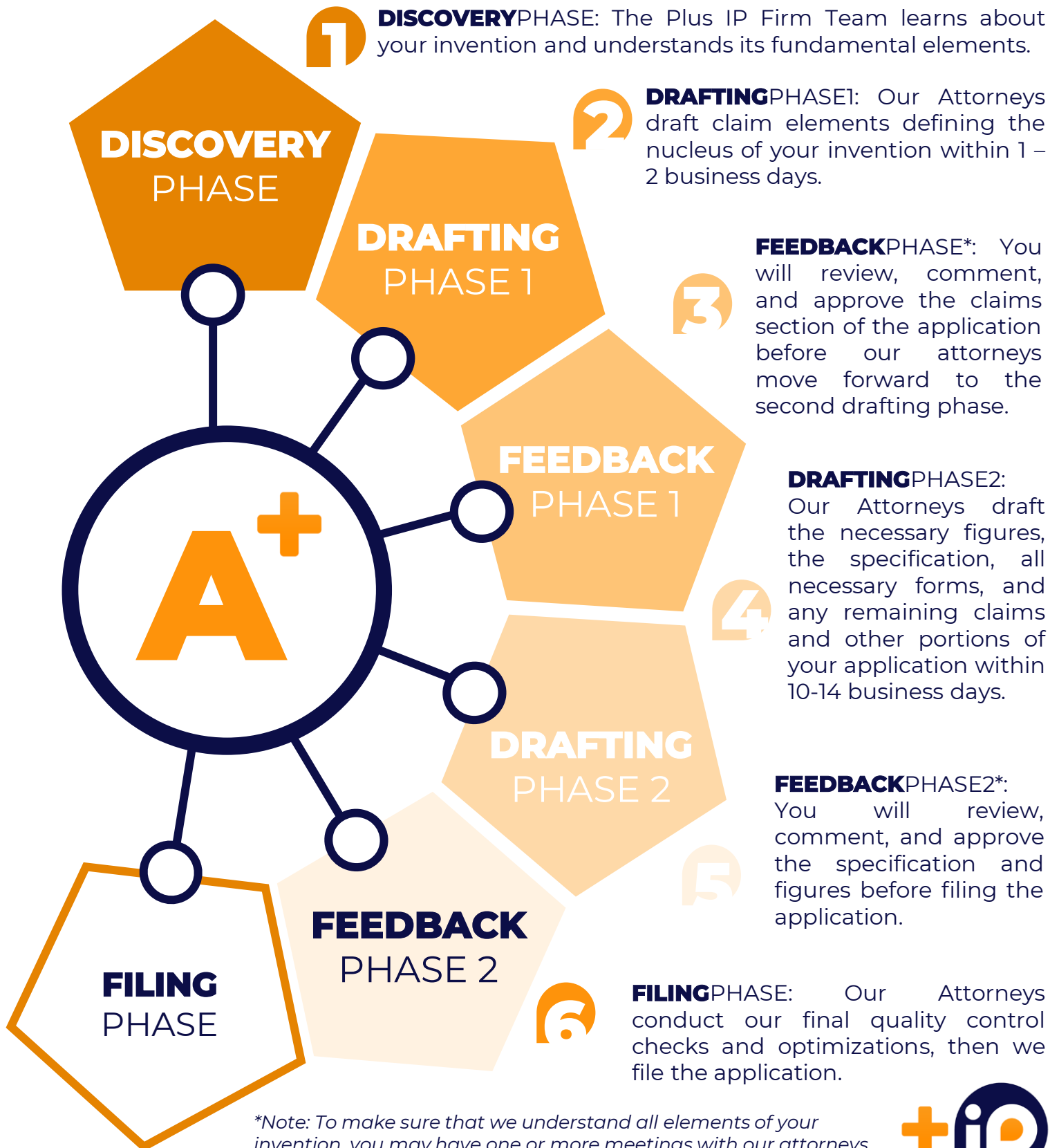


**Note: Expect to receive the report in approximately 7 – 14 business days*



THE PLUS FACTOR™

UNITED STATES PATENT APPLICATION



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U.S. NON-PROVISIONAL PATENT APPLICATION POST FILING TIMELINE

1

PENDENCY PHASE: This is the waiting period. The average application waits between 17 – 18 months before getting examined.

PENDENCY
PHASE

2

EXAMINATION
PHASE

EXAMINATION PHASE: After your application is assigned to an examiner, the examining attorney will review your application and most likely issue a non-final office action (95% of applications are entirely rejected in a first office action).

3

RESPONSE
PHASE*

RESPONSE PHASE*: Our Attorneys will analyze the office action, discuss it with you, and draft and file a response within 1 – 3+ months (may extend response to 6 months).

4

AFTER-FINAL
PHASE

AFTER-FINAL PHASE: If you receive a final office action then it is not the end of the road. There are numerous options to move forward. Our firm will draft and file response within 2 months.

5

NOA
PHASE

NOA PHASE: If the USPTO issues a notice of allowance, then you have 3 months to pay the issue fee for your patent to register.

6

PATENT
REGISTERS

PATENT REGISTERS: If registerable, your patent should issue in 17 – 24 months on average.

**You may receive additional office actions that require additional responses.*

uspto



PATENTFAQS

1. What is a patent?

A patent is a legal document that gives a patent owner a right to exclude others from making, using and selling an invention. The right to exclude others or monopoly on an invention can be a significant competitive advantage to a patent owner or business. In order to acquire a patent an applicant must file a patent application with the United States Patent and Trademark Office (“USPTO”).

2. When should I file a patent application?

Generally speaking, a patent will be awarded to an inventor who first files a patent application on an invention in the USPTO. This is known as a first-to-file system. Therefore, keeping an idea or invention confidential is extremely important. If you must disclose your invention before a patent application is filed, then you should have a Non-Disclosure Agreement signed by the receiving party. Generally speaking, because the entire world operates under a first-to-file system, the first inventor to file a patent application on an invention will acquire the patent rights on that invention.

3. What is a utility patent?

A utility patent protects any functional features or aspects of an invention. Generally speaking, the patent term of a utility patent, or length of time for which a utility patent is enforceable against others, is 20 years from the filing date of a utility patent application.

4. Do I need a prototype to file a patent application?

You do not need a prototype in order to file a patent application. The attorneys at The Plus IP Firm have filed many patent applications without ever having a working prototype. While having a prototype does provide other advantages, a prototype is not necessary to file a patent application. The attorneys at The Plus IP Firm can assist you in developing your ideas in order to prepare and file a patent application on your behalf.

5. What is a design patent?

A design patent protects, original and ornamental features of an invention. A design patent will protect the visual or aesthetic characteristics of a design. Generally speaking, the patent term of a design patent, or length of time for which a design patent is enforceable against others, is 14 years from the filing date of a design patent application. An inventor can acquire both a design patent and a utility patent on a single invention.



PATENTFAQS

6. What is a non-provisional patent application?

A non-provisional patent application must be filed in order to acquire patent rights on an invention. The main part of a non-provisional patent application is a section known as the “claims” section. The claims section of a patent application describes what an applicant believes is inventive about his or her invention. The claims section must be carefully drafted to ensure that the scope of the invention is not unnecessarily narrowed, while at the same time the claims must be drafted to ensure that the claims have the highest probability to pass examination by an examining attorney at the USPTO.

7. What is a provisional patent application?

A provisional patent application is a document that when properly drafted and filed with the USPTO establishes an early filing date for an invention. An early filing date is important in patent law because, the first person to file a patent application on an invention will acquire the rights on that invention. A provisional patent application never actually matures into an issued patent unless a non-provisional patent application is filed within one year of the filing date of a provisional patent application. A provisional patent application can be less expensive to file than a non-provisional patent application because the USPTO filing requirements and attorney time required to draft and file a provisional patent application are much less than that of a non-provisional patent application. Additionally, a provisional patent application allows an inventor to establish an early filing date while allowing an inventor to “tweak” features of an invention before filing a non-provisional patent application.

8. When can I use “patent pending” on my marketing materials?

An inventor can claim “patent pending” status after filing a provisional patent application or a non-provisional patent application with the USPTO. An applicant may claim “patent pending” status as long as a patent application is pending with the USPTO. “Patent pending” status may be helpful for marketing as well as to possibly ward off some competitors.

9. How do I give notice that I have a registered patent?

If you receive a notice of allowance on your patent application, then your patent will issue, and you will be afforded a registration number. There is no formal way to give notice of a registered patent. The most common way to give notice is to use “U.S. Pat. No. X,XXX,XXX” or “United States Registered Patent No. X,XXX,XXX” or the like. Giving notice of a registered patent may be useful in the event of any patent infringement and calculating damages.

