

Patent Basics



Table of Contents



01	Introduction
02	Patent Basics
03	Patent Applications
04	Patent Search & Examination
05	Granted Patents
06	European Patents
07	Summary



Introduction

Patents offer inventors temporary monopolies on commercial use of their inventions, promoting technological development.

This guide explores the basics of patents, the application process, and key aspects of European patent systems.

Patent Basics

Patents are granted to protect inventions, requiring novelty, inventive step, and commercial applicability.

Key Findings



Novelty

The invention must be new, not publicly available before filing.



Inventive Step

The invention must not be obvious to a skilled person in the field.



Industrial Applicability

The invention must be capable of being manufactured or used.



Patent Applications

Patent applications are crucial for formalizing the exchange of information between inventors and patent offices.

They follow strict formatting guidelines and require detailed technical information.

The core element is the patent claim, precisely defining the scope of protection.

Patent Search & Examination

Patent offices thoroughly examine applications for novelty and inventiveness, comparing them to existing technology.

Key Stages



Search

Patent offices search for relevant prior art to assess novelty.



Substantive Examination

Patent examiners analyze the application for novelty and inventive step.



Office Action

The examiner notifies the applicant of any objections or deficiencies.

Granted Patents

Upon successful examination, a patent is granted, providing exclusive rights for a specific duration.

The standard duration is 20 years, starting from the application filing date.

Enforceability is restricted to the country where the patent was granted.



European Patents

The European Patent Office grants patents valid in multiple European countries, offering efficient protection.

Key Aspects



EPO Grant

The EPO grants European patents, providing protection in multiple member states.



National Validation

European patents must be validated in individual countries for enforceability.



Unitary Effect

Unitary patents acquire validity in all participating EU countries automatically.

Summary

Patents are a valuable tool for protecting inventions and encouraging innovation.

Understanding the patent system, including application requirements, search and examination processes, and the validity of granted patents, is crucial for successful patent protection.

Huber & Schuessler Patent Attorneys

Truderinger Strasse 246
81825 Munich
Germany

- info@patservice.de
- +49 89 437788 0

