

Inventors:					
Name	Home Address	City	State	ZIP Code	Citizenship

**Invention Title:** \_\_\_\_\_

**IMPORTANT TIME LIMITS FOR APPLYING FOR A PATENT**

**IMPORTANT: For U.S. patent protection:** Please note that under U.S. patent laws, a patent application *must* be filed within one (1) year of the earliest date of public disclosure, sale or offer for sale.

**IMPORTANT: For Foreign Patent Protection:** Please note that under the patent laws of most foreign countries, a patent application *must* be filed *before* any public disclosure, sale or offer for sale. Please contact us immediately if you desire foreign protection for this invention and you are soon about to offer it for sale, sell or disclose it publicly.

- Use:
 

Are there specific plans for its use? Yes  No

If so, Present \_\_\_\_\_ Future \_\_\_\_\_

Will it be incorporated into a current product? Yes  No

Date of first shipment or public disclosure: \_\_\_\_\_
- Conception of the Invention: \_\_\_\_\_  
 Date of first written description: \_\_\_\_\_  
 Where can this be found? \_\_\_\_\_  
 Presented or disclosed to others? Yes  No   
 If so, when? \_\_\_\_\_ Disclosed to whom? \_\_\_\_\_
- Construction:
 

Was a prototype made? Yes  No

Where can it be found? \_\_\_\_\_

Who worked on it? \_\_\_\_\_ Date completed: \_\_\_\_\_

Was it presented or disclosed to others? Yes  No

If so, when? \_\_\_\_\_ Disclosed to whom? \_\_\_\_\_
- Was the invention developed for a specific OEM or customer contract? Yes  No   
 If so, was it disclosed under a Non-Disclosure Agreement? Yes  No   
 Date it was executed? \_\_\_\_\_

Inventors Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Inventors Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Inventors Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Inventors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved, Read and Understood  
 Manager's Approval: Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**The inventor should provide complete written answers to the following questions (see helpful hints on pages 3-6 below):**

1. Technical field
2. What problem were you trying to solve?
3. How have others tried to solve this problem in the past?
4. How has the prior solution failed to completely solve this problem?
5. Describe your solution. (25 words or less)
6. Depict your solution using at least one drawing.
7. Referring to the drawing, describe how your solution works.
8. Describe the functional and/or structural differences between your solution and the prior solution.
9. Why do you believe your solution would NOT have been obvious to another inventor working on the same problem at the same time? (List all reasons.)
10. Describe all results achieved by your solution. (What happened? Start with results achieved relative to solving your problem. But don't stop there; give all other results as well.)
11. Describe the advantages of your solution over the prior solution. (Compare your solution versus the prior solution. As above, start with advantages relative to your problem. Then give all other advantages, also.)

## HELPFUL HINTS

Question:

1. Technical field

*Comment:* Be as specific as possible.

2. What problem were you trying to solve?

*Comment:* To begin, consider that there must have been a problem, or else your boss wouldn't have given you the job. So start there--what did your boss tell you to do? Try to focus on the functional problem encountered, whether mechanical, electrical, thermal, labor required, performance needed, etc.

Also, if you can locate relevant technical publications discussing the problem, attach copies here. Or at least give reference citations, so your attorney can obtain copies.

A special case is the problem of cost reduction. If you want to define the problem in terms of cost reduction, you're on the right track, but don't give this as your answer here. Instead, further analyze the cost problem in terms of the underlying functional problem which, if solved, will translate into the desired cost savings.

3. How have others tried to solve this problem in the past?

*Comment:* We do not exist in a vacuum. There is no absolutely new problem-only variations of old problems. Thus, how has this problem been solved before? These prior solutions to your problem are known as prior art.

Ask your boss, or your co-worker; or consult trade journals. If you can locate relevant publications, attach copies here, or at least give reference citations. The more research you do, the better. This is because your attorney will disclose this prior art to the U.S. Patent Office to prove that your invention is different from past technology, and thus legally novel.

While only one (1) example of a prior solution is required, the more examples, the better. Also, while you are not required to search for prior art, you ARE required to disclose to the Patent Office all prior art that you are personally aware of.

4. How has the prior solution failed to completely solve this problem?

*Comment:* The problem must not have been completely (100%) solved by prior solutions (the prior art), or else your boss, would not have asked you to work on the problem.

Thus, how have the past solutions failed to completely solve the problem? What are the shortcomings of the prior art, in terms of solving the problem?

All that is required is a description of how others have failed. Note there is no requirement to also describe why they have failed. However, if you know (or can guess) why the prior solutions weren't completely successful, you should include this in your answer. Again, attaching or at least referencing technical publications or articles will help.

5. Describe your solution. (25 words or less)

*Comment:* If you've done a good job in defining your problem, as above, then you should be able to state your solution (to the problem) in only a few words.

Hint: Try writing a sentence with 25 words or less, beginning with the words "I have discovered

..."

6. Depict your solution using at least one drawing.

*Comment:* While at least one drawing labeled FIGURE 1 is required, make as many drawings (FIGURE 2, 3, . . . ) as needed. Each physical or functional element should be labeled with reference numbers, using any convenient scheme, such as 1, 2, 3, . . . or 101, 102, 103, or any other scheme.

You should sketch all drawings by hand. This manual process will help you to identify the key elements of your invention. (In practice, some inventors will not give sufficient thought to their invention's key elements--the heart of the invention--until they hand-draw a picture of it.)

7. Referring to the drawing, describe how your solution works.

*Comment:* Describe each and every physical or functional element, focusing on how the elements interact with each other to solve the problem described in question 2. You should provide sufficient detail to enable another inventor working on the same problem to duplicate your solution. Also, if you know of a mode of practicing your solution which you consider to be better than any other mode, you should provide sufficient detail to enable the other inventor to duplicate this preferred mode, too.

Specific instructions for computer, digital, analog, hardware, software type inventions: Specifically, for computer, digital, analog, hardware, software or internet related inventions, the following information from the inventors must also be provided: Flowcharts/block diagrams with corresponding detailed description. Each physical or functional element should be labeled with a reference number (e.g. 1, 2, ...) on the drawings and used in the detailed description, such as:

- (a) Fig. 1. General hardware architecture block diagram, which shows physical devices (e.g., PC, CE device, network, specialized circuit, database, ...)
- (b) Figs. 2a-z. Details including sub-blocks in each important block in Fig. 1.
- (c) Fig. 3. Examples of hardware used in each sub-block in Figs. 2a-z.
- (d) Figs. 4a-z. Flowcharts and Description of the steps for EACH process in the invention (all functional aspects), and an indication of which hardware block in Figs.2a-z implements each process.
- (e) Fig. 5. Timing diagrams for interaction of hardware and software processes in time according to a sequence of events, based on communication therebetween, etc.
- (f) Using Figs. 1-5, describe how ALL different aspects of the invented method and system works. This includes a description of how the different hardware blocks/sub-blocks and software process interact according to the invention.
- (g) Describe the process purely in terms of actions and describe apparatus that could implement these actions separately.

8. Describe the functional and/or structural differences between your solution and the prior solution.

*Comment:* There must be differences--legally known as \$points of novelty--or else you haven't done anything new! Further, the more your solution differs from the prior solution, the more

likely it is that your invention is patentable. Thus, select the most important structural and/or functional differences, and discuss these differences in detail.

9. Why do you believe your solution would NOT have been obvious to another inventor working on the same problem at the same time? (List all reasons.)

*Comment:* To be patentable, your invention must be non-obvious. This means the invention would not have been obvious at the time the invention was made to another inventor working on the same problem. Hint: Study the prior art, and try to determine the prior inventor's approach to solving the problem. Then compare the old approach with your new approach. If there is a significant difference between the old approach and your new approach, the Patent Office probably will allow this as sufficient evidence of your invention's non-obviousness.

The Patent Office considers the information provided in response to this question 7 as direct (or primary) evidence of your invention's non-obviousness. As a result, give any and all reasons, regardless of how significant you personally believe them to be. No reasons should be considered as trivial or silly. (In practice, some silly answers given here later prove to be legally valid reasons that prove the patent's validity!)

10. Describe all results achieved by your solution. (What happened? Start with results achieved relative to solving your problem. But don't stop there; give all other results as well.)

*Comment:* There must be at least some results relative to solving the problem, or else there would be no solution to the problem. So give these results first. Then list all other results, including those not directly related to the problem.

List all possible answers here, both hard results--such as numerical values, graphs, curves, plots, charts, etc.--and soft results--such as worked better, improved error rate, or made customer happy. Also, give sales results, if available, or any other evidence of commercial success.

The Patent Office considers the information provided in response to this question 8 and the following question 9 as circumstantial (or secondary) evidence of your invention's non-obviousness.

11. Describe the advantages of your solution over the prior solution. (Compare your solution versus the prior solution. As above, start with advantages relative to your problem. Then give all other advantages, also.)

*Comment:* Your solution must have at least some advantages over the prior solution relative to solving the problem, or else you would not prefer your solution over the prior solution! So give these advantages first.

Then list all other advantages, including those not directly related to the problem. Include every advantage you can think of. Also, if you can support any advantage with analytical results, documentation, or other evidence, then include these items, too.

Example: Reduces cost by 10% (or whatever) per unit.

Other: Reduces power by 10% (or whatever) per unit.

Other: Reduces power by 10% (or whatever) per unit.

Other: Improves reliability by 10% (or whatever), thus decreasing annual maintenance costs by 10% (or whatever) per unit.

Other: Improves response time (or other measure of performance) by 10% (or whatever). Reduces number of integrated circuits (or other component parts) required by 10% (or whatever) per unit.

**In summary, the burden of persuading the Patent Office of your invention's non-obviousness rests on you, the inventor. To start, you should provide a convincing line of reasoning why your solution is non-obvious in question 7. If you cannot do this, you must overcome this deficiency with favorable results of your solution in question 8, substantial advantages of your solution in question 9, or both. Of course, the best approach is providing persuasive answers to all three questions 7-9.**

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