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## “Tip of the Month”

### Inventions, Patents and Preliminary Prior Art Searching What You Can Do!

Before having a patent attorney draft a patent application on your invention, it is a good idea to have a patentability / prior art search done. The prior art search may find that your invention has already been patented. You would want to know that before investing money in a patent application.

The prior art search is also useful for drafting the patent application. By finding the closest prior art, the patent attorney knows approximately how high a hurdle he or she must overcome to get a patent. The patent application can be drafted to avoid particular items of prior art while obtaining the broadest protection. This will increase your chances of getting a patent, and increase the quality of any patent that is granted.

Although Mesmer & Deleault offers prior art searching services for a fee, a resourceful client can do his/her own preliminary prior art search to find prior art references that would preclude patentability of their inventions. Here are some good Web sites to use:

U.S. Patent and Trademark Office: <http://www.uspto.gov/patft/>

This site has issued U.S. patents and published U.S. patent applications.

European Patent Office: <http://ep.espacenet.com/>

This site has international patents and published applications.

Google Scholar: <http://scholar.google.com/>

This site has technical papers and book references.

Even if you start the prior art searching process yourself, it is a good idea to have a licensed patent attorney interpret the results. Understanding all of the rules surrounding invention patentability is needed to determine whether your invention is patentable. Oftentimes, a lay person will presume his/her invention is unpatentable in light of prior art they found when, in fact, his/her invention is patentable. The licensed patent attorneys at Mesmer & Deleault would be happy to assist you.

If you need help or advice on patenting your invention, the patent attorneys at Mesmer & Deleault are happy to assist you. Please give us a call at 668-1971 or contact us using e-mail at *mailbox @ biz-patlaw.com*.

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