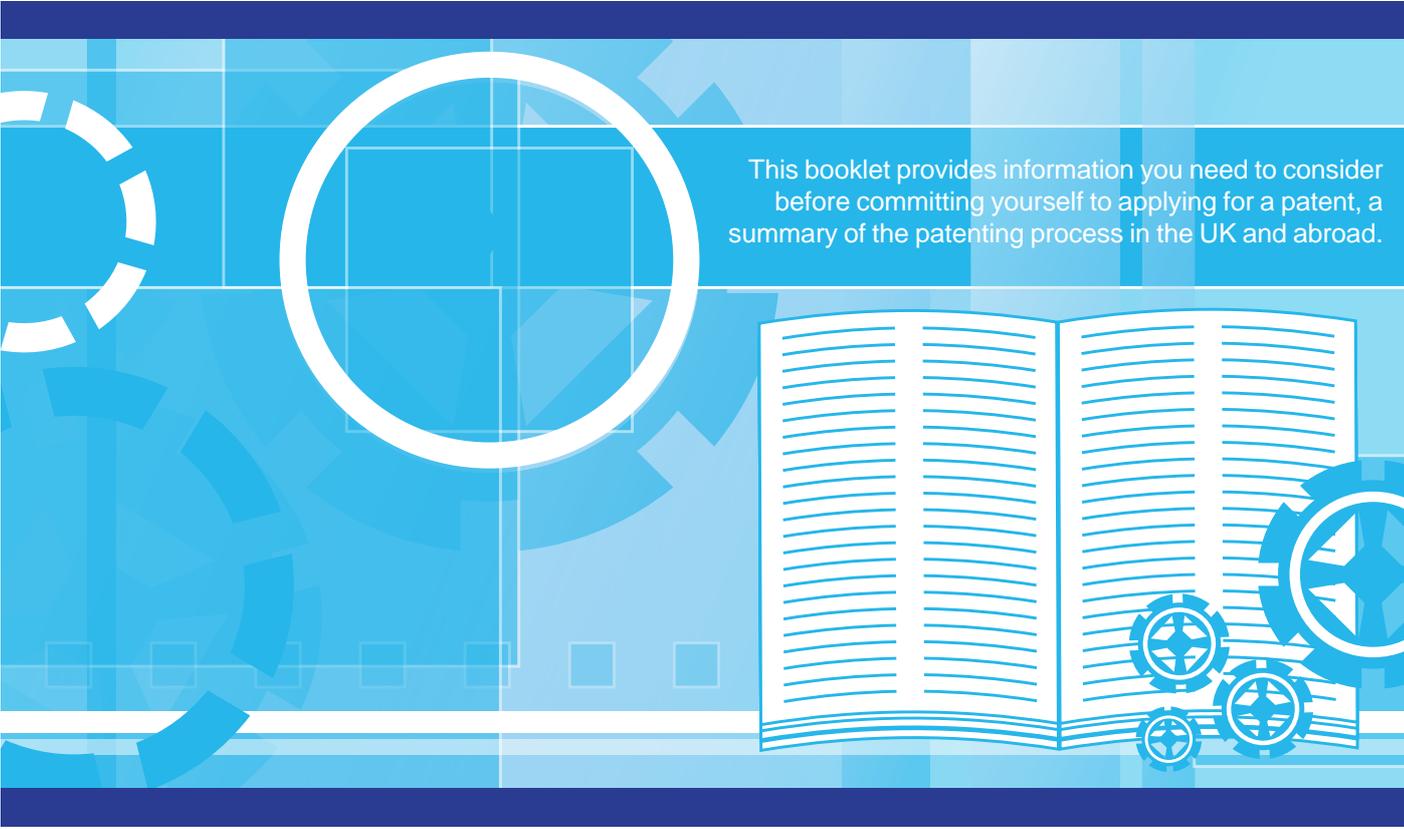




PATENTS:
Essential Reading



This booklet provides information you need to consider before committing yourself to applying for a patent, a summary of the patenting process in the UK and abroad.

All information contained in this document was correct at the time of going to print, and is available in alternative formats on request. For further Information please visit our website at:- www.ipo.gov.uk or contact us on:- **0300 300 2000**

>p...We use this symbol when there is more information on the page number shown.

Introduction This booklet provides information you need to consider before committing yourself to applying for a patent, a summary of the patenting process in the UK and abroad, and information about renewing, enforcing and exploiting your patent rights. Although this is not a complete guide, this booklet, together with our “**Patents: Application Guide**”, should give you the information you need if you decide to go ahead and apply for a patent on your own.

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It's your patent

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It's your invention: Look after it

Is your idea a secret?

By far the most common mistake made by people new to the world of patents is to reveal their invention too early.

If you reveal your invention in any way – by word of mouth, demonstration, advertisement, article in a journal or any other way – before you apply for a patent, you are making your invention public. This could mean that you lose the possibility of being granted a patent.

Beware who you talk to

If you feel the need to talk to someone before you apply, such as a potential business partner, you should ask them to sign a confidentiality agreement before you talk to them. This means they have to treat what you tell them in confidence. A solicitor or patent attorney can prepare this type of agreement for you.

Any conversation you have with patent attorneys, solicitors or our staff is confidential, so anything you say will not count as revealing your invention early.

Professional help

The basis of a UK patent is a legal document called a 'specification'. Its content decides not only whether a patent can be granted, but also exactly what the rights of any patent granted cover.

You can prepare a specification and apply for a patent yourself, but if you do not know a lot about patent issues, you should use a chartered patent attorney or other professional advisor with the skills needed to assess whether your idea is appropriate for patent protection, and who can prepare an application for you. Patent attorneys are legally qualified and independently regulated, and some will give you initial advice free of charge. So, make sure you are well prepared before any initial consultation. There are other patent advisors, consultants and inventor-support organisations who may also be able to help or advise you.

We are not allowed to recommend any particular patent attorney or other adviser. However, a list of patent attorneys is available from the Chartered Institute of Patent Attorneys (CIPA) (>p29) and most classified directories list local patent attorneys.

What are 'invention promotion' companies?

Some invention promotion firms may offer you free information on how to patent and market your invention.

Some unreliable firms promise to evaluate your invention for a fee of a few hundred pounds, then tell you that your invention has great market potential. They may offer to promote your invention to manufacturers if you pay a fee of several thousand pounds up front. Once you have paid up, they may do little or nothing for you.

Reputable companies will carry out the research and provide a genuine market evaluation giving you an honest review of your invention's potential. They don't use bogus research and mass-produced positive reports, or charge large advance fees up front, as some unreliable companies do. They will recommend what research should be carried out to evaluate your invention and, if the outcome is positive, how they would market it. They will give you an estimated breakdown of what the costs will be at each stage of the process and the level of risk involved.

If an invention promotion firm approaches you, take great care and question their claims and assurances that your invention will make money. No-one can guarantee your invention's success.

Entering into a contract with one of these companies is no different to any other major financial arrangement. Make sure your contract contains all the terms you have agreed to and be sure to get independent legal and financial advice.

The Consumer Direct website at www.consumerdirect.gov.uk gives more information. You can also get a step-by-step guide to using invention promotion companies from our Information Centre >p29.

If you have a complaint about one of these companies, you should put it to the Office of Fair Trading at www.offt.gov.uk or phone them on 08457 22 44 99.

2

It's your invention: Should you patent it?

What is intellectual property?

Intellectual property (IP) covers patents, registered trade marks, registered designs, design right and copyright. Like any other form of property or business asset, it can be bought, sold, rented or hired.

What is a patent?

A patent is an intellectual property right, granted by a country's government as a territorial right for a limited period. As long as renewal fees are paid every year, a UK patent has a life of 20 years and provides protection throughout the UK, but no further.

Patent rights make it illegal for anyone except the owner or someone with the owner's permission to make, use, import or sell the invention in the country where the patent was granted.

No state grants a patent lightly. There is a bargain – the state grants a patent in return for the information you reveal and the right for anyone to use your invention when the patent is no longer 'in force'.

What kind of things do patents cover?

Patents generally cover products or processes that contain 'new' functional or technical aspects. They are concerned with how things work, how they are made or what they are made of. Patents cover many different things such as electronics, medicines, agriculture and transport – anything in fact from a small detail in an electric switch to an entire power station.

Is a patent the best way to protect an invention?

A patent could be just part of your intellectual property plan. Applying for a range of intellectual property rights can help strengthen your product's position in the market and may even help keep its position when your patent runs out.

For example, a registered design can protect your product's appearance and a registered trade mark can set your product apart from others. However, please remember that a registered design only protects a single design, and a registered trade mark only protects the mark you endorse your product with.

Is there a patent mark?

There is no legal requirement for a product to be marked although it could help stop others accidentally infringing your patent rights. The terms 'patent pending' and 'patent applied for' are sometimes marked on products by manufacturers to show that a patent has been applied for. It's there to warn potential competitors that if a patent is granted and their product infringes the patent rights, the manufacturer will have the right to stop them making, using or selling the product.

Not marking your patented product does not prevent you from taking action against people who copy it, but marking products to show that you have applied for a patent when you have not done so or when a patent has ended is a criminal offence and you can be prosecuted.



Patents cover many different things such as electronics, medicines, agriculture and transport – anything in fact from a small detail in an electric switch to an entire power station.

It's your invention: Should you patent it?



It can take up to four and a half years to get a patent and part of the application process involves publishing the specification describing your invention for anyone to see before the patent is granted.

Is a patent the only way to protect an invention?

It can take up to four and a half years to get a patent and part of the application process involves publishing the specification describing your invention for anyone to see before the patent is granted. Bearing in mind that you cannot take action against anyone until a patent has been granted, if it's granted at all, a patent might not be the best answer. This is especially true if you need to market your invention quickly for competitive advantage. Applying for and renewing a patent can also be costly. The following forms of intellectual property may be more suitable.

- Registered designs – to protect the appearance of all or part of a product.
- Registered trade marks – to protect a unique sign, mark or symbol, such as a word or logo, that distinguishes your products and services from other products and services and is registered with a Trade Marks office.

- Unregistered design rights – if you keep your idea to yourself for your own use it may be protected automatically under common law. Unregistered design rights in the UK protect the three-dimensional shape of a 'new' design for 10 years from the date the product made to the design is first marketed. There is a similar right in the European Community, with a life of three years. Although these rights are automatic and free, you have to prove that actual copying has taken place if you want to take action against anyone you suspect is infringing your rights.

- Secrecy, private 'know-how' or confidentiality agreements drawn up by a lawyer may be more appropriate if your invention is a process or formula. Although these agreements are binding on the people involved, they may not be suitable in some circumstances. For example, once the product of a secret process is placed on the market, it is there for everyone to see and it may be possible to work out what the secret process is.

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It's your invention: Should you patent it?

The coffee jar below is a good example of four different ways to protect your intellectual property:

- Trade marks
Nescafé, Gold Blend and the Nestlé bird are all registered trade marks, (as shown by the ® symbol.)
- Registered designs
The look and shape of the jar is registered – number 2052231. (This is shown by the wording 'registered design' near the bottom of the jar.)
- Copyright
The design and text of the labels is protected under copyright law and Nestlé's ownership of copyright is shown by the © symbol on the label.
- Patents
Nestlé own many different patents related to various coffee subjects including freeze-drying and decaffeinating.

You can get more information about these different forms of intellectual property by visiting our website or by calling our Information Centre >p29.



Nestlé own many different patents related to various coffee subjects including freeze-drying and decaffeinating.

It's your invention: Can you patent it?

Is it a new invention?

Your invention must be novel, that is, it must never have been made public in any way, anywhere in the world, before the date on which you file your application for a patent. You'll probably be surprised how many inventions already exist, even though you have never seen or heard of them. Of the millions of patent applications filed around the world every year, many fail to be granted – normally because a similar invention has been published before. To find out if your invention, or something like it, already exists, you can carry out an exploratory search of your own. In the long run, it can save you the time and expense of applying for a patent that is unlikely to be granted. It can also help prevent you from unknowingly infringing another person's patent rights.

You can start a search by having a look through any relevant literature, such as:

- trade and specialist magazines;
- sales brochures and journals; and
- search engines and websites on the internet.

If you can't immediately find any 'prior art' – a legal term used to refer to anything recorded that is similar to your invention – you can search using online databases such as 'espacenet' (www.espacenet.com)

Inventions are classified during the patent application process and classifications are listed on the front page of most published patent applications. To make your search easier, you can ask us or a patent attorney which classification your invention falls into. This information is also available from the patents information section of the British Library or from any of the other PATLIB centres >p27.

There are copies of published patent applications and granted patents on our website in the espacenet database. Other database addresses, along with more detailed information about carrying out your own search, are also available on our website or from our Information Centre >p29.

If your search reveals that your invention already exists, you may decide it is not worth trying to patent your invention. If you don't find any prior art, it might still be safer to ask for a second opinion. You can do the following.

- Arrange for a 'commercial search' – our Search and Advisory Service (>p29) can carry out this search for you. However, we will charge you a commercial fee which is significantly more than the fee we charge for the statutory search we carry out once you have filed your patent application.
- Ask a patent attorney to carry out a specialist search on your behalf, although you will have to pay them for this service. Do get a written estimate before they start.

Is it the right kind of invention?

As well as being 'new', an invention can only be patented if it is:

- inventive – not an obvious modification of what is already known; and
- capable of being used in any kind of industry.

In other words, your invention must make a technical contribution. This means you can't, for example, patent a business method unless it involves some technical innovation. Computer-related inventions may be patentable, but only if they involve something more than just software running on a computer in a technically ordinary way.

- Other ideas that cannot be patented are:
- scientific or mathematical discoveries, theories or methods;
- literary, dramatic, musical or artistic works;
- schemes, rules or methods for performing a mental act; playing a game or doing business and
- methods of medical treatment.

If you are not sure if your invention is or isn't excluded, contact the office or ask a patent attorney >p29.

Are you entitled to a patent?

The applicant for a patent may be an individual or a corporate body, and people (whether individuals or corporate bodies) can make joint applications. But if you are not the inventor, you must identify the inventor and say how you have the right to the patent rather than the inventor. Whoever had the original idea is the inventor.

The inventor has the right to apply for the patent unless:

- they have transferred their right to someone else; or
- they made the invention in the course of doing something they are or were employed to do, in which case the right may belong to the employer. However, this depends on the circumstances of employment, for example, whether the person applying was employed to make inventions or not. The invention will probably belong to the employee if they were not employed to come up with new ideas, otherwise it will probably belong to the employer. Even if you invent something in your own time, in your own home and using your own resources, ask a patent attorney or a lawyer to check your employment circumstances carefully.

If a patent is granted to the employer, the employee may be entitled to compensation from their employer if the patent is considered to be of outstanding commercial benefit. Any employee who thinks they may be entitled to compensation should get professional advice from a patent attorney or solicitor. However, compensation is not often awarded.

It's your invention: Make the most of it!

Can a patent make you money?

A patent can make you money, but only if your invention will be a commercial success for you or someone else. Do take the time to investigate the financial implications and commercial possibilities before you begin your application for a patent.

Design and prototypes

You should consider producing a good-quality working prototype of your invention so you can:

- satisfy yourself that your invention really works;
- demonstrate your invention's potential to possible investors and business partners; and
- make sure it meets any product or industrial standards. If discovered later, these can add considerably to your costs if you decide to manufacture your invention yourself.

Getting the right design for your product can also be crucial to its success. Your invention may have enormous potential but a poor design could ruin its chances. If you are not skilled in design, employ a specialist designer who may not only make the product more attractive but may be able to help you produce a design that suits your manufacturing process better. Don't forget to ask anyone involved to sign a confidentiality agreement.



If you are not skilled in design, employ a specialist designer who may not only make the product more attractive but may be able to help you produce a design that suits your manufacturing process better.

Financial implications

Before investing in a patent, assess the financial potential for your invention. Be realistic.

- What is the size of the market for your product?
- How long is that market likely to remain buoyant?
- How quickly will your product become out of date?
- Is it likely to compete successfully with alternative or similar products?
- What will it cost to develop, manufacture and market your invention?
- What are the costs of applying for a patent?
- How much will the patent cost to maintain (renewal) and to defend (against infringement)?
- Can your product sell at a price that will cover your costs and make a reasonable profit?

Sometimes, inventors fail to appreciate that what may be an excellent product is too difficult and expensive to manufacture. Even if it has the potential to be commercially successful, you may decide that licensing or selling your patent rights outright is a better option.

Financial support

Although we cannot provide financial support to inventors, you may be surprised at just what is available. Any of the organisations listed on page 26 will give you information and advice on what you are entitled to, such as:

- grant schemes – national, regional and local ones;
- local authority enterprise support schemes;
- rent and rate relief;
- tax relief;
- export insurance; and
- awards.

There are also many European Union schemes that are designed to provide financial help to new and existing enterprises.

There are also many sources of private finance available, including:

- banks and other traditional lending organisations;
- individual investors; and
- financial institutions.

It's your invention: Make the most of it!

Business strategy

To fully realise the potential of your idea, it may help if you prepare a 'business plan'. This can be a valuable tool as it provides a structured approach to prioritising and helps you focus on what needs to be done. You are almost certain to need one if you hope to borrow money or attract investors and business partners.

A business plan is important because it looks ahead and will help you plot a path towards sensible, realistic and achievable goals. It can be as simple or complicated as you like, but should cover:

- spending, income, profit and cash flow;
- sources of funding;
- market research and development testing, including producing prototypes;

- manufacturing plans, including site, machinery, employee and other resource needs;
- marketing and distribution plans;
- a pricing scheme and sales predictions;
- a risk assessment; and
- an implementation programme with fixed targets.

There is a list of organisations that can give you business advice, information or contacts >p26.

Do remember that a UK patent will only protect your invention in this country. You can apply through the office for a European or international patent or directly to individual patent offices in other countries. Again, consider the potential size and success of your invention when selecting countries overseas, and remember to include any extra costs, such as translation. For more information >p14-15.

A business plan is important because it looks ahead and will help you plot a path towards sensible, realistic and achievable goals.



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It's your invention: Make the most of it!

Potential partners

Don't forget to keep your invention secret when you are developing your idea before applying for a patent. There will be situations where a contractual or confidentiality agreement is important, for example between you and:

- a person or company investing in your idea; or
- a person or company supplying professional advice – except patent attorneys and solicitors who are covered by professional rules and so owe you a legal duty of confidentiality.

Do agree at the start who will own the patent rights that result from any collaboration. A patent attorney can either help or refer you to a solicitor with the appropriate experience to draft a suitable contract for the particular circumstances – don't forget to ask for a written estimate of the fees they will charge for this service.

If you are approached by, or consider working with, an invention promotion company, we strongly advise you to take professional advice before you give them any information or make an agreement >p3.



Don't forget to keep your invention secret when you are developing your idea before applying for a patent.

It's your invention: Protect it

When should you apply for a patent?

There are no rules on when to apply, except that your idea must be secret on the day we receive your application – the 'filing date'.

While applying early may make sure you are ahead of anyone else who might come up with the same idea, there may be commercial reasons for waiting until you have a prototype and are ready to market your product.

Also, if you apply too early and then decide to make changes to your invention, it will not be possible to alter the original description, although you could file a fresh application within a year and keep the original filing date, which is called the 'priority date', for the material common to both applications – see our "*Patents Application Guide*".

It is up to you to decide the best time to apply, but professional advice from a patent attorney can be very helpful.

How necessary is it to get professional help?

It is not strictly essential but the strength of a patent is affected by how well your application has been drafted. As it is both a technical and a legal document, it is best for an expert, such as a patent attorney, to draft it. The greater the potential commercial value of an invention, the more advisable it is to get professional help.

Costs

A UK application costs:

- the official office application fees; and
- possibly patent attorneys' fees.

A list of our up-to-date fees are available on our website or from our Information Centre >p29. If you use our web -filing service, some fees are reduced.

Typical patent attorneys' fees for securing a UK patent can be several thousand pounds, while making an application in several countries can cost tens of thousands of pounds over several years.

A patent attorney only charges for professional services. They will not take a stake in your patent.

If you are not able to afford these fees, you could try to find a partner or licensee to help meet the cost.

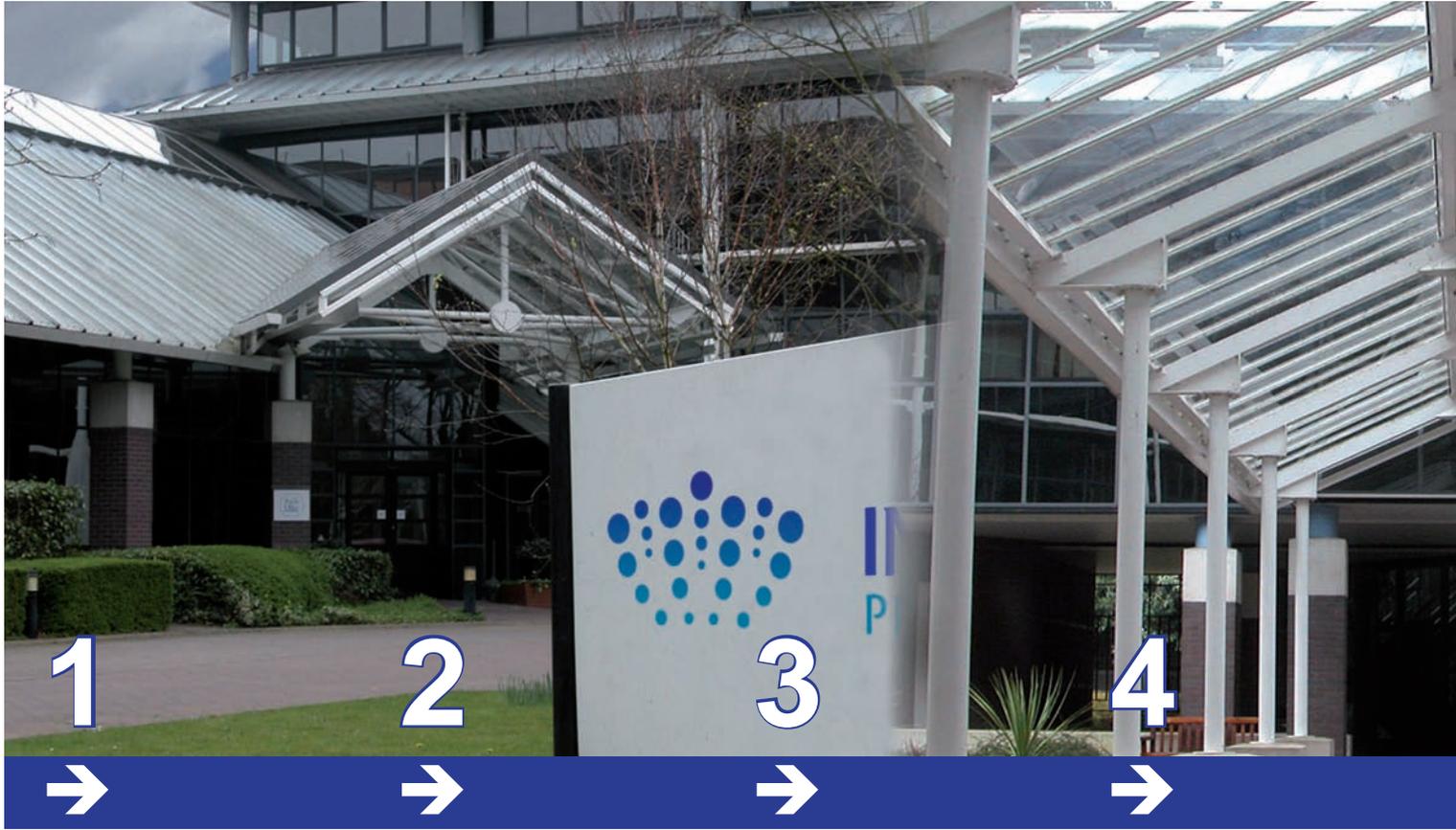
If a patent is granted, you will also need to pay renewal fees each year you want the patent to remain in force. There is a list of up-to-date renewal fees on our website or from our Information Centre >p29.



It is up to you to decide the best time to apply, but professional advice from a patent attorney can be very helpful.

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It's your invention: Protect it



Step 1

You prepare a 'patent specification' which includes:

- a written 'description' of your invention (allowing others to see how it works and how it could be made);
- 'drawings' (to illustrate your description);
- 'claims' (precise legal statements in the form of single sentences that define your invention by setting out its distinctive technical features); and
- an 'abstract' (a summary that includes all the important technical aspects of your invention).

Step 2

You fill in and file* form 1 'Request for grant of a patent' with us, together with one copy of your patent specification.

(Also, if you or anyone else applying are not the inventor, you will need to fill in form 7 – 'Statement of inventorship and of right to grant of a patent' – and tell us why you have the right to be granted a patent. This form can be filed* up to 16 months after your 'filing date' or priority date, if there is one.)

Step 3

We respond by issuing a filing receipt which includes an application number and confirms the 'filing date' of your application.

Step 4

You fill in and file* form 9A with us, together with the appropriate fees, asking for 'a search'. You must do this by a given date – usually within 12 months of your filing date – to avoid your application being terminated.

You also need to pay the application fee by the given date.

If your application includes a declaration of priority, the deadline for filing form 9A is 2 months from your filing date or 12 months from your priority date, whichever is later.

* Forms and documents can be filed by mail, fax, in person, or electronically using our web filing service (www.ipo.gov.uk/p-apply-online). There is a reduction in fees for filing forms 9A and 10 electronically. The application fee is also reduced if you pay it at the same time as filing your application electronically.

It's your invention: Protect it



Step 5

We carry out a preliminary examination to make sure your application meets certain formal requirements and search through published patents and other documents for material against which we can assess whether or not the invention you have claimed is new and inventive. We aim to issue our search report to you within four months of receiving your form 9A.

Step 6

We publish your patent application shortly after 18 months from your filing date (or priority date if there is one), as long as you have met the formal requirements, filed form 9A together with the appropriate fees and not asked us to withdraw your application.

Your application details, including your name and address, will appear on our records. They will also appear in the publication of your application, once all formal requirements are met. Both our records and the Patents Journal are open to the public on our website, which can be permanently searched using most standard search engines. If you do not want your home address published, please give us a different permanent address or a PO Box number where you can be contacted and where you can receive correspondence.

Step 7

You fill in and file* form 10 with us, together with the appropriate fee, asking for 'a substantive examination' no later than six months after publication to avoid your application being terminated.

Step 8

We examine your application, let you know what, if anything, needs to be amended and the period of time you have in which to respond.

If your application meets all the requirements of the Patents Act 1977, we will grant your patent, publish your application in its final form and send you a certificate.

It's your invention: Protect it

Applying for an overseas patent

The general principles of patent protection are recognised almost everywhere in the world. Even though particular conditions may vary considerably, international agreements need member countries to open their patent systems to people who live in other member countries.

Because patents are territorial rights, a UK patent only gives you protection within the UK. However, if you are granted a patent in any country, including the UK, although it doesn't stop others using your invention elsewhere, it does prevent people bringing a product the same as yours from a country where you don't have patent rights and then importing it into the country where you do.

Even if you only want to license others to manufacture and sell your invention in other countries, you should consider taking out protection in those countries to discourage unlicensed copying or use of your invention. Also, applying for patent protection abroad can improve the licensing potential of your patent by broadening the potential market base.

Important warning – national security requirement

If you live in the United Kingdom and want to apply abroad for patent protection for an invention that may affect national security (e.g. a weapons system), you should contact our Security Section (01633 813558) to check whether you need our permission before applying.

Important warning – timing

As long as you file any foreign applications within 12 months of your UK 'priority date' (the filing date of your original UK application for the same invention), you can ask for each foreign application to be given the same 'priority date'. This is important because if two patent applications claiming the same invention are filed in the same country on different dates, the patent will be awarded to the one with the earlier 'priority date'.

If priority is not claimed as set out in the above paragraph, you need to make sure that your foreign applications are filed before your UK application is first published (about 18 months after your original UK filing date). If you miss this deadline, your invention will be in the public domain and any foreign applications you make could be invalidated.

At present there is no such thing as a 'world patent'. To get patent rights in other countries, you have to apply under the national patent laws of each country or take one of the following two routes for getting patents in a number of countries by filing a single application.

International applications

To get protection abroad, you would normally have to make separate national applications in each country, which can be very complicated and expensive. However, the Patent Co-operation Treaty (PCT), which the UK has signed up to, aims to simplify filing on an international scale. By filing a single application under the PCT, you can get protection in a number of the member countries of the treaty. For an up-to-date list of member countries, visit the World Intellectual Property Organization (WIPO) website >p29.

International applications under the PCT

- You complete an application – the procedures are set out in our booklet *PCT notes for private applicants* and also in the booklet *WIPO basic facts about the PCT*, both of which are available from our Information Centre >p29.
- You can send your PCT application to us and we will send it to WIPO and forward a copy to an 'international search authority'. In our case, this is the branch of the European Patent Office (EPO) at The Hague, where a search is carried out to see if your invention has been described by others before. Alternatively, you can send your PCT application to the EPO or directly to WIPO as long as you meet the National Security requirement >p14.
- WIPO publishes your international application, together with the search report, as soon as possible after 18 months from your priority date.
- After publication you can file a request for an 'international preliminary examination', which is carried out by the EPO. This examination is optional and you will have to pay a fee. However, it will give you an initial, non-binding opinion as to whether your invention is new and inventive (not obvious) and capable of being used in any kind of industry.
- At least 30 months after the priority date, your application enters what is known as the 'national phase'. Each country processes your application as a national one, as long as you have paid their fees and supplied a translation of the application (if needed) within the set time limit.

You can use your PCT application to get a European patent – see the next column.

It's your invention: Protect it

Costs

- Official PCT application fees.
- Fees when the application enters the national phase in each country, such as the examination fee, according to that country's scale.
- Probably a professional representative's fees.
- Translation fees.
- If a patent is granted, renewal fees every year to each country where you want the patent to remain in force.

European applications

Most western European countries, including the UK, have signed up to the European Patent Convention (EPC). A single application filed under this Convention will allow you to get protection in the member countries. For an up-to-date list of member countries, visit the EPO website [>p29](#).

European applications under the EPC

- You complete an application – the procedures are set out in the booklet *How to get a European Patent*, available from the EPO [>p29](#).
- You can send your EPC application to us and we will send it to the EPO, which is responsible for processing the applications and granting European patents. Or, you can send your application and any fees directly to the EPO in Munich or The Hague as long as you meet the National Security requirement [>p14](#).
- The EPO publishes your application, together with the search report, as soon as possible after 18 months from your priority date.
- As long as you meet the requirements in the EPC, the EPO will grant your European patent which will then become valid in the UK.

Costs

- The official EPO application fees and maintenance fees.
- The fees of a single patent attorney if you are using one.
- If a patent is granted, translation fees if you want it to be effective in countries where English, French or German is not an official language.
- Renewal fees every year to each country where the patent is eventually granted.

Individual national applications

You may still need to make separate national applications if you want to protect your invention in countries which are not members of the EPC or PCT.

Costs

The cost of each separate national application is as follows.

- The official fees of that country.
- Probably, the fees of a professional representative in that country.
- Translation fees.
- If a patent is granted, renewal fees each year you want the patent to remain in force.

The advantages of applying for a UK patent first

Whichever route you use, if you decide to apply for protection abroad, remember that you can use your national application, filed in the UK, as a basis for claiming 'priority' for applications filed in most other countries, including the EPC and PCT.

A 'priority date' is vital when considering whether the invention claimed in a patent application is new. If two patent applications claiming the same invention are filed on different dates, the patent will be awarded to the one with the earlier 'priority date'.

As long as further applications for the same invention are made in the other countries within 12 months of your UK 'priority date', each foreign application can be given the UK 'priority date'. So, the applicant ends up with a group of patents for the same invention in different countries, all with the same 'priority date'.

Another benefit of filing a UK application first is that you can use the search report to make an initial assessment of the likely success of your application before you begin the costly process of getting protection abroad.

Professional help

Filing patent applications abroad, either direct with the patent offices in individual countries or under the EPC or PCT, can be quite complicated and we strongly advise you to use the services of a chartered patent attorney.

It's your patent: Don't lose it

Renewals

Once your patent is granted, you will need to pay renewal fees to keep it in force so that protection continues. The amount you pay increases every year your patent is 'live'. This is to avoid placing too much of a financial burden on you in the early life of your patent when you are likely to have other costs.

If you decide to endorse your patent 'Licences of Right' (which means it will be available for the cost of a royalty payment for licensing to anyone who asks), the renewal fee you pay after endorsement will be half the normal rate.

Throughout the 20-year life of a UK patent, you will need to make 16 yearly renewal payments. An up-to-date list of fees is available on our website or from our Information Centre >p29.

Renewing a UK patent

For most UK patents, the first renewal fee is due on the last day of the calendar month in which the fourth anniversary of the filing date falls. The filing date is the date your application was filed (not the date the patent granted). For example: if the application was filed on 15 April 2010, the first renewal fee would be due on 30 April 2014. Renewal fees are then due every year on the same date for the next 15 years.

The only exception to this is the rare occasion when a patent is granted later than three years and nine months from the filing date. This is known as a 'late granted' patent. Then the first renewal fee is due on the last day of the third calendar month after the date the patent is granted. However, after this initial payment, the date for paying the renewal fee returns to normal, and so is the last day of the calendar month in which the anniversary of the filing date falls.

Renewing a European patent

Renewal fees for a European patent are paid directly to the patent offices of each of the countries in which your patent became effective, unlike the fees before the patent is granted, which are payable to the European Patent Office.

For example, if you had filed a European application on 20 May 2005 and your patent was granted on 15 January 2009 then, if it is effective in the UK, you would have started paying renewal fees to us on 20 May 2009 as this would have been the next anniversary of your filing date.

Renewing an overseas patent

Renewing an overseas patent varies from country to country, so is not covered in this booklet. For more detailed information about renewing a patent in another country, you should contact the national patent office in that country or a chartered patent attorney will be able to help.

Payment

UK renewal fees can be paid at any time during the three-month period before the due date. You should send us the payment, together with a filled-in copy of form 12 which you can get from our website or from our Information Centre >p29. The payment address is included on the form. You can pay by cheque, postal order, money order or banker's draft, made payable to 'Intellectual Property Office' and crossed 'Account payee only'. If you want to pay with cash, you need to visit us in person.

We will send you a certificate of payment confirming that we received your renewal fee and have renewed your patent for another year.

It is up to you to make sure your renewal payments reach us on time. Do set up a reliable system to remind yourself when to pay your renewal fees. You could use a diary, employ a patent attorney or pay one of the specialist renewal agencies to send you reminders (they will charge you for this service). If you don't pay your renewal fee on time, about two weeks after your fee was due we will send you a reminder. This should give you enough time to pay the fee without having to pay extra fees for late payment, as long as you pay within one month of the due date. However, we can only send the reminder to the last known 'address for service' we have for you on our register, so it is very important that you keep us up to date with your address.

Late payment

You can pay your renewal fee up to six months after the due date. However, if your payment is more than one month late, you will have to pay the renewal fee and any extra late-payment fees as well. Details of late-payment fees are available from our website or from our Information Centre >p29.

Non-payment

If you don't pay your renewal fee within six months of the due date, your patent will end and your invention will not be protected.

It's your patent: Don't lose it

Restoring patent rights

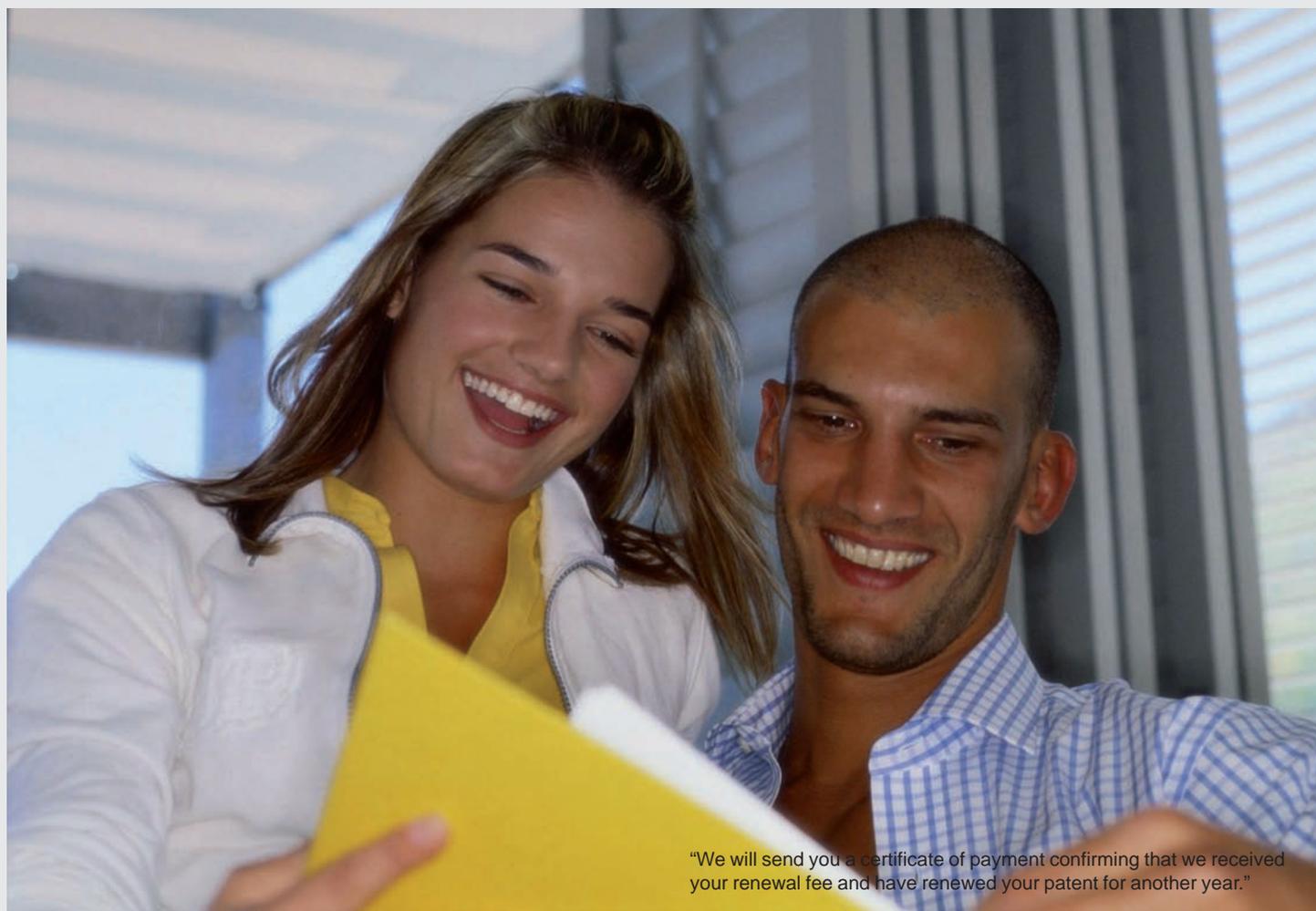
If you do not pay your renewal fee on time and your patent lapses, it is possible to restore your patent – although this is by no means automatic. You will need to satisfy us that you intended to pay your renewal fee on time. You need to apply for restoration within 19 months of the due date of your missed renewal payment by filing form 16, together with the appropriate fee. You will need to include a statement explaining why you didn't pay the fee in time on this occasion. This statement must be in the form of a statutory declaration, affidavit or witness statement, and should be accompanied by any evidence which supports your case. In some cases, we may need to ask you to provide more evidence if your original statement does not explain all the facts.

If we are not satisfied with your reasons, we will write to let you know. You will have one month to ask for a 'hearing', where you can present your case to one of our senior officials known as a 'Hearing Officer'. The Hearing Officer will then decide whether or not to uphold the view not to restore your patent.

If your request for restoration is allowed, you need to file form 53, together with the renewal fees you owe. Forms are available from our website or from our Information Centre >p29.

Restored patents

Once restored, your patent continues to fully protect your invention. However, if someone else has started to do something that would have infringed your patent rights, they are allowed to carry on even if your patent is restored. This exception will only apply if the person started to do this between the end of the six-month extended period that you had to pay your renewal fee and the date that your request to restore your patent was published in our Patents Journal.



"We will send you a certificate of payment confirming that we received your renewal fee and have renewed your patent for another year."

It's your patent: Exploit it

Making the most of your patent

Because a patent is a type of property, as with a physical property, the owner of a patent can generally decide how it is used. The most common ways of benefiting from patent rights are:

- deciding to manufacture the patented invention yourself;
- subcontracting the work to a manufacturer and taking the revenue from selling the product;
- selling the patent outright for a one-off payment; and
- licensing the patent rights to someone else in exchange for royalty payments.

There may be other ways that a professional advisor can help you manage your patent to make a profit.

Profiting from a patent can be a complicated business, so it's good to get as much advice as you can. For a list of organisations that may be able to help >p26&p27.

Manufacturing your invention yourself

This may be the most profitable way of making money from your invention, but it also has the most potential risks. If you haven't run a business before, you need to think carefully before making any commitment. You will need to educate yourself in various business disciplines, for example, raising finance, manufacturing, selling and distribution. You will also need to be organised, determined and prepared to devote a considerable amount of time to the business. Success does not come easy. For who to contact for advice on launching a new business >p26.

Subcontracting manufacture

Rather than making your invention yourself, another approach would be to subcontract this aspect of the work to an existing manufacturer so you can concentrate on other things like promoting and selling the product. Or, you could enter into a joint venture with an existing company which will have the necessary business experience to identify and overcome potential problems which a newcomer may not be aware of.

Selling your patent

You could sell your patent outright to another person or organisation. Transferring your patent rights is known as assignment. However, once you have transferred ownership, the new owner can stop you using your invention unless you negotiated a licence for this use when you made the transfer agreement.

Licensing your patent

A licence is a contractual agreement under which, while still owning your patent, you transfer to someone else the right to use or sell your patented product or process in return for a royalty payment. It can be very useful if you do not have the knowledge or resources to manufacture and market your idea yourself.

The licence document should set out the terms and conditions that apply to using the patent, including any payment or royalties to be made by the person using the patent ('the licensee') to you ('the licensor') in return for using your rights. The licence should also show the geographical area and field of use in which a licensee may sell your product and how long the licence will last.

There are several different types of licences.

- Exclusive – a single licensee has the right to use the patent.
- Sole – a single licensee and the patent owner have the right to use the patent.
- Non-exclusive – several licensees have the right to use the patent.
- Sublicence – a licensee grants a licence to another person or company to use the patent.

It is essential and in your own interest that your licence agreement covers all aspects as it is a legally binding document. You should consult a patent attorney, licensing practitioner or solicitor who specialises in negotiating the terms and conditions of licences >p29.

Once a licence has been agreed, you or the licensee must tell us as soon as possible so we can record the licence agreement on the Register of Patents. You will need to file form 21 and the appropriate fee, saying what kind of licence you have granted. As long as the patent owner signs the form, we will not need any supporting documents as evidence of the transaction.

It's your patent: Exploit it

Licences of Right

You can apply to us using form 28 for an entry to be placed on the Register of Patents that licences under your patent are available as 'of right'. This means you cannot refuse to license the invention.

After endorsing your patent 'Licences of Right', any renewal fees are half the normal rate so you can keep costs down while you try to benefit from your patent. You can later cancel the Licences of Right endorsement using form 30, but you will need to pay the balance of the renewal fees which you would have paid if you had not asked for the endorsement.

Transferring your patent rights

As with any other property, a patent may be bought, sold, transferred or inherited. If you decide to pass the ownership to someone else, a document transferring the rights must be signed by or on behalf of you ('the assignor') and the buyer ('the assignee') for the transaction to be valid.

You or the assignee will also need to file form 21 and the appropriate fee to record the transfer of ownership. If you fail to do this, the transaction will not be completely effective. Also, if you don't sign the form, we will need to see documentary evidence of the transaction before we record it on the Register of Patents.



If you decide to pass the ownership to someone else, a document transferring the rights must be signed by or on behalf of you ('the assignor') and the buyer ('the assignee') for the transaction to be valid.

It's your patent: Enforce it

Enforcing your rights

Many people believe that we 'police' patents and sort out any problems. This is not true.

If you suspect that someone is infringing your patent rights, it is up to you to take appropriate action. However, we would strongly recommend you get legal advice before making any contact with them because:

- if you make threats of legal action, it is possible they will take action against you and seek an award of damages; or
- if you intend to sue for infringement, it is quite possible that the other side will decide to challenge the validity of your patent. If you lose the case, your patent may be cancelled (revoked) by the judge and, in the UK, the losing side usually has to pay both sides' costs which could be substantial.

Do think very hard before you commit to legal action.

Alternative solutions to litigation

Before resorting to litigation (legal action), you could try to settle using an 'alternative disputes resolution' (ADR) process. Although it is rarely used in patent disputes, one of the most popular forms of ADR is 'mediation', where a trained independent mediator works to resolve the dispute. If mediation fails, the people involved can still take the issue before the courts or the Comptroller. A free booklet called Intellectual Property Dispute Resolution Services provides useful guidance and information about ADR. To receive a copy, contact our Information Centre >p29.

Also, the Office's opinions service allows anyone to ask the office for an opinion on an issue of patent infringement or validity. The service is designed to provide a quick low cost option for parties who wish to have an impartial assessment of the issues involved in a dispute. For more information, visit our website >p29

Infringement

There are two basic defences against an allegation of infringement of a patent.

- The claims have not been infringed.
- The claims themselves are invalid.

If your claimed invention is a product, a person will have infringed your patent if they make, sell, offer for sale, use or import a product which is covered by the scope of the claims in your patent or keep it ready for sale in the UK without your permission.

If your claimed invention is a process, a person will have infringed your patent if they use the process covered by the scope of your claims or offer it for use in the UK knowing it would infringe your patent – also if they sell, offer for sale, use or import any product made by the process or simply keep these products ready for sale.

You should talk to a patent attorney or solicitor as infringement actions can become complicated. They will probably want to assess the entire position before they think about involving the other side. In particular, they will want to consider the alleged infringement in relation to the claims to see if there really is an infringement and secondly to consider a more detailed assessment of the validity of any infringed claims. If the alleged infringer decides not to stop the alleged infringement action, he or she may, as a defence, challenge the validity of your patent. This would then have to be decided in court.

Infringement actions are brought before the Patents County Court or the Patents Court, which is a division of the High Court, Chancery Division. They can be brought before the Intellectual Property Office if both sides agree to it, but the Comptroller has limited power in infringement matters compared with the courts.

You can get information on taking action before the Patents County Court, the Patents Court or the Comptroller General of Patents from the organisations listed under Litigation advice >p28.

Other common areas of dispute

The following are the most common dispute actions brought before the Comptroller of Patents.

Ownership

- Entitlement – disputes about who owns a patent or is entitled to apply for a patent.
- Inventorship – applications to add someone's name to, or remove it from, the record of inventors named on the patent application and the granted patent.
- Compensation – applications from employees who want compensation for inventions they made but which belong to their employers who have benefited from the patent.
- Joint applicant disputes – disputes between joint applicants about how a patent application in their names will go ahead.

It's your patent: Enforce it

If you receive notice of legal proceedings against you, don't panic. Get professional advice from a patent attorney or solicitor but do nothing and say nothing yourself.



Licences

- Applications to decide the terms of licences which can be given under a patent – where the owner of the patent and the person who wants a licence cannot agree terms.
- Applications for a compulsory licence under a patent – requests that the patent owner be forced to grant a licence.

Technical issues

- Revocation – applications to have a patent revoked (cancelled) because it is not valid.
- Amendment of patents – an application to amend a patent made by the owner may be objected to by another person.
- Declarations of 'non-infringement' – applications asking the Comptroller to confirm that a certain activity does not or would not 'infringe' a particular patent.
- Infringement – the Comptroller can decide on infringement, but only if the owner of the patent and the person who has allegedly infringed the patent agree that the matter should be referred to the Comptroller. The Comptroller's powers on infringement proceedings are limited and because of this it is usual for civil actions for infringement to be brought to the Patents Court or the Patents County Court.

The Comptroller may decide to refer a dispute to the courts if it is considered that it would be more appropriately decided there. Also, you may appeal to the court against a decision made by the Comptroller.

Legal action against you

If you receive notice of legal proceedings against you, don't panic. Get professional advice from a patent attorney or solicitor, but do nothing and say nothing yourself.

A free booklet called *Patents: Deciding Disputes* provides useful guidance and information about taking disputes before the Comptroller. To receive a copy, contact either our Litigation Section or our Information Centre >p29.

Insurance against legal costs

You can get insurance to cover legal costs if you need to take enforcement action against infringers. However, do make sure it gives you enough cover. Also, the earlier you take out a policy, the cheaper it's likely to be. If you delay making a decision about insurance until your product is exposed to possible predators, insurance underwriters may not be prepared to cover the risk.

The insurance premiums may seem expensive, but in some cases you could be liable for the other side's costs too. For example, if a case about infringement of intellectual property rights goes to the Patents Court and goes against you, you may need at least £500,000 to cover all costs. This is an estimate of the costs involved and we would advise you to consider all other options before starting legal proceedings. If you feel that insurance would be a good idea, discuss it with a professional adviser, such as a patent attorney or solicitor.

Important

If your patent application has not been published, do make sure your insurance adviser or underwriter has signed a confidentiality agreement before you reveal your invention to them. Like any other contract, you should get legal advice to make sure that the contract is effective.

Glossary of patent terminology

Abandoned

A patent application which the patent applicant did not proceed with or has withdrawn.

Abstract

A brief summary of the invention, forming part of a patent application.

Address for service

The address to which we will send all correspondence relating to a patent or patent application.

Alive

Describes a patent which has been granted and is still 'in force'.

Amending

The act of changing the wording of an application, such as to deal with an examiner's objections.

Amendment

Refiled pages of an application that have been changed. An amendment must not add anything to the application or specification that was not present when the application was filed.

Applicant

The person or people applying for a patent. This does not have to be the inventor. Several people can apply jointly, as can organisations.

Application

A request for granting a patent that is made using form 1 and the accompanying technical description of the invention.

Application fee

A fee which must be paid by a given deadline. The fee can be paid using form 9A.

Assignment

Transferring a patent from the owner to another person or organisation.

Certificate of grant

A certificate setting out that a patent has been granted.

Citations

Prior art identified in the search report produced by a patent examiner.

Claims

A precise legal definition of what the patent will protect. Forms part of a patent specification. A main claim will define the invention in its broadest form, by including only its essential technical features. Further 'dependent' claims can then relate to other features of the invention.

Combined search and examination

Carrying out the search and examination process together.

Compulsory licence

A licence which is forced on the patent owner under certain legal conditions.

Confidentiality agreement

A legal agreement to say that confidential information will not be passed to others.

Convention country

A country which is a member of the Paris Convention. See Paris Convention.

Copyright

An automatic right allowing the originator of a work of art, such as an artistic, dramatic or literary creation, to control the copying of the original work by others.

Description and drawings

A full detailed explanation of an invention and how it works. The description can be accompanied by one or more drawings. It forms part of a patent specification.

Electronic filing

See web filing

Enforcement

Taking action to stop others from infringing your patent, for example, suing them in the Patents Court or Patents County Court.

Entitlement

The right to own a patent or to make a patent application.

European patent application

A single patent application which is searched, examined by the European Patent Office and, if accepted, granted under the European Patent Convention. Once granted, the patent is treated as a bundle of separate national patents.

Glossary of patent terminology

European Patent Convention (EPC)

The international convention governing the application for, processing of and granting of a European patent.

European Patent Office (EPO)

The office which grants European patents for member states of the EPC.

Examination fee

The amount of money you have to pay to have an application examined.

Filing date

The date when an application is considered to be received by us. This is an important date when considering if the invention in the patent application is novel and inventive. See also 'Priority date'.

Form 1

A form on which an application for a patent is made.

Form 7

A form filed by an applicant which we send on to the inventor if they are not the applicant.

Form 9A

A form filed by an applicant to request a search.

Form 10

A form filed by an applicant to request a substantive examination.

Grant

When we confirm that a patent application meets all the legal requirements.

Hearing Officer

A senior member of our staff who represents the Comptroller sitting as a tribunal to settle disagreements arising from matters relating to the Patents Act 1977.

In force

A patent which has been granted and is kept 'alive' by paying renewal fees every year.

Infringement

Making, using, selling or importing something which is protected by a patent without the patent owner's permission.

Intellectual property

The general term for property rights which are the result of mental effort. Patents, trade marks, registered designs and copyright are the main intellectual property rights.

Intellectual Property Office

The government agency responsible for operation of the intellectual property system in the United Kingdom, including intellectual property right applications and policy. Patent applications are received, examined, searched and granted by this Office. The Intellectual Property Office used to be called the Patent Office, and still is for some legal purposes.

International patent application

A single patent application made under the Patent Co-operation Treaty (PCT), asking for patent rights to be granted in a number of countries.

Inventive step

When an invention is not obvious to experts in the field and does not already exist in prior art.

Lapsed

A granted patent that has not been kept 'in force'.

Letter of grant

A letter from us setting out that a patent is to be granted and giving the effective date of the patent.

Licence

How the owner of a patent gives permission to another person to carry out an action which, without this permission, would infringe the patent. A licence can allow another person to manufacture, use or sell an invention protected by a patent. In return, the owner will usually receive royalty payments.

Licences of right

A patent owner may indicate (through us) that licences under his or her patent are available to anyone who asks for one under reasonable terms. Renewal fees are reduced by 50% if licences of right apply to a patent.

Novel

If a patent is to be granted, the invention must be novel. This means that the invention must not have been publicly revealed anywhere in the world by word of mouth, demonstration, publication in an advertisement or journal (including patent journals) or in any other way, before the date the patent application is filed (or before the 'priority date' if the application has one).

Glossary of patent terminology

Obvious

An invention that does not include an 'inventive step'.

Owner

The person, people or organisation who own a patent or the rights to it.

Paris Convention

An international agreement which provides common rules between the member states for patents and other forms of intellectual property. A member state is often referred to as a 'Convention country'.

Patent

Originally called 'letters patent', it prevents anyone else doing what is claimed in the patent while it remains in force.

Patentability

The basic conditions of patentability, which an application must meet before it is granted, are that the invention must be novel (original), contain an inventive step (not obvious), be industrially applicable (capable of being used with existing technology) and not be in one of a number of excluded fields.

Patent attorney

A person, qualified by examination, who can act on behalf of an applicant to draft a patent application and then take that patent application through the various stages needed to get a patent granted. A patent attorney is also qualified to give general advice on enforcing a patent and can conduct litigation and address the Patents County Court. Some can also conduct litigation in the Patents Court. The titles 'patent attorney' and 'patent agent' (which mean the same thing) are protected by law and must not be used in the course of a business by anyone who is not on the register of patent attorneys.

Patent Co-operation Treaty (PCT)

A system through which a single patent application can be filed for a number of different PCT countries at once. A single application is filed initially at a Receiving Office. After a search and publication, the application is converted to a set of national or regional applications in different countries (or both).

Patent Office

See Intellectual Property Office

Patent pending

A statement showing that the process of getting a patent is underway.

Patents County Court

A court set up as an alternative to the Patents Court for dealing with patent disputes.

Patents Court

A court which is part of the High Court, and deals with patent and other intellectual property matters.

PCT

See Patent Co-operation Treaty.

Preliminary examination

An examination to make sure that formal requirements are met.

Prescribed period

A time allowed in the Patents Rules for doing certain acts and for fulfilling certain requirements.

Prior art

Previous publications or products in the same technical field.

Prior use

Someone using the claimed invention before the priority date of the patent.

Priority date

The earliest date that the patent has. A UK patent application may claim as a priority date the filing date of an earlier related patent application as long as the earlier application was:

- filed in the previous 12 months; and
- filed in the UK or another member state of the Paris Convention.

Priority document

A copy of a previously filed patent application which provides a priority date for a later application.

Private applicant

A person or company applying for a patent by themselves without professional help.

Glossary of patent terminology

Publication

A patent application which is successfully granted will be published twice – see steps 6 and 8 >**p13**.

‘A-publication’ is the first time and happens shortly after 18 months from the filing date (or the priority date if there is one). The application is generally published ‘as filed’ – a searched but unexamined patent application.

‘B-publication’ is the second time and happens when the patent is granted. The application is published in its final form.

Registered design

A design registered with the Intellectual Property Office under the Registered Designs Act. This protects the look of an article, but not the way it works, for up to 25 years, as long as renewal fees are paid.

Registered trade mark

A name or symbol used to show that a product is made by a particular company, which has been legally registered so that no other company can use it.

Reinstatement

A procedure which allows the processing of a terminated patent application to continue.

Renewal fee

The yearly fee paid to keep a granted patent ‘in force’.

Restoration

The proceedings by which a patent which is no longer in force because a renewal fee was not paid may be brought into force again.

Revocation

A process by which a granted patent can be cancelled.

Search

To look for relevant prior art so the patentability of an invention described in an application can be assessed. Requested using form 9A.

Search fee

Money paid to carry out a search.

Search report

A report bringing an applicant’s attention to the documents to be considered by an examiner during a substantive examination to work out whether or not their invention is novel and inventive.

Specification

The term used to cover the description, drawings and claims contained in a patent application.

Statement of invention

Wording in the ‘description’ that sets out the scope of an invention. This is normally the same as the widest ‘claim’ and must be consistent with the claims.

Substantive examination

A detailed examination of the application to make sure it meets patent law. Requested using form 10.

Technical contribution

An improvement in an area of technology which is patentable.

Technical description

A full and detailed description of all the parts of the invention.

Terminated

A patent application which has not been allowed to continue.

Unregistered design

Automatic protection of the three-dimensional shape of a new design for 10 years from the date the product is first marketed. Also known as ‘design right’.

Web filing

A service which allows patent applications, forms and related documents to be filed electronically, available at www.ipo.gov.uk/p-apply-online. Some fees are reduced for applications and forms filed using this service.

Withdrawal

The act of withdrawing an application.

Withdrawn

Describes an application that the applicant has told us they do not want to continue with, for example, to prevent publication.

World Intellectual Property Organization (WIPO)

The United Nations agency which administers most Intellectual Property Treaties and which runs the PCT and Madrid (International Trade Mark Registration) systems.

Other sources of information

Business advice

England

- Business Link
www.businesslink.gov.uk
0845 600 9 006

Northern Ireland

- Invest Northern Ireland
www.investni.com
028 9023 9090

Scotland

- Business Gateway
www.bgateway.com
0845 609 6611

Scottish Highlands and Islands

- Highlands and Islands Enterprise
www.hie.co.uk
01463 234171

Wales

- Business Eye
www.busesseye.org.uk
08457 96 97 98

See also the inventor contact list of the Business Link website at www.businesslink.org/invention

You can also get advice and help from sources such as:

- government offices;
- Citizens Advice Bureaus;
- the Federation of Small Businesses; and
- Chambers of Commerce.

Their details are in your local phone directory.

Other help

The following schemes and resources are of particular interest to inventors.

SMART and Grant for Research and Development

Grant for Research and Development in England and SMART in Scotland, Wales and Northern Ireland are government schemes providing grants to help individuals and small or medium-sized businesses research and develop new technologically innovative, products and processes. For more details, contact any of the organisations listed under 'Business advice'.

Universities

While universities are not a source of financial support, the help they can provide, for example technical advice and market research, can help you keep down your costs.

Other sources of information

Idea development

Inventor clinics

The Chartered Institute of Patent Attorneys (CIPA) hold regular clinics at a number of sites around the UK, giving advice to inventors who are at the early stages of developing an idea. Inventions and problems can be discussed in confidence with chartered patent attorneys for 30 minutes, free of charge.

mail@cipa.org.uk
020 7405 9450

Innovation Relay Centres

Founded by the European Commission's Innovation/SME Programme, a network of technology advisory centres known as Innovation Relay Centres (IRCs) span the European Union, with eight in the UK. Their purpose is to promote innovation and encourage research results to be exchanged across Europe, as well as providing advice, consultation and training support. Help includes information on patent rights, licensing strategies, finance, venture capital and creating international joint ventures. To find your nearest centre, visit www.irc.cordis.lu

Patent Information Centres (PATLIBS)

PATLIBs are European libraries and information centres that provide information about patents, trade marks, copyright and design rights. Many offer guidance on how to make the best use of patent databases so you can assess whether your invention is new.

Some PATLIBs in the UK hold clinics where you can have a free consultation with a patent attorney or a business advisor. A patent attorney can give you advice on the procedures involved in getting a patent. A business advisor can help you assess the commercial potential of your invention.

Extra services, such as professional searching of commercial patent databases, are offered in many PATLIBs for a fee.

For details of your nearest PATLIB centre visit www.patent.gov.uk/patent/howtoapply/libraries or contact our Information Centre >**p29**

The British Library

The Business and Intellectual Property Centre at the British Library gives you access to the information you need to develop and market your ideas. Full information about patents, trade marks and designs are held alongside a large collection of market-research reports, trade journals and business databases. Specialists are on hand to help you identify the most useful information sources and search them effectively. They can also carry out in-depth research for an agreed fee. Free clinics to help you search patents are held at least once a month.

For more information, visit the British Library's website at www.bl.uk/business or phone 020 7412 7903.

Specialist organisations

There are a number of organisations specifically aimed at helping inventors develop their ideas and providing advice on finding financial help, for example, a joint venture with a business partner or licensee.

One example of a non-profit-making organisation which specialises in helping inventors is the Institute of Patentees and Inventors which offers advice and guidance on all aspects of inventing. For more information, visit www.invent.org.uk or phone 0871 226 2091.

Another helpful independent organisation is 'Ideas 21' which is dedicated to supporting inventors by holding networking meetings in London and Manchester and sending newsletters by e-mail. Its website includes an Innovation Calendar sponsored by NESTA, an Innovation Directory which lists professionals who can help you take your idea forward, and gives you access to a list of members. It also offers you the opportunity to advertise yourself and your invention. Inventors can book free consultations with professional advisors, which are held every month in London. For more information, e-mail info@ideas21.co.uk, visit www.ideas21.co.uk, or phone 020 8780 9017.

Contacts

Litigation advice

The Patents Court
Royal Courts of Justice
The Strand, London WC2A 2LL
020 7947 7717

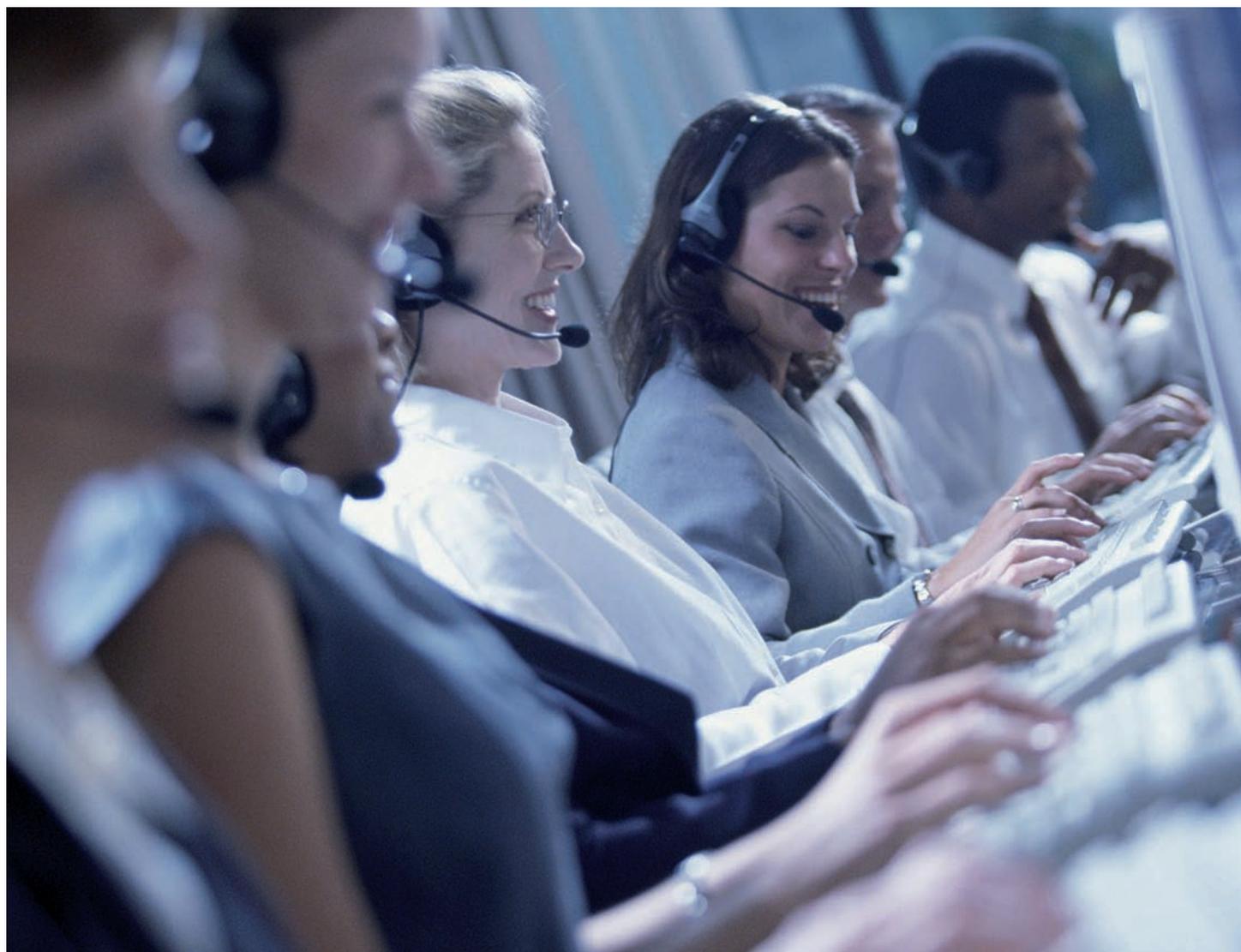
The Patents County Court
Field House, 15-25 Breams Buildings
London WC4A 1D2
020 7917 7821

Intellectual Property Office
Patents Litigation Section
Cardiff Road, Newport, South Wales NP10 8QQ
01633 814736

Intellectual Property Office

We cannot give advice on what may be the best course to take for your particular invention, but we will be pleased to give you what general advice and help we can on the subject of patents and other intellectual property.

If you plan on applying for a patent without professional help, you can get a free copy of our booklet *patents application guide*, as well as information on registering trade marks and designs. You can get these from our Information Centre or from our website, where the information you need may already be available.



Information Centre

For all general advice and information on patents and other intellectual property

www.ipo.gov.uk

information@ipo.gov.uk

0300 300 2000

Minicom 0300 0200 015

Concept House, Cardiff Road

Newport, South Wales NP10 8QQ

Web filing

Patent applications including application forms, specifications, search and examination requests and correspondence can be filed electronically at www.ipo.gov.uk/p-apply-online.

Renewals Section for advice on renewing UK and EP(UK) patents

renewals@ipo.gov.uk

01633 814 649

Search and Advisory Service for advice on searches

commercialssearches@ipo.gov.uk

01633 811 010

Litigation Section for advice on patent rights disputes

litigation@ipo.gov.uk

01633 814 736

If you would like to visit us in person, either in Newport or London, please call our Information Centre first to arrange an appointment.

International and European Patent Offices

- For a list of PCT member countries, contact WIPO
www.wipo.int/members/index.html
- For a list of EPC member countries contact the European Patent Office (EPO)
www.epo.org/about-us/epo/member-states

Patent attorneys

After reading this booklet, you may want more advice as patenting can be very complicated and the consequences of doing something wrong can be serious. Chartered patent attorneys are professionally qualified to advise you on any area of patenting, and any discussion with them will be in confidence.

We cannot recommend any particular patent attorney, but you can get a list of all patent attorneys registered in the UK from the address below and local patent attorneys are usually listed in classified directories.

The Chartered Institute of Patent Attorneys

www.cipa.org.uk

020 7405 9450

95 Chancery Lane, London WC1V 7PZ

Licensing practitioners

Licensing practitioners can offer advice on all aspects of licensing your patent. You should send all enquiries to the Secretary of the Institute.

The Institute of International Licensing Practitioners

28 Main Street

Mursley

MILTON KEYNES

MK17 0RT

Tel 01296 728136

Fax 01296 720 070

enquiries@iilp.net

Other Publications

Patents

- 1. Patents: Essential Reading
- 2. Patents: Application Guide
- 3. Patents: Basic Facts



Designs

- 4. How to Apply to Register a Design
- 5. Designs: Basic Facts



Copyright

- 6. Copyright: Basic Facts



Trade Marks

- 7. Trade Marks: Essential Reading
- 8. Trade Marks: Application Guide
- 9. Trade Marks: Basic Facts



Additional

- 10. Confidential Disclosure Agreements
- 11. Licensing Intellectual Property
- 12. Agreeing a Price for Intellectual Property Rights
- 13. Search and Advisory Service



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To order any of the above publications, please tick the box next to the ones you want, fill in your name and address **over the page**, and return the form to: Information Centre, Concept House, Cardiff Road, Newport, NP10 8QQ.



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