



TOP SEVEN REASONS TO PERFORM A PATENT SEARCH

We almost always recommend performing a patent search before drafting a regular patent. Here are the most important reasons why.

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1. A patent search helps determine if an invention is patentable.

In order to be patentable an invention must be new and non-obvious. To determine if an invention meets these requirements, we must compare it to what is already known in the field of technology. A patent search is the most efficient way for us to determine what is known in relation to an invention. If an invention is not patentable, then you have saved the cost of a patent application and possibly other costs in commercializing the invention.

2. A patent search helps determine the breadth of possible protection.

Not all patents provide broad protection; some are very narrow. Patent searches can help us predict how broad your patent will be. If the scope of a patent is likely to be very narrow, it may not be worth pursuing a patent.

3. A patent search saves you time and money.

If you do move forward with a patent application, a patent search helps us get through the examination process more quickly and with less expense. We can draft your patent application to avoid rejections because the search results can help us anticipate what prior art the examiner will consider.

4. A patent search helps us patent your invention.

Patent law requires that we disclose and support important differences between your invention and the prior art. Yet, once a patent application is filed we cannot add new matter to the application. Patent search results help us craft your application so that it provides appropriate support before we file the application. Without this knowledge of the prior art, it may be impossible to patent your invention in some situations.

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5. A patent search helps obtain a stronger patent.

Most patent applications are rejected at least once. When we respond to these rejections we must sometimes make amendments and arguments that can weaken your patent. If we can anticipate what prior art the examiner will consider, we may be able to avoid these rejections.

6. A patent search enhances our knowledge of the field.

By reviewing patent search results you will become more knowledgeable about the field of the invention. Even experts gain valuable information about competitors and their industry and conceive new inventions after reviewing search results. It also helps us better understand the technical field of an invention. The more we understand about an industry, the better we can increase the value of your patents.

7. A patent search helps avoid infringement situations.

Although basic patentability searches are not intended to clear products from infringing other patents (there is another type of search for this), the search results can sometimes reveal or lead us to patents that represent an infringement risk to you. This information can help you make better decisions regarding your invention and your business.

Conclusion

Even if you have never seen your invention in commerce or you are an expert in your field, a patent search is a very good idea. You may be surprised how many good inventions have been disclosed in patents yet they are not widely known.

Patent searching is complicated, difficult and time consuming. We highly recommend using a professional to perform your patent search. The relatively

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small cost of a professional patent search is justified by the likely benefit. However, if you would like to perform your own preliminary search, here are a number of free websites you can use to search:

- [U.S. Patent and Trademark Office](#)
- [European Patent Office](#)
- [World Intellectual Property Organization](#)
- [Google Patents](#)

Please call us to discuss patent searches.

About the Author



Ian Burns is a graduate engineer and registered patent attorney. He is admitted to practice law in California, Hawaii and Nevada. Mr. Burns is also admitted in the U.S. Patent & Trademark Office and before numerous courts. He is founder and president of [ATIP Law](#), a law firm based in Nevada. Mr.

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About ATIP Law

American Technology & Intellectual Property Law is a law firm based in Nevada that practices primarily in intellectual property and business law. We help companies develop, secure and maximize the value of their intellectual property. We take the time to get to know our clients and to understand their specific needs and business situations. We create and execute custom strategies that achieve our clients' goals.

Contact Us

We really enjoy talking with entrepreneurs, innovators and pioneers in all fields. Please contact us with any questions, comments or suggestions you may have.

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