

The background is a light beige, textured surface. In the corners, there are faint, golden-brown illustrations of mechanical gears and compasses. The top-left and bottom-left corners feature clusters of interlocking gears of various sizes. The top-right and bottom-right corners feature compasses with eight-pointed stars and directional letters (N, S, E, W).

Patent Strategy for Talented Inventors

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Structure of presentation

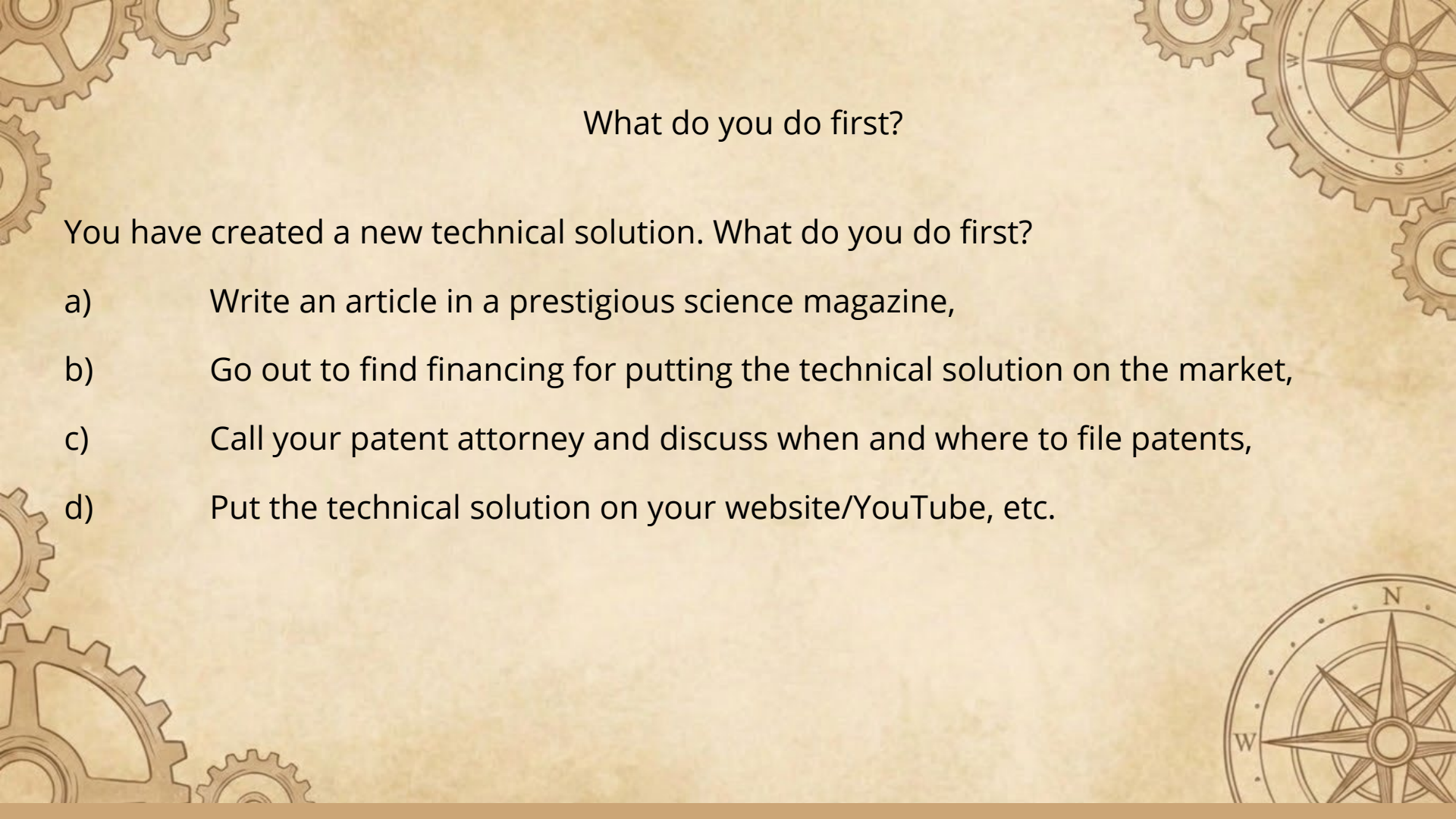
Chapter 1: Timeline of patent decisions

Chapter 2: Understand the fundamentals of patent protection and how different patent types relate to territories and markets

Chapter 3: Decide when and where to file patent applications

Chapter 4: Recognize early warning signs of under-protection

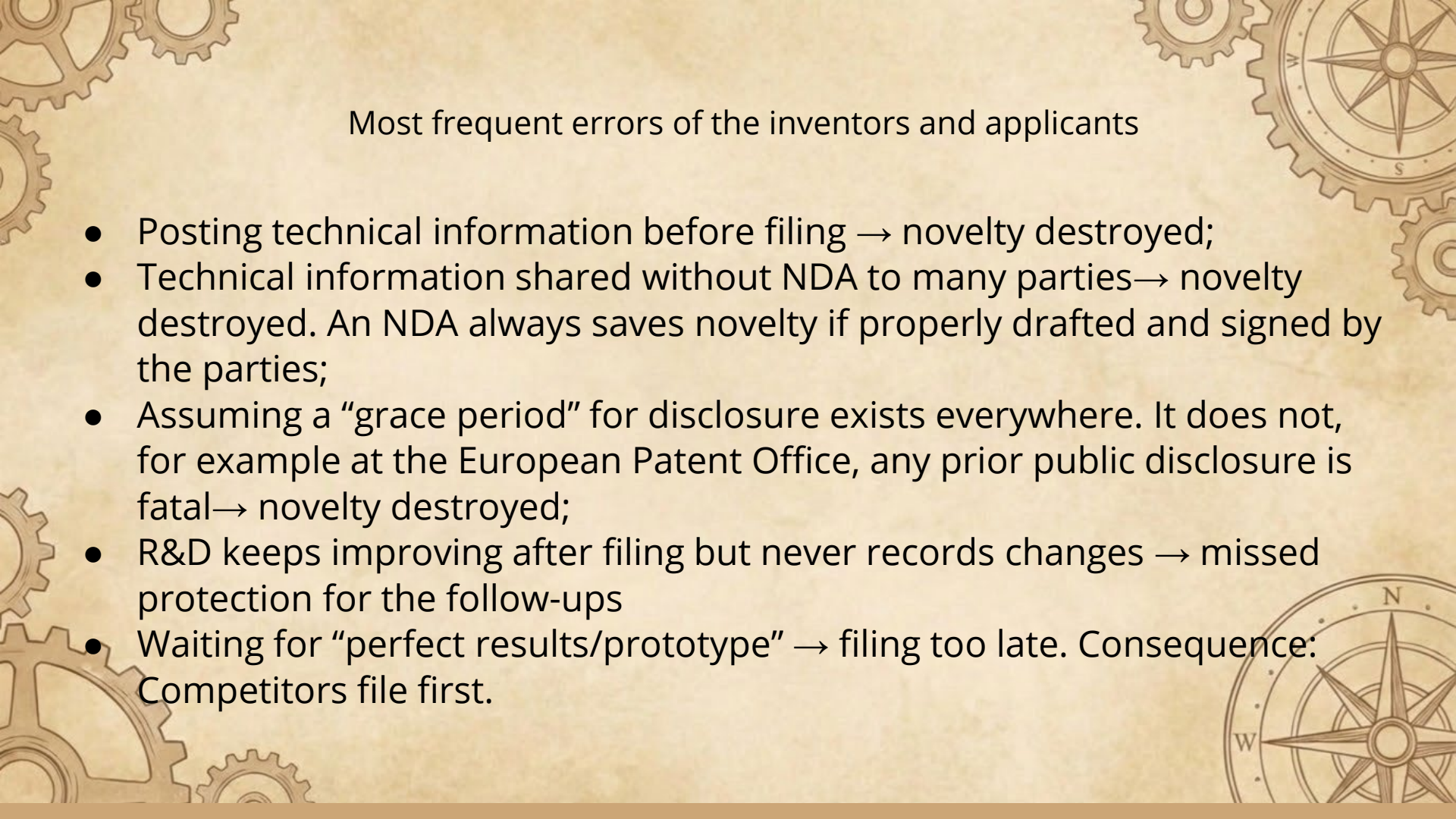
Chapter 5: Prepare to engage efficiently with patent attorneys

The background is a light beige color with a subtle texture. It features several decorative elements: gears of various sizes are scattered in the corners, and two compass roses are visible, one in the top right and one in the bottom right. The compass roses have cardinal directions labeled 'N', 'S', 'E', and 'W'.

What do you do first?

You have created a new technical solution. What do you do first?

- a) Write an article in a prestigious science magazine,
- b) Go out to find financing for putting the technical solution on the market,
- c) Call your patent attorney and discuss when and where to file patents,
- d) Put the technical solution on your website/YouTube, etc.

The background features a light beige, parchment-like texture. It is decorated with several golden-brown gears of various sizes and compass roses. The gears are positioned in the corners and along the edges, while the compass roses are placed in the upper right and lower right areas. The overall aesthetic is that of an old, technical document or a historical manuscript.

Most frequent errors of the inventors and applicants

- Posting technical information before filing → novelty destroyed;
- Technical information shared without NDA to many parties → novelty destroyed. An NDA always saves novelty if properly drafted and signed by the parties;
- Assuming a “grace period” for disclosure exists everywhere. It does not, for example at the European Patent Office, any prior public disclosure is fatal → novelty destroyed;
- R&D keeps improving after filing but never records changes → missed protection for the follow-ups
- Waiting for “perfect results/prototype” → filing too late. Consequence: Competitors file first.

Align IP decisions with your roadmap

- File before any non-confidential disclosure;
Public information is all information that is not marked as confidential
- Map “innovation moments” to filing moments: prototype → pilot → product release;
- Synchronize with funding: investors often expect a clear IP plan and ownership clarity;
- Build an internal disclosure process;
- Use NDAs as a safety instrument but do not rely heavily on it. Avoiding disclosure whenever possible is best.



Chapter 1: Timeline of patent decisions

Correct answer: The first thing you must do is call your patent attorney

Why do I have to call my patent attorney as the first thing? next chapter explains

Chapter 2 Understand the fundamentals of patent protection and how different patent types relate to territories and markets

Some of the basic conditions for obtaining a Patent in most countries of the world:

- The technical solution must be **inherently patentable**
- The technical solution must be **novel**, and
- The technical solution must have **Inventive Step** [non-obviousness of the technical solution]

Novelty is destroyed if the technical solution is disclosed in an article, on your website/YouTube and in non-confidential communication with others.

First rule: do not disclose the technical solution until you file the first patent application or until you find out that your technical solution is not patentable.

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Chapter 2 Understand the fundamentals of patent protection and how different patent types relate to territories and markets

What is the purpose of patent protection?

Patent protection confers exclusive use to the proprietor, which includes the right to forbid third parties to use the Patent.

How does it function?

Patent protection is territorial, that is for the territory of each country. If you have an Austrian Patent, it will not protect you in Spain.

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Chapter 2 Understand the fundamentals of patent protection and how different patent types relate to territories and markets

However, the way of obtaining patent can involve regional offices:

The **European Patent Office (EPO)** is a regional office having a centralized grant procedure. It covers 38 countries as basic member states + some other states with different extension arrangements. After grant, the proprietor must pay for the territories where he wants protection.

The **International Bureau of WIPO** is an international office governed by the Patent Cooperation Treaty (PCT) having a centralized procedure for the international application. The application must be nationalized in the countries of interest. PCT covers 158 countries.

National procedures involve the national patent offices of the countries: such as UK Patent Office, French Patent Office (called INPI), US Patent Office, etc.

Chapter 2 Understand the fundamentals of patent protection and how different patent types relate to territories and markets

What is a patent made of ?

A patent typically has three parts. The ensemble of three parts is called in Europe patent specification:

- **claims** section - which is a summary of what is new in your technical solution
- **description** section - which expands the claims section with details and examples of realization, and
- **figures** section which is optional, but most patents have.

Protection conferred by the patent is given by the claims section when interpreted together with the description and the figures.

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Chapter 2 Understand the fundamentals of patent protection and how different patent types relate to territories and markets

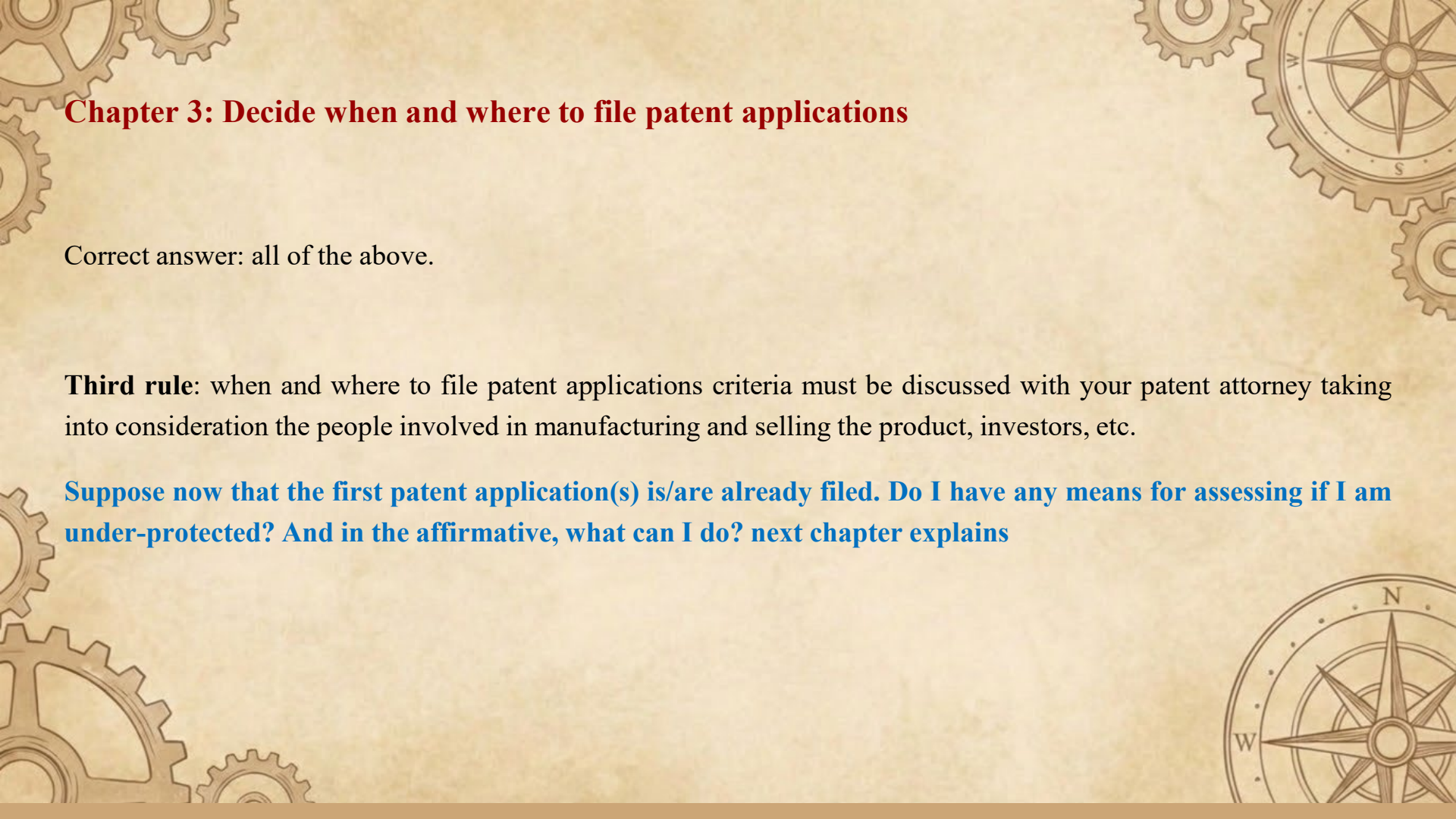
Second rule: take your time to learn the basics of the patent protection, at least in the jurisdictions that you are interested.

With so many patent offices and so many ways to proceed, how do I know which one fits me best to start and then to continue? next chapter explains

Chapter 3: Decide when and where to file patent applications

2nd Quiz: which are my criteria for decision when and where to file patent applications?

- a) My budget for the coming 3-4 years,
- b) The markets where I want to sell the technical solution,
- c) The markets where I manufacture the product(s),
- d) The economic attractiveness of my technical solution.
- e) The time to obtain a patent.
- f) All of the above.

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Chapter 3: Decide when and where to file patent applications

Correct answer: all of the above.

Third rule: when and where to file patent applications criteria must be discussed with your patent attorney taking into consideration the people involved in manufacturing and selling the product, investors, etc.

Suppose now that the first patent application(s) is/are already filed. Do I have any means for assessing if I am under-protected? And in the affirmative, what can I do? next chapter explains

Chapter 4 Recognize early warning signs of under-protection

In principle you are under-protected:

- if a significant part of your technical solution that is novel is not present in the specification, and/or
- you have not applied for protection in the countries that are of interest.

Mitigation depends on the moment when you realize that you are under-protected. In some cases, it is possible to file new patent applications (see first rule).

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Chapter 4 Recognize early warning signs of under-protection

Fourth rule: make sure before filing the patent applications that you have all novel features in the specification and that you have selected the countries of interest.

How can I efficiently cooperate with my patent attorney to achieve all the above?next chapter explains

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Chapter 5 Prepare to engage efficiently with patent attorneys

Patent attorneys should be your long-term advisor for all patent matters.

Fifth rule: select carefully your patent attorney.

Criteria for selection:

- the technical field of the solution,
- the qualifications of the patent attorney(s), their international relations if you want protection in many countries,
- time and availability to respond to your questions,
- the prices (last on the list)

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Acknowledgements: Mariana Popescu and Sorin Dragne

THANK YOU!

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