

PRELIMINARY PATENT SEARCHING*

Inventor's Network of Wisconsin - May 8, 2006

Nicholas A. Brannen
Brannen Law Office, LLC
Fond du Lac, Wisconsin
920-322-9130

Tobias J. Andropolis
Andropolis Painting, LLC
Appleton, Wisconsin
920-810-2267

1. Defining the Invention in Reality
 - A. Solutions to a problem (What is the problem? The solution?)
 - Structures and methods
 - B. Improvements to existing solutions
 - What is new? How is it better?
 - C. Alternative Solutions
 - Broaden the total solution
2. Define the Invention with Key Words
 - A. Terms in the industry
 - e.g. Batting for a roller cover
 - B. Broad terms
 - e.g. Nail to wall versus support (or fix, mount, connect etc.) to wall
3. Perform simple keyword search at the United States Patent and Trademark Office online database.
 - A. Web site links
 - Boolean: <http://patft1.uspto.gov/netahhtml/PTO/search-bool.html>
 - Advanced: <http://patft1.uspto.gov/netahhtml/PTO/search-adv.htm>
 - B. Enter key words
 - C. Search text based on Titles (at USPTO site)
4. Review full copies of relevant patents.
 - A. Web site links www.brannenlawoffice.com
 - PAT2PDF: <http://www.pat2pdf.org/>
 - Patent Fetcher: <http://free.patentfetcher.com/Patent-Fetcher-Form.php>
 - B. Quick view of Figures
 - C. Notice references cited in patent (See Step 5)
5. Search cited patents (forwards and reverse)
 - Reverse through text of patent on USPTO site
 - Forwards through command "REF/x234567"
6. REPEAT

*Preliminary searches are just that – preliminary. Failure to find a relevant reference does not mean that one doesn't exist. Professional searchers use more sophisticated methods and are more likely to find relevant prior art references. Don't overstate the importance of any references that are found. There may be important patent protection available even if the prior art uncovered appears on point. Patent attorneys are skilled in giving accurate legal opinions on patentability and non-infringement.