

The Patent Path

I. Application

A. Preliminary assessment

1. First-impression patentability opinion: Usually within the free half-hour initial consultation.

B. Prior art analysis: Avg. 6 – 10 billable hours, 1 month, but variable.

1. My rate is \$200 / hr
2. With credit card info on file, you lower your rate to \$150 / hr and can finance.
3. The more of your invention and prior art that you provide in writing or drawings, the more time and money you save!

C. Writing the application: Avg. 12 – 16 billable hours ; 2 – 4 months, variable.

D. Illustrations: Usu. About \$500

E. Filing (Patent Pending). \$430 - \$860 USPTO fee.

F. Grand total: Avg. \$4 – 5K, 3 – 6 months.

II. Prosecution

A. Your application is published after a few months

1. Send warning letters to infringers

B. Wait 1 – 2 years

C. Office action: USPTO's objections

D. Arguments

E. 3 – 6 month process, \$1,000 – 3,000 legal fees

F. Issuance: \$250 - \$500 fee

G. PATENT!

III. Protection

A. Now you can sue counterfeiters

B. You can back-sue for infringement to publication of your application.

IV. Maintenance

A. \$3,000 - \$6,000 USPTO fees over 10 years