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Patent Searching

There are 5 kinds of **prior art** that can be used against your pending or issued patent for what exists in the "public domain", they are'

- 1. Patents-worldwide
- 2. Patent application publications-worldwide
- 3. Non-patent publications-worldwide
- 4. Offers for sale-US only
- 5. Public uses-US only

Categories 1 & 2 above are the easiest to search-as they are the best organized, category 3 is a bit more difficult and usually requires access to a *for fee database*, categories 4 & 5, are the most difficult to find-poorest organization documentation. The US Patent Office typically only searches 1-3 above, and further usually only for US prior art, categories 4 & 5 come into play in litigation, meaning that an issued patent can be invalidated by previously unknown prior art.

To start your search;

- 1. Word association-pick as many words as you can that describe your invention (plus inventor, assignee, trademarks, location, attorney, or anything else); www.uspto.gov (US Patent Office-US patents & patent application publications) ep.espacenet.com (European Patent Office-worldwide database & PDF avail.)
- 2. On closest references found;

Class & subclass search-"dot....." system in US patent classification index Cited references

File histories-Public Pair-online from 2001-can order prior to that-US

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