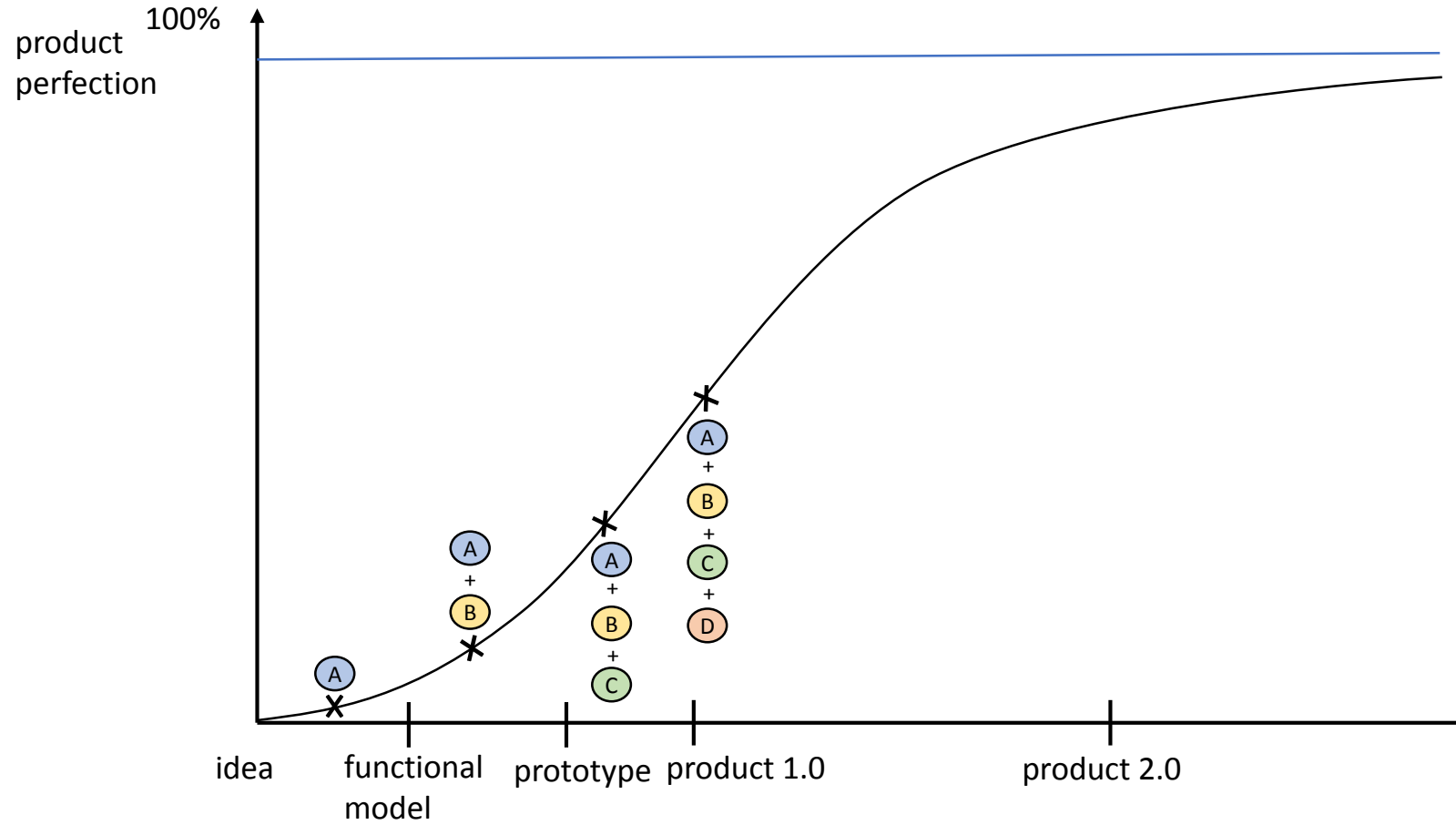


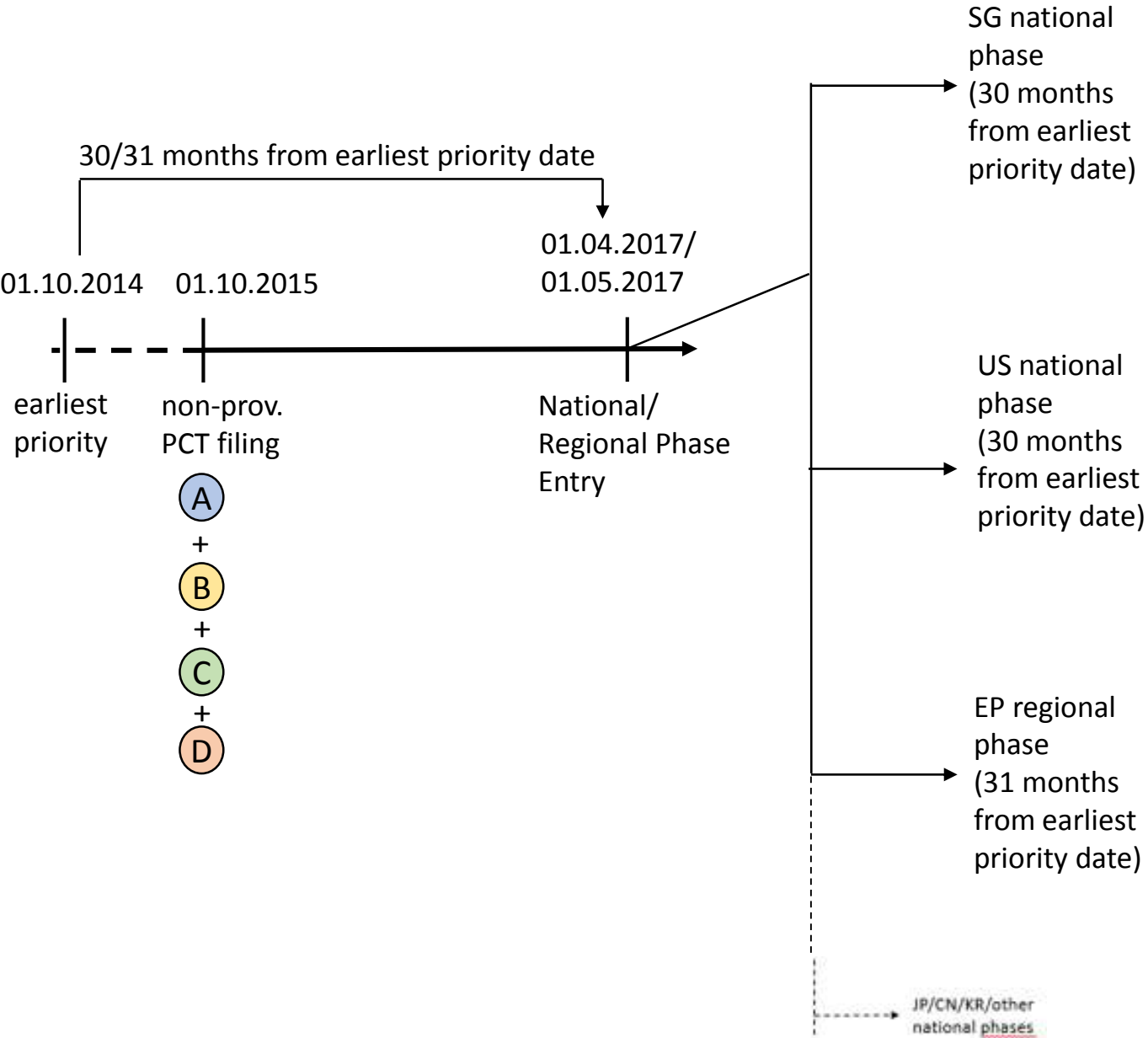
Patent Strategy 9

Help! Where to file national and/or regional patent applications?

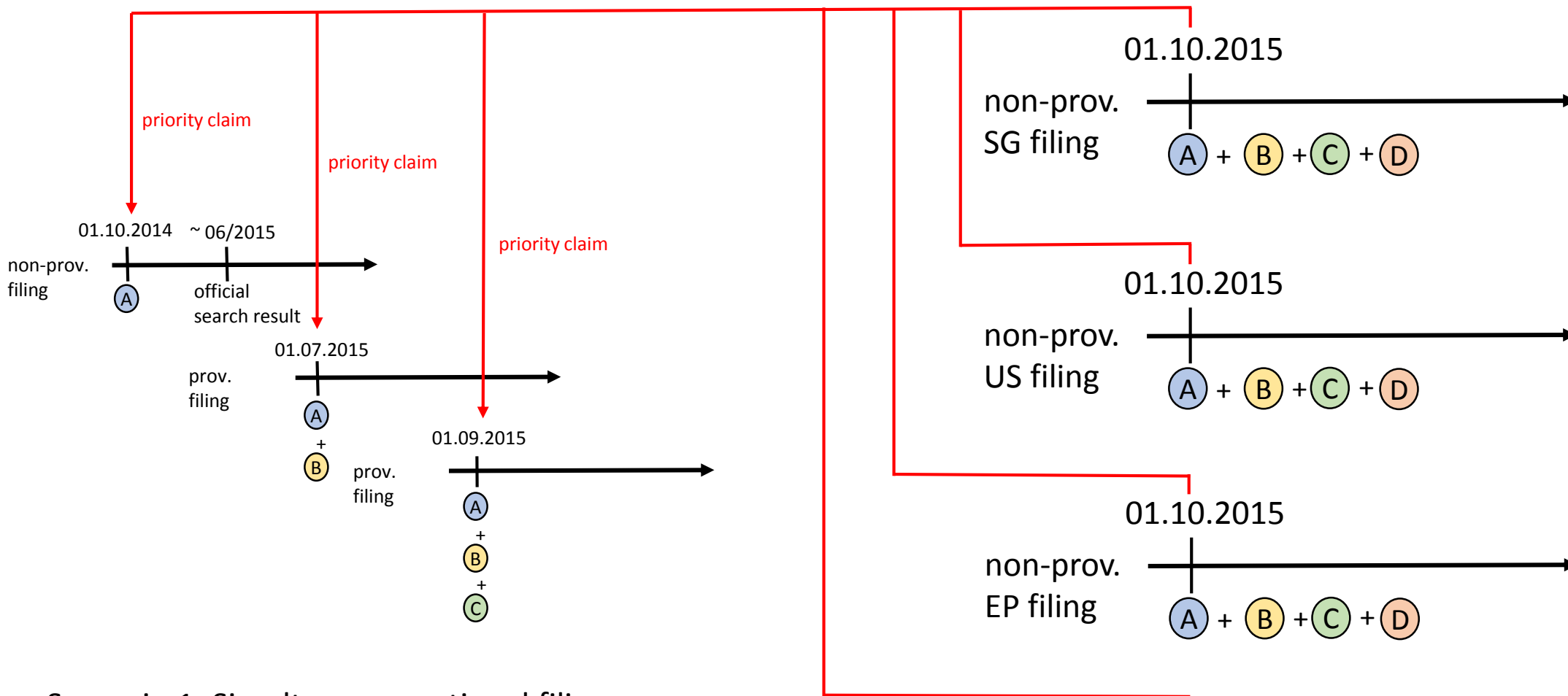
The Starting Point



RECAP: How to further prosecute your non-provisional PCT patent application

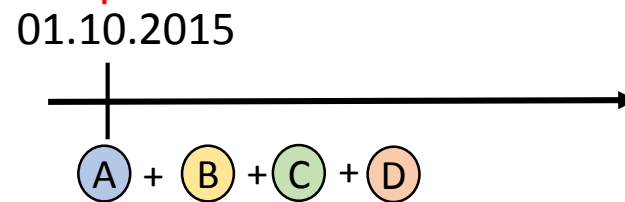


How to directly file national foreign non-provisional patent applications after the end of the priority year



Scenario 1: Simultaneous national filings on the same day within the priority window

non-prov. Filing in JP/KR/CN or other countries, such as TW etc.



Where?

Patents are territorial, and there are more than 160 countries in the world that have a patent registration system.

Problem: costs are an issue.

Answer:

„Poisoning a region“ vs „patents everywhere“

Where to file patents?

- Market driven filing strategies
- Competition driven filing strategies
- Enforcement driven strategies

ABC Analysis, then check how far you go with your budget

Typical case:

A: USA, China, EU (DE-UK)

B: Japan, South Korea, Taiwan

C: India, Brasil

Examples:

- Mobile phone vs. Pharmaceuticals
- Ship Installation
- Car parts (brake pads vs. hoods)
- Water process measurement device (locked away)
- Computer Program

Food for Thoughts

Can you avoid patenting?

Strategy to not file a patent at all and to do a Defensive Publication!

But publish where?

Question: where would you hide a tree?

Exactly.
In a forrest.



Conclusion

For selecting the countries where you want to obtain a patent:

1. Set a budget
2. Provide an ABC analysis of the countries of interest
3. Prioritize national filings according to budget and ABC analysis
4. Double-check: would a defensive publication do the job, too?