

## INVENTORS, what comes first: “the chicken or the egg”?

It’s an age old question and I bet you’re wondering what a chicken or egg has to do with inventing. Well actually, nothing. But it’s the analogy that’s important here. Because many inventors are led to believe that the order in which they take certain steps doesn’t matter. That is absolutely NOT TRUE!!



In the inventing world, your first step as an inventor with an idea is to get an Independent Search done on similar patents and/or products. Do not get a patent prepared or hire an engineer. The independent patent search needs to come first!

Ok, you’re thinking... but why?

It has to do with finding out if you have any prospect of getting to market, without spending money needlessly. Some inventors jump to working with a patent attorney. Worse yet, an inventor may try to write and file his/her own patent. Others pay lots of money to an engineer with no knowledge of whether they are infringing on someone else’s idea. Both of these paths are wrong and the disasters they lead to can be easily avoided.

But why do we consider them potentially wasteful?

If you’re an inventor with an idea, your end game is most likely to get that idea to market. To do so, you will eventually need to patent your idea. But what most inventors may not be aware of is that if your invention has been done at any time in history, in any part of the world, you will not be granted a US patent. That means if anyone in the world has filed for a patent for an idea similar to yours, you can’t get one too.

That’s why a good comprehensive search is such a vital step in the process. By comprehensive, we mean that it will include not only a search within the USPTO (United States Patent and Trademark Office) database, but also in the international database, WIPO. Lastly, a comprehensive search includes a product search of anything existing on the market that may not have a patent associated, but is still part of public record. These three components make up the foundation of the comprehensive search, and each is just as important as the other.

Any decent patent attorney will do some searching, particularly of the USPTO database. But rarely does he/she do the international search. And you can for sure forget about a product search being included. Keep in mind, the patent attorney is actually hoping nothing gets discovered in the search, because he/she has invested interest in NOT finding anything. A total bias.

Added to that, attorneys charge an hourly rate, meaning they can spend any amount of time searching, and charge you a premium. Some of them even use a third party to complete the search and still charge you a premium anyway. Your best bet is to seek out the independent third party yourself, and then

supply the patent attorney with an unbiased search, assuming you get one back that proves you have grounds to proceed with filing a patent.

The most **important** money you will spend is on the independent comprehensive search. It's important for you, the inventor, to do as much searching as you can. However, many inventors don't really want to find anything. Another set of eyes looking for your invention can save you a bunch of heart ache down the road. A good search will not only let you know what has been done so that you don't pursue wasting a bunch of money, it will also help you engineer a better product.

How do you find an independent search company that will do the USPTO search, the international search and a product search at a flat rate? Start with SearchQuest Patents.

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