

## How To File a Patent Yourself: DON'T!



If you're wondering whether or not you should try and file our own patent, let me just say...DON'T!! If you are not a registered patent attorney, then don't do lawyer work. Would you put in your own pacemaker? Would you install your own swimming pool? No! You would go to a hospital or hire a professional, an expert.

It's the same thing when it comes to your patent. Since you can't go to law school on any given Saturday morning and come out at noon as a competent registered patent attorney, don't try to do a complicated job with your knowledge base limited.

Now, legally, yes, you can certainly file your own patent application. It is called filing "pro se". However, the legality part isn't really the complicated part. The complicated part is that if you write your patent poorly, it can easily be infringed on. So the question you should be asking yourself is: DO YOU WANT TO MAKE ANY MONEY?

If you want to eventually make a profit off your invention, then don't cut corners on the patent. The only thing that gives you any legal leverage is a quality patent application filed by a registered patent attorney.

So assuming you want to make money on this endeavor, there are certain steps you need to follow and there are things you ABSOLUTELY need to AVOID! Starting with: NEVER EVER file your own patent! Have you figured out yet how much I am trying to stress this one point?

Good. Don't let yourself get taken in by any of the gimmicks out there. Some common ones I've seen are:

1. Saturday morning classes: How to file your own intellectual property (patent).
2. Books like Patent It Yourself. There are a bunch of these “How To” books and the authors just made their money on you.
3. Software that serves as a template where you just fill in the blank.
4. Scoundrel firms that offer you a Provisional Patent Application for a fraction of the real cost because they are using the awful software template.

I hope I've gotten your attention on the importance of not filing your own patent. Now let's focus a little more on what you should do.

Use a registered patent attorney. They are all listed on the uspto website.

<https://www.uspto.gov/>

Why is this so important? Because they know what they're doing. It's as simple as that. Using an expert to complete a legal document, one they've done many times before, gives you the best potential for success.

As a licensing agent, I have seen so many inventors lose everything simply because they took the short cut to save a few bucks up front and end up with nothing. Getting a patent through the process is hard enough! Why would you risk everything to save a few dollars on the only thing that gives you any legal grounds for recourse if your idea is infringed on?

In my experience, a legitimate licensee (the best option for getting a product to market) will not even waste the time to talk to an inventor who did his/her own patent filing. It will be extremely important to any quality licensee (there are a lot of scoundrels out there) that he/she has grounds to defend the patent if there's an infringement. No one will want to invest in getting your product to market if just anyone can copy the idea and share in the profits.

Yet another negative component of filing pro se is that you probably won't write your patent broadly enough. You see your invention as it is and as having an exact purpose. But a well written patent will bump up against other prior art. The skillset for writing a good patent is knowing how to fill the available space. There is a reason why people go to school for years to learn how to do this and you can't learn it in a weekend class or out of a book.

Monetizing your idea is a lengthy process, and getting a quality patent in place is one of the less costly components. So do yourself a favor and don't skimp out on getting it done right. Unless of course you're just looking to have some fun and waste some time...because without the protection a good patent offers, someone will most likely eventually put you out of business.