



How to perform a Patent Search

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Before you dedicate time and resources to a new idea, it is wise to first research the idea to determine if it is really new, or whether it has already been invented. Powerful tools are available, for free public use, which make patent research both fast and (relatively) easy.

If you would like assistance with a professional search, call Karich & Associates and we can perform a comprehensive search for you, and deliver a patentability report and legal opinion. A legal opinion of patentability is a great tool for convincing potential investors and licensees that your invention is for real.

1. Start by Searching the Marketplace

While this may sound obvious, it is surprising how often inventors neglect to search the marketplace to see if the idea is already on store shelves. A simple Google product search is a great place to start, then search any stores and catalogs that are suitable for your product. Look for specialty stores that are particularly well suited for your product, and ask the clerk if they have heard of a product with your advantages (although don't give the idea away!).

2. Google patent search

If the product is not on the shelves or on the Internet, it is time to research the patent records to see if anyone has filed a patent on your idea. When I perform a patent search, I find the exact product about half the time, so it is definitely worth the time.

Visit www.google.com/patents next, and you can quickly and easily perform a "keyword" search using the powerful Google search engine. Just type in key terms that define and distinguish your product. Avoid common terms that will match many products, try to select key words that are unique to your product. And try to use different terms in different searches. For example, a jar might also be referred to as a container, or other alternative term, so search broadly.

Once you find a patent that is in the right ballpark, look carefully at the document, and you will see two lists of other related patent (patents cited by that patent, and patents that reference the current patent). Click through all of these to find other closely related patents. In this manner, you can search through dozens and even hundreds of related patents quickly and easily. For a more thorough examination, you can download a PDF of the reference for easy review of the application and drawings.

Google is now also able to report foreign references as well, particularly WO (WIPO) and EP (European) references. You may have more difficulty in reviewing these references since they lack the options in the US applications, but they can also be interesting, and might bar your patent application.

3. USPTO.GOV and Class Codes

The official patent office web site (www.uspto.gov) is still a valuable resource, even if it is a little more cumbersome than the Google search engine. You can perform very specific searches, such as for assignees, inventor name, application serial number, and many other useful fields. The primary weakness is that you have to conduct separate searches for patent applications and granted patents (they are combined in the Google search).

The USPTO site is also a good method of performing “class code” searches, a much more powerful search method that is more thorough than “keyword” searches. The class code manual (available on the USPTO site) breaks all patents into defined classes, and assigns code numbers to each class. These codes enable you to target an entire list of pertinent patents, which you can methodically review to determine if your invention is new.

A warning, however, to neophyte inventors – class code searching and other powerful options can be very difficult and time consuming, so you might consider a professional search. The results are superb, and can save you a lot of time and effort.

4. Conclusion

The Google search engine offers a quick and free search options that no inventors should ignore. You can quickly find very pertinent patents with very little effort, and learn a great deal about your product and the related industry.

For a truly comprehensive search, however, you may consider investing in a professional search. Not only will you get more dependable results, you can also get a legal patentability report that is invaluable when trying to attract investors, licensees, or other interested parties.

For the next step ... prepare to file your patent application!

Eric Karich founded Karich & Associates in 1998 to help inventors and entrepreneurs with protecting their inventions and launching start-up companies to commercialize their products. Call or email to arrange a free consultation, 800-949-0255, eric@karich.net.

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