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Memorandum – Lower Your Patent Costs

TO: Anyone Wanting To Lower Patent Costs

1. Find a patent attorney who will file a “provisional” patent application with the government for only one hour of his/her time. (You will have to pay the government’s fee.) Do a “data dump” of everything you know about your invention, and give it to the patent lawyer. Once filed, you have one year to then prepare a “non-provisional” patent application. See the accompanying “warnings” about the limitations of this tactic.
2. Become familiar with the website of the patent office: www.uspto.gov.
3. Search on that same website for patents and published patent applications that disclose inventions similar to yours. Prepare a list of the five (5) most relevant patents and/or published patent applications. Download electronic text copies of those patents from that website, and get free pdf copies, showing the drawings, from this website: <http://www.pat2pdf.org/>.
4. Using the patents that you find as examples, prepare the drawings, and write the following two sections yourself: “Background” and “Detailed Description”. Make those two sections succinct, understandable, and accurate.
5. On that same website, learn to use the table of contents and index in the html version of the government’s manual for the patent examiners, listed in the left-hand column under “Laws & Rules”: “Manual of Patent Examining Procedure”. Look carefully at the following sections for help in preparing the drawings, and in writing those two sections:

608 Disclosure
608.01 Specification
608.01(a) Arrangement of Application
608.01(b) Abstract of the Disclosure
608.01(c) Background of the Invention

- 608.01(d) Brief Summary of Invention
- 608.01(e) Reservation Clauses Not Permitted
- 608.01(f) Brief Description of Drawings
- 608.01(g) Detailed Description of Invention
- 608.01(h) Mode of Operation of Invention

6. Present the list of the patents you found, together with the partial patent application that you have prepared, to a patent attorney, and ask that patent attorney to look it over, and contact you with an offer of a “not-to-exceed” fee that he/she will charge to prepare the patent application.
7. Look at the patent application fees that the government charges, at this website, <http://www.uspto.gov/web/offices/ac/qs/ope/fee2005mar15.htm> and understand that you get only 3 independent claims, and 17 dependent claims, for the listed filing fee. Notice that the government then charges you separately for each additional claim. These charges will be in addition to the patent lawyer’s fee.