

# Protect **Before** You Pitch / AMA

ASHLEY SLOAT, Ph.D. | September 18, 2023

This presentation is for information purposes only and does not constitute legal advice.

# Big Quality for Small Startups.

**Patent Drafting**

**Prior Art Searching**

**Prosecution**

**Maintenance**

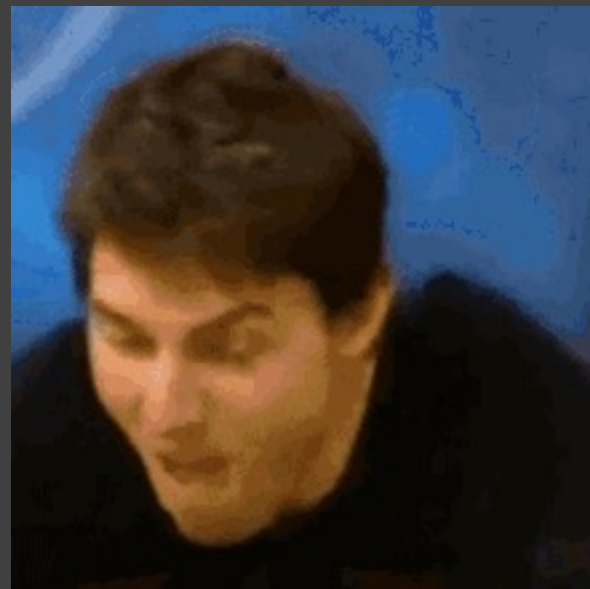
**Portfolio Strategy**

**Competitor Monitoring**



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**Ask Me Anything!**



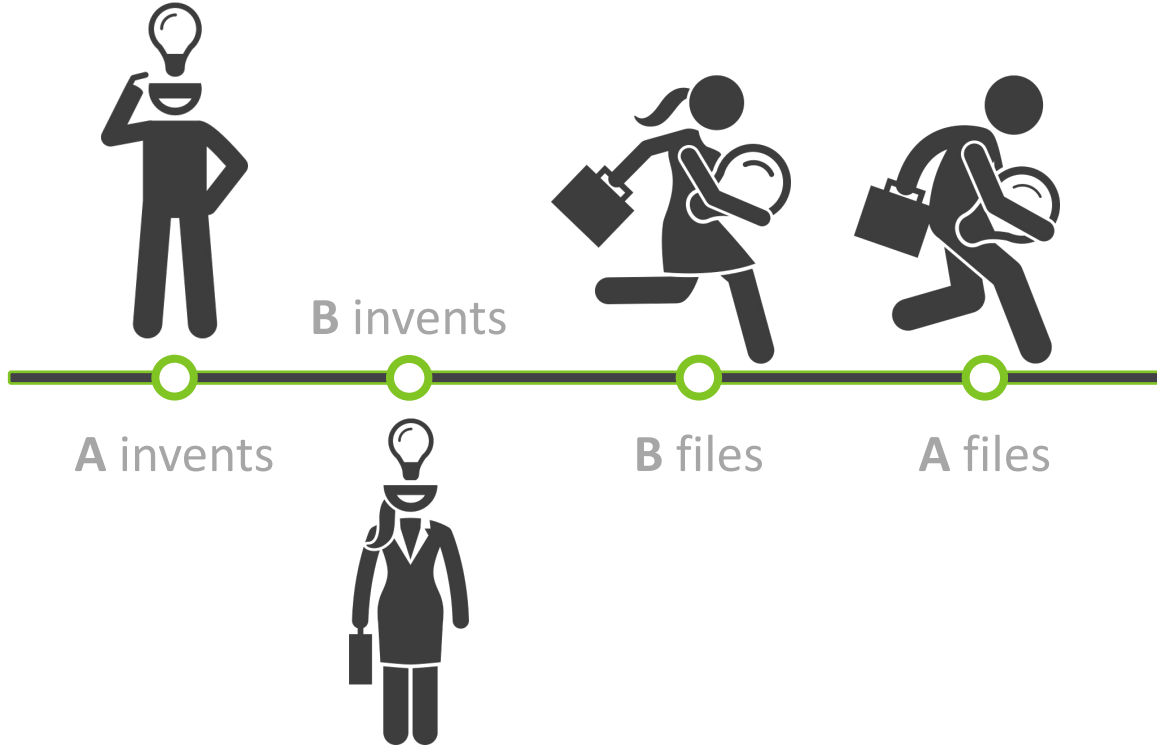
## **Patent:**

limited monopoly of 20 years in exchange for publication of the invention, to promote the progress of the useful arts

## **THEN share:**

Part of your advantage is that you're a first mover, doesn't mean publish to the world but share to get feedback, recruit, refine, and advance

# First (Inventor) to File



File early and often!



**B WINS!**

# When should I file a patent application?

**Before  
public  
disclosure**

- **Before** presenting or publishing your patent-ready invention
- **Before** responding to an RFP if the technology is patent-ready
- **Before** selling or offering for sale your technology

# When should I file a patent application?

**Before selling**

## **Not an offer for Sale**

- Advertising a product not yet developed
- Pre-announcing a product
- Transferring technical knowledge about a process
- Manufacturing agreements
- “Experimental” use

## **Likely an offer for sale**

- Licensing agreements
- Performance of services related to a product
- Providing technical drawings to a potential licensee
- Unaccepted/cancelled orders
- Secret sales

# But, But, But... if you publicly disclose:

- **One-year** grace period:

- U.S.
- Brazil
- Australia\*
- Canada\*
- S. Korea
- Mexico

- **6-month** grace period:

- Japan\*

- **No** grace period:

- China
- Europe
- India

\* Prior to International Filing



**Questions or Comments?  
Contact us!**



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