

EIP



IP Mistakes to Avoid – No. 2 – Revealing your idea before getting your IP in place

In the second in our series of Top IP Mistakes to Avoid, partner [Laurence Brown](#) from EIP's office in Leeds discusses how businesses often forego their chances of obtaining patent protection by making a simple error.

Sadly, this is a mistake I encounter far more than I would like. An inventor has a great idea and gets in touch to discuss filing a patent application. When I ask for information, they direct me to their website... In many cases this makes filing a patent application impossible; in the UK and Europe an invention must be kept secret until a patent application is filed.

In order to be granted a patent, an invention must be new. But if you have already publicised the invention and told the world about it before a patent application is filed, it's not new.

Some countries, such as the US, do have a grace period for certain disclosures but these shouldn't be relied upon. Not least, for European companies, do you want to forego patent protection in your home market?

The internet allows many ways to disclose an invention inadvertently. Publishing details on a website is easy, as is seeking crowdfunding or making a social media post. All of these could potentially invalidate a patent application.

How can you avoid this mistake? If you are developing a new product, consider patent

protection before the product is launched or publicised. The time it takes to discuss with a patent attorney could be time well spent when the product goes on to be a success.

Watch out for more in this series of IP mistakes over the next few weeks.

Laurence and trademark attorney Sharon Daboul will be presenting a seminar at 11:00 on Wednesday 19 October in the Leeds Club as part of Leeds Business Week, where you can learn more IP mistakes to avoid.

If you are developing a new product or just want to take a fresh look at your company's IP, why not book one of our IP clinics on Thursday 20 October.