

EIP



IP Mistakes to Avoid - No. 4 - DIY

In the final part of the series of Top IP Mistakes to Avoid, partner Laurence Brown from the EIP office in Leeds warns against the pitfalls of attempting to obtain IP protection yourself.

It can be very tempting, faced with the expense of professional advice, to prepare and file a patent, trademark, or registered design application yourself. There's a wealth of materials online and available at no cost, but when it comes to the crunch, DIY may be a false economy.

Of course I would say that, you say, it's how I make my living. But the fact is that it takes many years of training and study to qualify as a patent or trademark attorney. Applications prepared without professional input can often be spotted very easily.

I attended a talk by the Plain English Society which made a point about how patent lawyers delight in complicating explanations. Why not call a spade a spade? Because a "spade" may be unintentionally limiting the protection. If my patent is for a spade, can I stop someone who copies the invention but their product is a trowel?

DIY IP can also send the wrong signal to potential investors. Any transaction involving registered IP rights – patent, trademarks and registered designs – will involve an investigation of those rights where their DIY nature may be picked up. Does it send a signal to investors that you value your business and want to secure the best protection?

How can you avoid this mistake? Seek professional advice. Yes, this will cost more than DIY, but there's a lot of useful supporting work you can do to keep those costs manageable – for example use a free online patent database to research whether your

invention is new before speaking to a patent attorney, and invest the time in describing an invention clearly.

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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've been using DIY IP until now and would like to see how its value can be increased, 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.