



You think you've invented something new?

Would you like to know how to protect your invention?

Have you thought of patents?

Here are a few questions and answers that will provide you with useful information on patents.

1 - What is a patent?

It is a document granted by a federal organization that protects the inventor's rights in a country. In Canada, this organization is the Canadian Intellectual Property Office (CIPO). A patent gives the inventor the right to exclude others from making, using or selling his/her invention.

2 - How do I find out if my project is patentable?

To be patented, an invention must meet the three following criteria:

- a) to be new (first in the world);
b) to be useful; and
c) to show inventive ingenuity (i.e. to represent an improvement that would not be obvious to someone skilled in that area).

3 - How can I know if my invention really is new?

The first step is to search the Internet and the patent databases. You can start with CIPO's Canadian Patents Database, available for free from the CIPO website. You can also consult databases from other countries

If you can't find something similar to your invention, it does not mean that your invention is necessarily new; searches made from these websites are limited. It is usually necessary and recommended to hire a search professional or a patent agent to conduct a thorough search.

4 - What can be patented?

Table with 2 columns: PATENTABLE and NOT PATENTABLE. Rows include: A product (e.g. a door lock) vs A scientific concept; A composition (e.g. a chemical composition used in lubricants for door locks) vs A theorem; An apparatus (e.g. a machine for making door locks) vs An idea; A process (e.g. a method for making door locks) vs A computer program (software) as such; An improvement on any of these vs A medical treatment.

5 - I invented a new type of ladder for firefighters.

Can I obtain a patent for that kind of invention?

If your ladder is a modification to an existing ladder or an improvement of it, you may be able to patent it. To represent a change or a patentable improvement, your ladder has to be functional and make experts in ladder design think: I should have thought of it.

6 - Is it true that most inventions are improvements of existing inventions?

Yes, 90% of new inventions are improvements of already existing inventions. You can therefore consult patent databases to find new ideas.

7 - I heard that if I disclosed my invention, I could not be granted a patent. Is it true?

Yes, most countries use the system of absolute novelty. However, in Canada and the United States, you have one year after you have disclosed your invention to apply for a patent.

For more information, visit the Canadian Intellectual Property Office website at www.cipo.gc.ca.