

Patent Portfolio Guide

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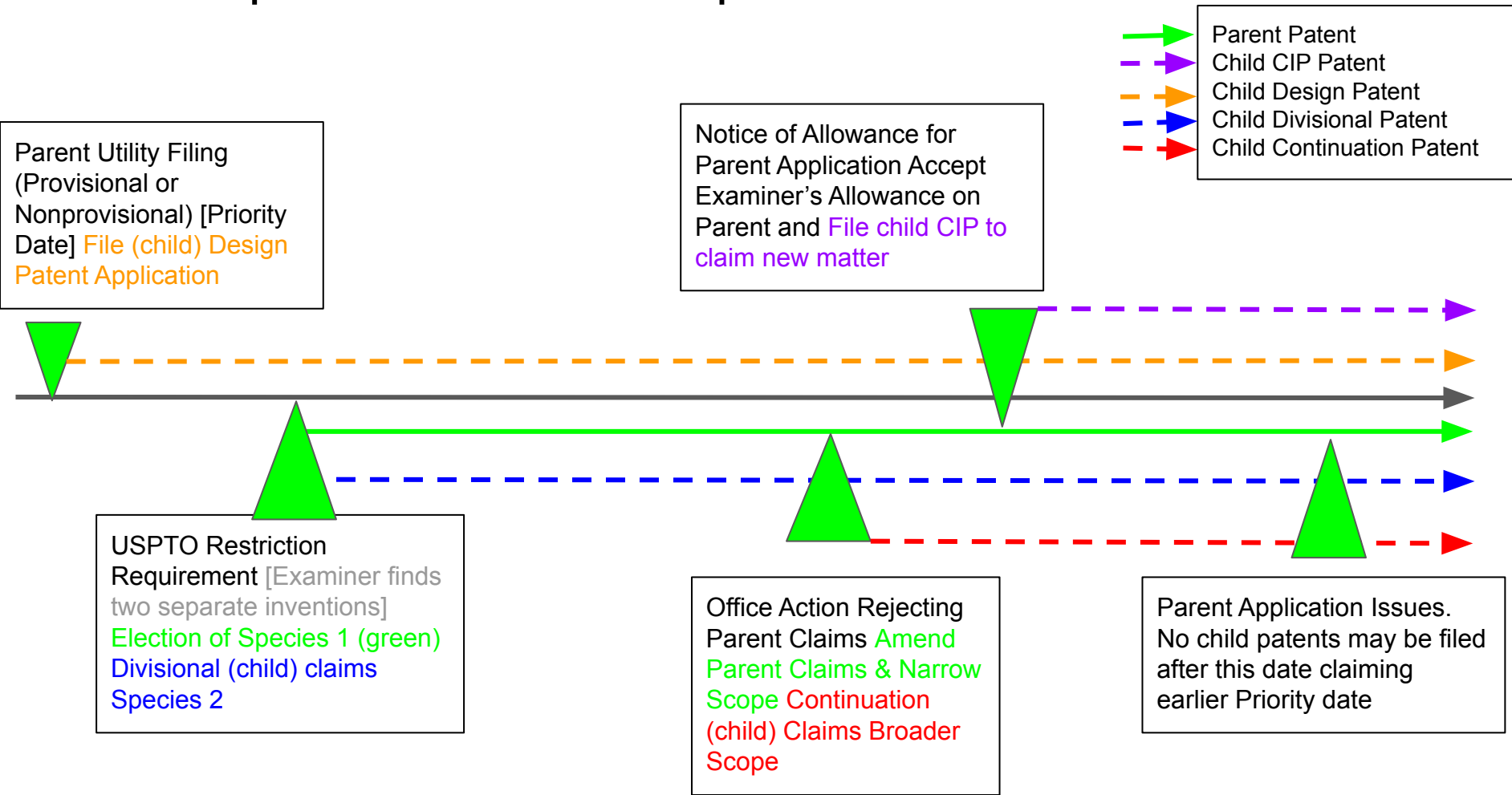
What is a Patent Portfolio?

- It's a fancy term that means more than one patent
- For many inventions, it takes more than one patent to adequately cover and protect what will be sold on the market
- A “Parent” patent application
 - Is the patent application that was filed first, and has the earliest priority date
- A “Child” patent application
 - Is any patent application that ***must be filed before the parent patent issues***, that seeks to expand the patent claims that are in the parent application, and claims the priority date of the parent application

Types of Child Patent Applications

- **Divisional Application**
 - During examination, if the parent patent application faced a restriction requirement, where the examiner believed there were more than one invention, the unelected set of claims can be filed as a divisional child patent application of the parent filing to capture the other invention (also called species)
- **Continuation Application**
 - This type of child application will not add any new matter to the written specification, but will seek broader or different types of claims than its parent application
- **Continuation-In-Part (CIP)**
 - This child application *does* add some new matter to the specification and/or drawings, and will make new claims to cover the newly added subject matter. It will also seek broader/different types of claims as well, just like the Continuation.
- **Design Patent Application**
 - For many physical devices/apparatuses or systems, while the parent patent application protected the functionality (as a utility patent), the aesthetics or shape/ornamentation is not protected by the utility parent application, and thus, a child design patent may be filed claiming the priority date of the parent utility patent application to protect these other aspects.

Example Portfolio Development Timeline



Patent Family Tree Example

