

# International/PCT Guide

By: J.D. Houvener, CEO, Bold Patents Law Firm

# International Rights: Patenting outside the US

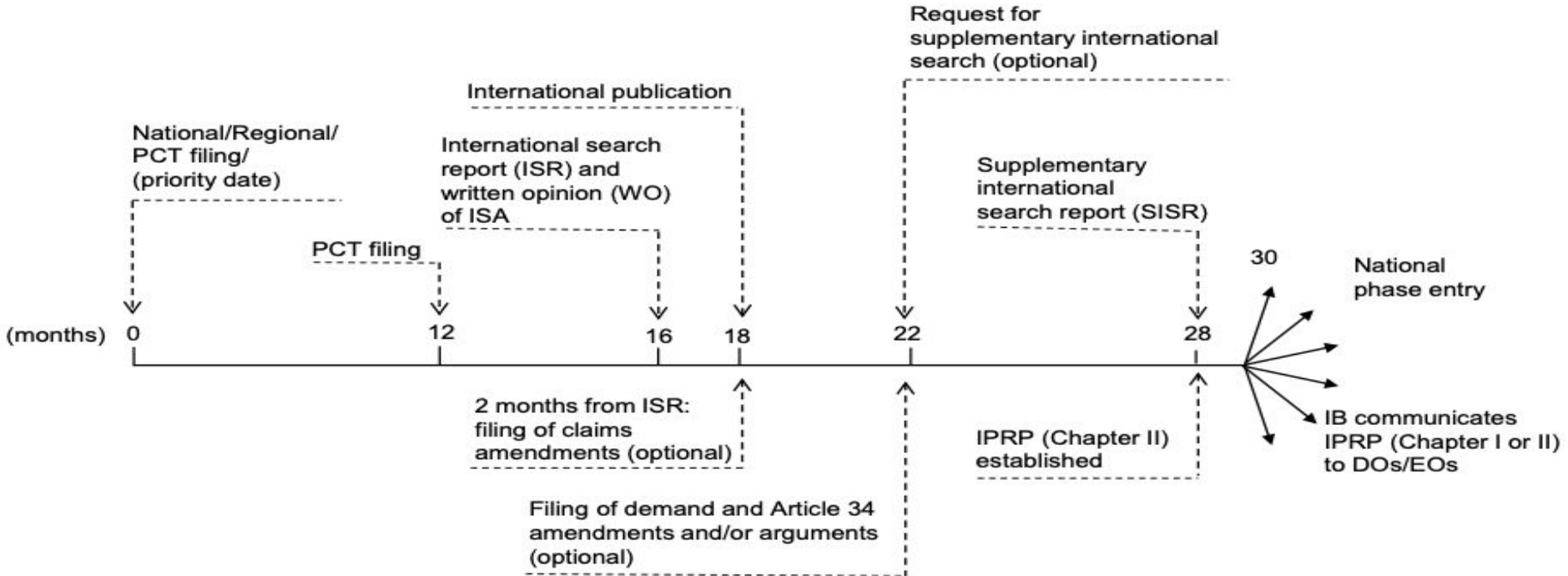
Does your invention have a market overseas? For most all products, the answer is a resounding YES! It's not always true for systems/methods/processes though, so it will be a case-by-case business decision. Here are the two major options:

- **Filing Direct Foreign Applications:** You may, within 12 months of your priority date, file directly with foreign country's patent offices, but you must coordinate this 3-4 months in advance to allow preparation/translation for timely submittal
- **PCT:** At the time of filing your NPA, you can file a [Patent Cooperation Treaty \(PCT\)](#) application ([timeline](#)), which will allow you the *ability* to file into [over a 150 member countries](#). There is a parallel for design patents (see *Hague*)

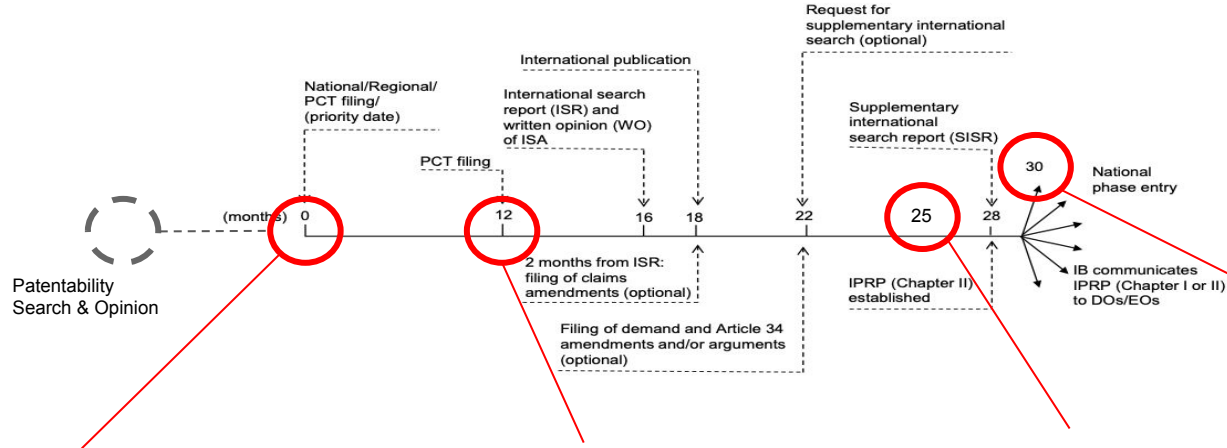
# Additional Considerations for International Filing

- **Prepare to File:** Your Bold Patent Attorney will prepare the application and be sure to claim priority back to any PPA that was filed
- **Coordination with Foreign Patent Counsel:** When it comes time to file in foreign countries, your Bold team will coordinate with foreign counsel to assure timely filing and prosecution of your patent filings
- **Additional Cost/Opportunity:** Along with the opportunity to have rights in several countries around the world, comes the cost to prosecute the patents, acquire them, and most of all *enforce them*. So plan accordingly.

# PCT Basics: Timeline



# PCT Basics: Key Dates Timeline



## US Provisional or Design Patent Application:

- Bold Attorney
- “Patent Pending”
- 12 month timer

## 12 Months: Deadline to file PCT & US Nonprovisional Patent Application:

- Bold Attorney
- Keeps “Patent Pending”
- USPTO Examination Starts
- Expedited Examination\*

## 25 Months: Kickoff Meeting with PCT Network and Foreign Counsel:

- PCT Network
- Bold & Foreign Attorney
- International Filing Strategy

## 30 Months: Deadline to File in Foreign Countries:

- Foreign Attorney(s)
- PCT Network