

Basic Comparison of Patent, Trademark and Copyright Protection

	What does it protect?	When should you seek it?	How long does it last?	How much does it cost to file the application? * (legal fees* plus filing fees**)	Does state or federal law apply?	Website for doing searches and obtaining fee information
Patent	Inventions that are novel (in design or use) and non-obvious Types of patents: utility, plant and design	When necessary to protect your investment in developing and marketing your invention	Generally, 20 years from date of filing application Must file an application within one year of first public disclosure	Provisional \$1,500-3,500; USPTO filing fees \$100 Non provisional – legal fees-\$3,000-7,000 filing fees for three independent claims and 20 dependent \$500	Federal	www.uspto.gov www.milwaukeeipatents.com
Trademark	Word, symbol, device, logo or slogan that distinguishes the source of one product from another	To protect investment in developing <u>market recognition</u> for your goods and services Note: must be used in commerce	Must be renewed every 10 years, but may be renewed indefinitely	Legal fees for filing application and performing initial search \$700-1,000 USPTO filing fee - \$325-350 for <u>each</u> class of goods and services	Federal and state	www.uspto.gov www.milwaukeeipatents.com
Copyright	An original work in fixed, perceptible form (e.g., a written work or computer code sequence)	N/A – copyright protection is automatic	Life of author plus 70 years for works created by a single individual; 120 years for other works	Variable	Federal	www.copyright.gov www.milwaukeeipatents.com

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* These are only estimates, and are based on my personal experience in the Milwaukee market and include only the cost of filing the initial application. Fees may vary widely based on the complexity of your matter, the technology, the existence of prior intellectual property rights of third parties and many other factors. Additional legal fees are incurred if it is necessary to respond to Office Actions from the United States Patent and Trademark Office. Periodic renewal fees also are required.

** These are minimum filing fees; additional fees are charged for excess patent claims, additional classes of trademarked goods and services and for multiple embodiments of copyrighted works. You should ask an attorney to assist you in calculating.