

New Product Development

Step 1 - Protecting your Idea

To initially protect your idea, a simple thing you can do is to compile a detailed description of your idea including drawings and place these in an envelope addressed to yourself. Send the items to yourself by registered post but do not open the envelope at any stage and keep it in a safe location.

It is also a good idea to have a signed witness of this description (non family member) who can verify that this letter was composed by you.

Step 2 – Conducting a Product / Patent Search

You need to establish if your idea is an original one. It is advisable to thoroughly research this and keep a paper trail of your investigation. It is also useful to know what the competitors are offering and if there are similar products out there and to catalogue/record this information in detail.

It is possible also that someone else has had the same idea and has already taken out a patent on the invention. To check if the idea already exists you can search world wide patent data banks – as follows :

Irish Patents Database = www.patentsoffice.ie

UK Patents Office = www.patent.gov.uk

European Database = <http://www.espacenet.com/index.en.htm>

US Patent Office searchable database = www.uspto.gov/patft/index.html

European Patent Office = www.epo.org

Also : www.freepatentsonline.com

www.delphion.com

www.google.com/patents

It is advisable to search the database of the country you intend to apply for a patent in, for example, search the UK database if you intend to apply for a UK patent.

Begin your search by entering the product description – if you come across similar ideas, print off the results and take note of all similarities with your product. Keep a file on all your searches as this can be used as evidence that you did search for the intellectual property rights of the idea before you went into production.

TIP : Print out the recent similar patents to get familiar with the layout and drawings for writing up your own patent.

You can engage a patent agent to do your patent searches for you but there is an obvious cost involved and they do not always guarantee that another patent does not exist for your product.

Step 3 - Taking out a Patent

If you are confident that your idea is patentable, you can apply to the Irish Patents Office (or relevant office). In order to be eligible for the grant of a valid patent the invention must be new, involve an inventive step and be capable of industrial application. There are a number of options but for most people a short term patent of 10 years is sufficient. The patent filing cost in Ireland is €60.00 and there is a charge of €30.00 while file is granted. The patent will be granted in 9 to 12 months from application date. The idea is protected from the application date.

TIP : When filing your patent, remember to include as many aspects to your design as you can think of, e.g. mechanical applications, automated applications. This will limit the possibility of people taking your idea, modifying it slightly and then copying it.

The Irish Patents Office produce a handy easy to read guide entitled 'General Information Concerning Patents for Inventions'. It is advisable to read this completely before completing your patent application. This guide includes a copy of a Patent Application Form and tips on how to complete it.

TIP : Inventors should be aware that any public disclosure of an invention before an application for patent has been made might prejudice the obtaining of a valid patent.

Again, you can engage a patent agent to complete your application for you but if filing in Ireland the Irish patents office will assist you with your application. The cost of engaging a patent agent varies considerably so shop around for quotations. A list of patent agents is available from the Irish Patents Office.

Do take time to consider if a patent is really necessary and will it completely protect your idea.

Further details of how to obtain international patents and worldwide patents are also available from the Irish Patents Office.

Step 4 – Commercialisation

Once your idea is protected, you can start to research the commercialisation of the idea.

Developing a new product idea can be costly and time consuming so you really need to be sure that there is going to be a market for your product and you can produce it at a realistic price.

You may need to conduct research amongst potential users of the idea to see what their reaction to it is. If you do not have a working prototype of your idea, it is possible to get computer aided images of your design so you can compile a powerpoint presentation to potential buyers, users, retailers etc. This can give you very valuable information about your product and market reaction to it. It may also result in you modifying your idea to meet consumer needs and you may also need to adapt your patent application accordingly.

TIP : Non disclosure agreements must be signed prior to any research or meetings taking place in order to further protect your idea.

Further assessments of market demand and routes to market will be required as well as a detailed plan for production and distribution.

All options should be considered at this stage including :

- Manufacturing and supplying end product yourself
- Partnership deal
- 3rd party buy out of your idea (possible royalty % on each product sold)

For further information please contact a Business Advisor in Westmeath County Enterprise Board or the Irish Patents Office : www.patentsoffice.ie

Patents Office
Government Buildings
Hebron Road
Kilkenny

Tel : 1890-220223

Or

Patents Office
Ground Floor
The Earlsfort Centre
Hatch Street
Dublin 2 Tel: 1890-220222