

Revitalizing Internal Patent Systems to Expand Idea Protection

Established companies often have in-house patent attorneys and systems available to pursue patent protection of important ideas. However, reliance on calcified structures are likely to leave valuable ideas undetected and unprotected. Here are some actions for consideration:

- **Outreach – Breadth.** Inform **all employees** who may be conceiving of patentable ideas of your company's interest in patents and the idea-submission process.
 - Don't exclude non-scientists (e.g., employees on marketing, customer service or acquisition teams).
 - Don't exclude interns and contractors.
- **Outreach – Depth.**
 - **Emphasize the importance** of patents to all employees (e.g., to attract investment, to ward off competition, or aid in your claim as a technology leader).
 - **Convey the types of ideas** that may be patentable and the protocol for vetting ideas in your company (emphasizing idea categories that align with product strategy and vision).
- **Constructive Idea Vetting – Idea Segregation.** Products and development effort frequently have multiple patent ideas that could be separate patents. Be sure to **detect each individual idea**, such that it can be adequately considered internally and potentially described in a patent application.
- **Constructive Idea Vetting – Idea Expansion.** When a decision is made not to attempt to patent an idea, spend time with the employee **explaining why**. Consider your business's priorities, product lines and competitors to assess whether the idea **may be expanded** or focused in a manner of interest and potentially patentable.
- **High-Level Analysis – Idea Focus.** Monitor your company's portfolio, competition and product goals to identify key areas for patent protection. Encourage brainstorming, idea submission and patent-pursuit approval in these areas.
- **Focus on Quick Filing.** Prior patent capture programs delayed filing with documentation and vetting, but filing first and asking questions later is preferred with the new first-to-file system.

