Guide for Innovative and Creative Minds

Patents

A patent is a protective title granted by the state for an invention. It gives the owner protection from another person commercially using (i.e., producing, applying, selling or importing) his invention without permission for a maximum of 20 years. For example: The inventor of a ball-point pen can prevent someone else from producing ball-point pens without his permission based on his patent. However, he can also allow production against some kind of recompensation.

Legally, an invention is a new solution to a technological problem. Products (such as heatable ski boots, or chemical compounds such as aspirin) and processes (such as a process for freeze-drying coffee) can be patented.

Patent protection is only valid in those countries where a patent has been granted. It expires 20 years after the application date. Thereafter, the invention belongs to the public domain and can be used by anyone.

Good to know

➢ Patented products or their packaging can be graphically identified, for example, by the federal cross and the patent number (+69255) and even information about the country in which the patent was granted (CH patent 69255). If a patent application has been filed for an invention, the symbols ‘pat.pend.’ or ‘patent pending’ can be used. It is an offence to misuse these symbols.

➢ A patent does not automatically confer its owner the right to use his invention. Other laws, such as those covering medicines or artificial reproduction, regulate whether an invention can be used. In many cases, approval must be obtained.

Further information
Resources

- **www.swissreg.ch**: The official publication of Swiss patents, trade marks, and designs contains information on published Swiss applications and Swiss patents as well as granted European patents effective in Switzerland and Liechtenstein.

- **www.espacenet.com**: Millions of patent documents from all over the world are contained in the online database of the European Patent Organisation.

**CONTINUE**

 Protection Requirements