Patent Process

Approximate Timeline

UT RESEARCH FOUNDATION

0

Disclosure Is Evaluated by UTRF

0 - 9 months

Provisional Patent Application Filed

A provisional application is filed if and when data supports a filing. Provisionals must be filed within one year of a public disclosure. Establishes a priority date.

1

1 year

US Only

Non-provisional Patent Application Filed

A non-provisional US patent application is filed within one year of the provisional application. This application will be examined by the USPTO.

6 months

Patent Application Published

A **restriction requirement** may be received during this time if the USPTO determines there are multiple inventions in one application.

1 year

First Office Action Received

The patent examiner provides notification of which claims in the application have been rejected or accepted along with reasoning.

1 year

Respond to Office Action

Patent Attorney issues response to USPTO in three months, **extensions possible, but costly.**

3-12 months

Additional Office Actions Received

Patent Issued

International

PCT Patent Application Filed

PCT patent application filed within one year of provisional, if seeking international protection. Public disclosures eliminate the possibility of foreign protection.

1.5

6 months

International Search Report Received

The International Searching Authority issues a report detailing their prior art search and preliminary opinion on patentability.

Patent Application Published

2

1 year

National Stage Entered

Countries in which patent protection is desired are selected and separate patent applications are filed for each. **Due to cost, proceeding with foreign patent production requires a license.**

3

National Examinations

Patent is examined independently by examiners from the patent office in each selected country.

4

Patent Issued

UTRF: **utrf.tennessee.edu**
Health Science Center **901.448.2111**
Multi Campus Office **865.974.1882**