

“Ask the Legal Professional”

Question and answer articles on legal topics featured in the Pittsburgh Business Times



PROTECTING INVENTIONS

Q What is the difference between a utility patent and a design patent?

A The two main types of patents granted by the United States Patent and Trademark Office are utility patents and design patents. It is important to determine which type of patent applies to your invention to receive sufficient protection. A utility patent covers inventions that function in a unique manner to produce a utilitarian result.

A utility patent may be granted to any new or improved process, machine, manufacture, or composition of matter. A design patent covers the unique ornamental shape or surface ornamentation of an article or object. A design patent may be granted to a lamp, a chair, or other object having a truly unique shape. However, the uniqueness of the shape or design must be purely ornamental or aesthetic. If the shape or design is functional, then a utility patent is proper.

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