



Patents

A MINIGUIDE FOR ENTREPRENEURS

Patents protect a company's inventions, new developments, and ideas against copying and they are critical to companies, which base their business on special products or technologies. With a patent, you will ensure the company's own investments in research and development, and a patent is often a necessity if you wish to catch the interest of investors.



Why are patents a good idea?



Patents make your company robust

If you do not protect your innovative ideas through patents, a start-up company will be in a bad position towards competitors who hold large financial funds, and who will be able to use or further develop the idea and introduce it on the market.



Patents are assets

A patent will ensure your market position and ownership of the invention. This means that your competitors cannot “steal the idea” from you. Patenting is not just about defensive protection, it is also a matter of creating future possibilities.



Patents attract investors

A patent is your proof that your project is new and has inventive step, and that the project only exists with you and your team. It is furthermore a formal evidence of your expertise and your dedication towards turning the project into a business, which assures the investors that they are providing capital for a professional project.



Patents create business in themselves

A patent may form the basis for licence and collaboration agreements, and as the proprietor of the patent you will be in a position to negotiate profitable agreements with a third party who is interested in the invention.

How do you obtain a patent?

1. Novelty search

First of all, you must find out whether your idea is new. You can start by making a search in patent databases such as **Espacenet** or **Google Patents**. Furthermore, a patent consultant can help you perform a so-called novelty search or a patentability assessment.

The three patent requirements:

Even though the patent law is not entirely the same in e.g. Europe and the US, the general principle is that you can only obtain a patent for an invention, if it fulfills these three requirements:

> **Novelty**

Your idea must be new and must not already be publicly used or in any other way be published, for example on a homepage or in a journal. This also applies to your own use and presentation.

> **Inventive step**

Your idea must differ significantly from other known inventions and products.

> **Industrial applicability**

Your idea must be capable of being made or used in any kind of industry.

If you are in doubt, whether your invention fulfills these three requirements, you should contact a patent consultant, who can help you assess your options. For some inventions, there may be further requirements and exceptions.

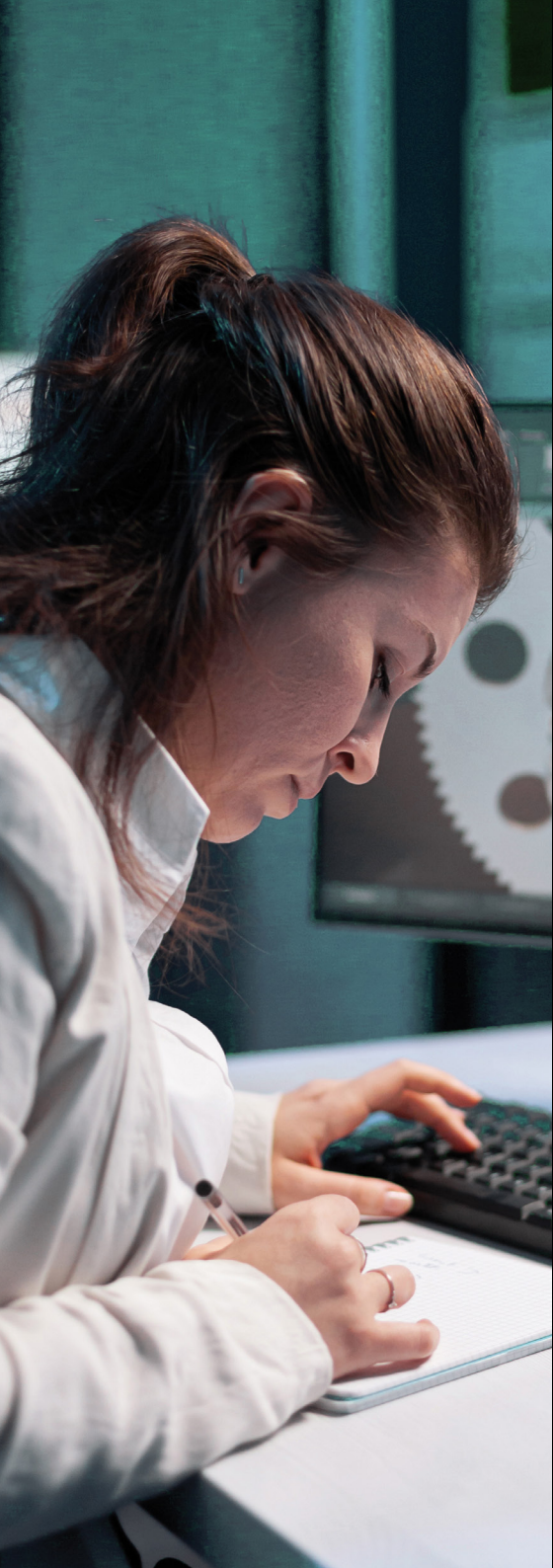
2. The patent application

When you have assured that your idea fulfills the three requirements, you can start writing your patent application. It may prove beneficial to contact an IPR expert, who is familiar with the legal pitfalls and the technical terms, which comply with the patent authorities with whom you will file your application. This ensures that your application is written in the most efficient manner and you can spend your time on developing the project.

Regardless of who is writing the application, it must consist of two main parts:

1) A description of your invention

In the application, you must describe your idea, explain the purpose, and why it is unique. It is a good idea to include drawings which illustrate your invention, and which show the principles of the idea.



If the description is inadequate, important details, which might otherwise explain how the idea differs from other inventions, might be lost. Therefore, it is often better to write too much rather than too little – and it is decisive that you know of any potential similar inventions and products, which might influence the patent authority's evaluation of your idea.

2) A patent claim

A patent application can contain several patent claims, and together they form the basis of your application. Patent claims are clear technical descriptions of the idea/solution, you wish to patent, and furthermore they define, how the solution differs from similar solutions. The patent claims define how your idea is protected. The patent claims in your application must therefore cover your idea from all possible angles, so that you can uphold the right to your invention towards possible competitors.

3. Await the decision

When you have filed your patent application, you must await the final decision – which can take several years (it is possible to accelerate the process). At this early stage in the process, many companies decide to include the patent application as part of their marketing and any possible investor pitch, and they say that they have a so-called "pending patent".



How much does a patent cost?

The price of a patent application and a granted patent depends on several factors. Firstly, the complexity and the extent of the invention affect the price. Then, there will be costs in connection with the selection of countries, the examination, and the number of patent claims.

An initial novelty search performed by a patent consultant normally amounts to 10,000-20,000 DKK (without VAT), while a patent application can amount to between 30,000- 60,000 DKK (without VAT). Then there will be costs in connection with examination and correspondence with the patent authorities in those countries, where the patent application is being examined.

Furthermore, there will be official fees to the authorities, e.g. annual renewal fees. The Danish Patent and Trademark Office offers an overview of official fees [here](#).

We recommend that entrepreneurs prepare an IPR strategy as early as possible in the start-up phase – and of course before they start presenting the idea.

An initial meeting with a patent consultant can help ensure that the funds, which a company can spend on obtaining patent rights, are spend in the most useful manner.

Read more about entrepreneurship and IPR [here](#).

Do you have any questions or do you need assistance?

You have now reached the end of the guide and hopefully you now have a clearer understanding of what a patent is, what kind of benefits it offers you, and how you apply for a patent. If your idea is patentable, you can already now start describing how and why.

If you need professional assistance for the entire process or parts of the process, our patent consultants are ready to help you. You can contact the consultant directly, if you have found a consultant within your technical field among **our experts on our homepage.**

You are also welcome to send us a general inquiry. Send an e-mail to **pv@pv.eu** or call us at: +45 33 63 93 00.

Enjoy your work!



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MICROSHADE: Patent-protected sunshade sets a new standard

"It is possible for a small company to do something rather intelligent with patents," says Eik Bezzel, who is the CEO of the Danish greentech company, MicroShade.

MicroShade has developed a transparent and energy-friendly sunshade, which neither blocks daylight nor the view. The technology behind the solution is unique, and MicroShade patented the idea long before, it became a fully developed solution.

The patent rights add importance to the small, innovative company and strengthen their position in the debate.

"The business areas we work with and within are not characterized by a significant interest in patents – many companies choose completely different ways of running their businesses and decide not to disclose their business secrets. But for us it is important, and it gives us great value to have patents," says Eik Bezzel.

Read more about the solution [here](#).



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