



Engineering Patents

An Online Continuing Education Course for Engineers

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Engineering Patents

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Table of Contents

| | |
|--------------------------------|----|
| Introduction | 2 |
| Patent Process | 4 |
| Automotive Engine Coolant Pump | 6 |
| Magnetic Drive Patent | 8 |
| Figure 1 | 13 |
| Figure 2 | 14 |
| Figure 3 | 15 |
| Figure 4 | 16 |
| Figure 5 | 17 |
| Figure 6 | 18 |
| Figure 7 | 19 |
| Figure 8 | 20 |
| Figure 9 | 21 |
| Figure 10 | 22 |
| Figure 11 | 23 |

Introduction

A patent is a document issued by the government that gives the engineering applicant exclusive rights to an invention for a period of 20 years. The invention must be something that is new and useful to society. An invention that is obvious to a person with average skill in a given field is not patentable. Patents are sometimes assigned to a company with one or more of its employees listed as the inventor. This is usually done as a prior condition of employment between the company and the employee. Patent laws give individuals and companies incentive to develop their innovative ideas for their own benefit and for the benefit of others. Some large corporations spend billions of dollars a year to develop useful and beneficial products that they otherwise may not have the incentive to do without the patent laws.

Patents can be traced as far back as 500 BC to Europe where the first patents were granted in Greece for "refinements in luxury". In the 1400's, in Italy, a patent was issued for a barge that carried marble. Patents were granted in England and France in the 1600's and 1700's. The first Congress of the United States adopted a Patent Act in 1790 and the first patent was issued on July 31, 1791 titled "in the making of Pot ash and Pearl ash by a new Apparatus and Process". It was signed by George Washington. Treaties between the nations of the world including the U.S. and Canada have gone into effect whereby members of one nation may obtain patents in another nation in a manner similar to their own country.

The word "patent" comes from the Latin word "patere" which

means "to lay open". This refers to the fact that, in order for a patent to be issued giving the inventor exclusive rights to his invention, he must make his idea known to the general public. That is the reason that, in certain cases, some parties do not apply for patents for innovations which they consider too important to divulge for fear they will be infringed upon or ways will be found to circumvent them.

A patent gives the inventor exclusive rights to his invention; however, it does not give him the right to interfere with another patent. For example, many inventions are improvements of existing patented products. An inventor may not produce the item with his patented improvement without the consent of the original inventor assuming that the original patent is still in effect. Patent infringement cases are held in civil courts where, if successful, monetary compensation awards are ordered. Patents may be sold, licensed, transferred, or even given away. It is common for corporations engaged in the same field of endeavor such as the automotive manufacturers to share patents for the mutual benefit of both companies.

Patent Process

There are three types of patents; utility patents, design patents, and plant patents. Engineering patents usually fall into the category of utility patents. Utility patents cover materials, machines and component parts, and processes. Those that are not those that

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After should will make a search U.S. Patent Office. Prior art includes a patent that has been written (or is pending) that is the same as or similar to the one being applied for. Assuming that the prior art shows that the proposed patent is a new and novel idea, the Patent Attorney will prepare the patent application and submit