

WHAT IS A DESIGN PATENT?



Design Patents 101

A design patent is a type of IP that protects the ornamental design of an object that has practical utility. The United States Patent and Trademark Office (USPTO) issues design patents. They are valid for 15 years from the date of issuance.

Famous Examples of Design Patents

In the fashion industry, designers like Vera Wang and Diane von Furstenberg have patented iconic looks like the “wrap dress.”



Using Design Patents With Copyrights and Trademarks



Design patents protect the unique appearance of an object, while copyrights protect specific aspects of the design, such as drawings or patterns. Trademarks, on the other hand, protect any type of distinctive mark, such as a logo or name.

Main Components of a Design Patent Filing

The design patent filing must include: a preamble, cross reference to any related applications, a description of the figure(s) of the drawing, a description of the features of the design, a single claim which defines the design, drawings or photographs of the design, and an executed oath or declaration.



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