

Changing Assignments

I spend a lot of time in this blog talking about inventors. However, invention is not the only way to get a patent. Patent rights are considered property rights and they can be sold or transferred using contracts. Like deeds or mortgages, patent right transfers, called assignments, need to be recorded with the Assignment Recordation Bureau (ARB) of the Public Records Division of the USPTO. To record the assignment, a copy of the original documentation is required. The ARB simply records the assignment. The ARB does not check the validity of the assignment of a patent and the act of recording the assignment has no bearing in ownership disputes of patent rights.

When purchasing patent rights, the buyer is purchasing the right to exclude others from making, using, selling or importing the invention claimed in the patent. However, purchasing a patent does not necessarily give the new owner the right to make, use, sell, or import the claimed invention as other legal considerations come into play. A patent that is dominated by a broader patent or a product requiring regulatory approval would be examples of these considerations.

The easiest way to determine who owns a patent is to use the [Patent Assignment Database](#) which allows for searches by patent number, assignor name or assignee name.

Jim Carson is a principal of RB Consulting, Inc. and a registered patent agent. He has over 30 years of experience across multiple industries including the biotechnology, textile, computer, telecommunications, and energy sectors. RB Consulting, Inc. specializes in providing management, prototyping, and regulatory services to small and start-up businesses. He can be reached via email at James.Carson.Jr@gmail.com or by phone at (803) 792-2183.

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