

**Maine Patent Program
Center for Law and Innovation
University of Maine School of Law
400 Commercial Street, Suite 405
Portland, ME 04101**

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Request for Services for Intellectual Property Legal Assistance

Terms and Conditions

Program's purpose: The Maine Patent Program ("Program") was established, and is funded, by the Maine Legislature "to support the commercialization and manufacturing of innovations in the State by providing education and assistance with the patent process of the United States Patent and Trademark Office to companies, inventors and entrepreneurs in the State."

10 M.R.S.A. § 1921. The Program is dedicated to helping to develop Maine's economy by providing assistance to inventors and innovators in obtaining intellectual property protection for inventions and innovations that are likely to have commercial success and produce jobs in the state.

Program assistance: The Program will provide, on a non-fee basis, intellectual property education and counseling to inventors, entrepreneurs, companies and research scientists in Maine. These services will take the form of workshops and seminars, as well as one-on-one meetings with the Program director and/or a patent specialist, in appropriate circumstances. The Program may assist an inventor with innovation screening, including performing patent and product searching on the Internet and various computerized databases, as well as with reviewing patent search reports and conducting basic patentability evaluations.

Other expenses incurred by Applicant: The inventor will be responsible for certain costs, if incurred, necessary for the Program to provide assistance including but not limited to the cost for producing and mailing to you a video tape of the Program's patent basics seminar and any fees for obtaining a history report from the United States Patent and Trademark Office on an existing patent. Additionally, Program participants are encouraged to seek funding assistance from the Maine Technology Institute for fixed costs associated with intellectual property protection, including, for example, the costs of additional professional prior art search reports, the costs of patent practitioner fees for patent application preparation, filing and prosecution, etc. The inventor may be responsible for the costs of services provided by the Program if the final product is licensed or manufactured outside of Maine. See 10 M.R.S.A. § 1921 for specific details concerning expenses incurred by Applicant.

Revised 12/06

Applicant qualifications: To participate in the Program, an applicant must:

1. Be a Maine Resident or a Company located in Maine;
2. Be an owner of the proposed invention described in this request for services;
3. Attend a workshop sponsored by the Program pertaining to intellectual property law and commercialization, or at a minimum view a video of a patent basics seminar (available for a nominal fee that covers production and mailing expenses);
4. Complete the Program's request for services form to the satisfaction of the Program Director;
5. Demonstrate that the invention is technically sound, can be manufactured with existing technology, is innovative, has significant market potential, does not have an adverse impact on safety, health, welfare or the environment, and is legal to manufacture, sell and use;
6. Provide detail of the invention sufficient to enable preparation of a patent application (which may occur after meeting with Program staff);
7. Diligently pursue necessary steps toward commercialization of his/her invention;
8. Demonstrate an intention and ability to develop and/or manufacture the innovation in Maine, or to license the invention to an existing, identified business operating in Maine;
9. Participate in Program-approved surveys related to gauging the Program's success and value, and, specifically, permit a state-sponsored survey to be sent to you for up to five years from the last date of receiving Program assistance; and
10. Inform the Program of the filing of a patent application, the issuance of a United States Patent, and commercial production and sales of products covered by the patent.

No Warranties: Program applicants and participants acknowledge and understand that the Program is administered by the Center for Law and Innovation, a division of the University of Maine School of Law within the University of Maine System, all of which are publicly-funded agencies of the State of Maine. The Program will provide services by qualified professionals who are experienced in the areas of patents and intellectual property. The Program provides no warranties as to the patentability of any invention disclosed to the Program as this decision rests solely with the United States Patent and Trademark Office. Likewise, the Program provides no warranties as to the accuracy or completeness of any prior art search provided to Program participants. Program applicants and participants acknowledge and understand that the Center, the Program, the School of Law, and their employees, are *not* covered by professional malpractice insurance.

Confidentiality: All materials submitted to the Program should be marked "confidential" and will be maintained in confidence and not disclosed to third parties without the inventor's permission, except when required by law or court order.

Request for Services Submission: Submit your request for services and any additional, relevant materials to:

Maine Patent Program
Attn: Request for Legal Services
400 Commercial Street, Suite 405
Portland, ME 04101

Request for Maine Patent Program Services Form

PART A: Applicant Information

1. Complete the following:

Name: _____

Business Name (if applicable): _____

Business Type (if applicable) (S Corp, C Corp, LLC, etc.): _____

Address: _____

Primary phone: _____ Alternate phone (optional): _____

E-mail: _____

2. Complete the following, applicable statement pertaining to workshop attendance:

- NOTES:
- **This activity is required prior to receiving any services from the program unless a waiver is obtained from the program director.**
 - The workshop video is available for purchase at a nominal fee of \$20 that covers production and mailing expenses. This is available in VHS and DVD format.

I attended a Program *Patent Basics* Workshop on the following date: _____

or

I viewed the Program workshop video on the following date: _____

or

I received a waiver from the Program Director on the following date: _____

3. After reading the Terms and Conditions set forth above, including the Program's purpose, state why Program (i.e., State) support is appropriate for your intellectual property activities?

4. Please check the appropriate box (one box) for the service you wish to receive from the Maine Patent Program:

- Patent Search
- Patent Search and Opinion
- Intellectual Property Consultation

Please note: To request Copyright and Trademark services, please fill out the appropriate one-page form.

PART B: Invention Disclosure Information

5. Approximate date of initial idea: (Day/Month/Year) _____

6. Title of Invention: (if applicable) _____

7. Invention Description.

NOTE: This request cannot be processed until you provide a description that is sufficient to understand the critical aspects of your invention.

7(a). Provide a brief summary paragraph describing your invention.

-- continued on next page --

8. What problem led to the creation of your invention? _____

9. Specifically, how does your invention solve this problem? _____

10. What items exist that are currently used for the same or similar purpose? Please enclose any relevant documents, marketing materials, etc., that describe these items.

11. Who are likely to be your biggest competitors?

12. What advantages does your invention have over items currently in use for the same or similar purpose? _____

13. Have you disclosed your idea to the public? (i.e., anyone other than the Maine Patent Program, a patent professional, family members or co-inventors)

Yes _____ No _____ If yes, state when: _____

If yes, how and to whom was your idea disclosed:

14. Describe any screening or searching you have done, or any knowledge you have, to determine whether anyone else has already sold, patented, or used your invention in public. (Attach all relevant documents.)

15. Please indicate which of the following that you have either already completed or are currently pursuing:

- Created/maintaining an inventor’s log or notebook
 - Sketched concept details
 - Basic Market Research
 - Preliminary patent search
 - Preliminary competitive product search
 - Technical Drawings
 - Fabricated prototype or mockup
 - Sought intellectual property legal counsel
- If applicable, indicate who provided you with legal counsel: _____
- _____
- _____

16. Are you planning to pursue a patent application for this invention?

Yes _____ No _____

If yes, have you filed a provisional or utility patent application for this invention?

Yes _____ No _____

If so, please attach a copy and list the filing date here: _____

17. Have you been involved in the preparation of any other patent application (whether or not you were listed as an inventor)?

Yes _____ No _____

If yes, please list any such patent applications:

PART C: Commercialization Plan

The Maine Patent Program is funded by the State Legislature “to support the commercialization and manufacturing of innovations in the State by providing education and assistance with the patent process of the United States Patent and Trademark Office to companies, inventors and entrepreneurs in the State.” 10 M.R.S.A. 1921. Maine Patent Program participants have a responsibility to work toward commercialization and manufacturing of their invention. To this end, please answer the following questions.

18. Commercialization Plan.

18(a). Please describe how you plan to commercialize your invention. Please include an outline of your business plan, if any.

18(b). Is your ultimate goal to:

- grow a business
- license the invention
- other

If other, please explain: _____

18(c). Who is your target market for this product? (be specific): _____

19. Financial Plan:

19(a). Please describe all financing sources you have secured or are in the process of securing to test, develop and market your invention:

19(b). Have you applied for grant funding through any state, federal or private institution (e.g. Maine Technology Institute, NASA, FDA, etc.)

Yes _____ No _____ If yes, to whom? _____

If an award has been made, please state the granting agency, the award date and its intended uses:

PART D: Terms and Conditions Acknowledgement and Agreement

20. By providing my signature below, I acknowledge that I have read the “Terms and Conditions” attached to, and proceeding, my request for participation in the Maine Patent Program; I attest that I meet all eligibility requirements listed in the “Terms and Conditions”; and I agree to be bound by the “Terms and Conditions”.

Signature

Date

Printed Name: _____

Title of Invention: _____

I found out about the Maine Patent Program from:

____ Newspaper (please specify: _____)

____ Radio

____ TV

____ Referral (please specify: _____)

____ Other (please specify: _____)