



Design Patent Protection

Michael P. Girard
Klarquist Sparkman LLP
michael.girard@klarquist.com
503.595.5300 | klarquist.com

Klarquist

Q My company is considering applying for design patents. How long does design patent protection last?

A Generally, new U.S. design patents (like any that issue from applications filed after May 13, 2015) expire fifteen years from the issue date. Furthermore, unlike utility patents (which are for useful inventions), no maintenance fees are required to keep a U.S. design patent in force for its complete term. Overall, the duration and relatively low cost of obtaining U.S. design patent protection helps explain their increasing popularity, in particular for companies whose novel ornamental designs are likely to be “knocked off” after they debut in the market.