

Q Can I patent my invention and keep it secret?

A No. You cannot do both. But some inventions can be kept secret for years while the inventor seeks a patent.

To obtain a patent, you must file a patent application describing the invention. The Patent Office typically publishes the application in about eighteen months. However, applicants can request “nonpublication”; the Patent Office will then keep your application secret until your patent issues (which typically takes several years). If you decide to abandon the application, it can remain confidential.

The request for nonpublication must be filed on the same day as the application, and you must certify that you have not applied for patents outside the United States. An experienced patent attorney can provide further information tailored to your situation.

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