Roadmap for typical U.S. patent prosecution

To preserve patent rights internationally, and in most cases in the U.S., patent filing must occur prior to any publication or public disclosure.

1. File patent application with the U.S. Patent and Trademark Office (USPTO)
2. USPTO Patent Examiner reviews application for patentability. Invention must be useful, novel, and non-obvious.
3. Claimed invention patentable?
   - Yes: Patent Examiner issues a non-final rejection
   - No: Inventor, Harvard, and Attorney present arguments or amended claims to the Patent Examiner
4. Patent Examiner accepts arguments or amended claims?
   - Yes: Patent issued, which then becomes enforceable
   - No: If appeals are unsuccessful, the patent is not allowed
5. Harvard may appeal the Patent Examiner's position to USPTO's appeal board or to the federal court system
6. Patent Examiner issues a final rejection
   - End of the road