

FOI Release
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Title: 'Provisional' patents

Date of release: 12 November 2018

Information request:

I cannot find a reference to provisional patents on your site.
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Information released:

Strictly speaking "provisional patents" do not exist in the UK. They are offered in other jurisdictions, such as the US, where they can be filed in order to establish an early filing date but never mature into a regular patent application. The equivalent way to do this in the UK is to file a normal patent application but to not progress that application (e.g. by choosing to not request a search, or to not request substantive examination) and then, within 12 months, to file a further application which claims priority from the earlier application. The initial application will still need to include a complete disclosure of the invention (in sufficient detail to enable a skilled person in the relevant field of technology to put the invention into effect) and all the relevant information to support any later application. This blog on our website provides further advice: <https://ipo.blog.gov.uk/2015/06/05/patent-pending/> .