



## INVENTIONS & PATENTS

A basic tutorial with information from the  
World Intellectual Property Organization (WIPO)

[www.wipo.int](http://www.wipo.int)

### Inventions and discoveries

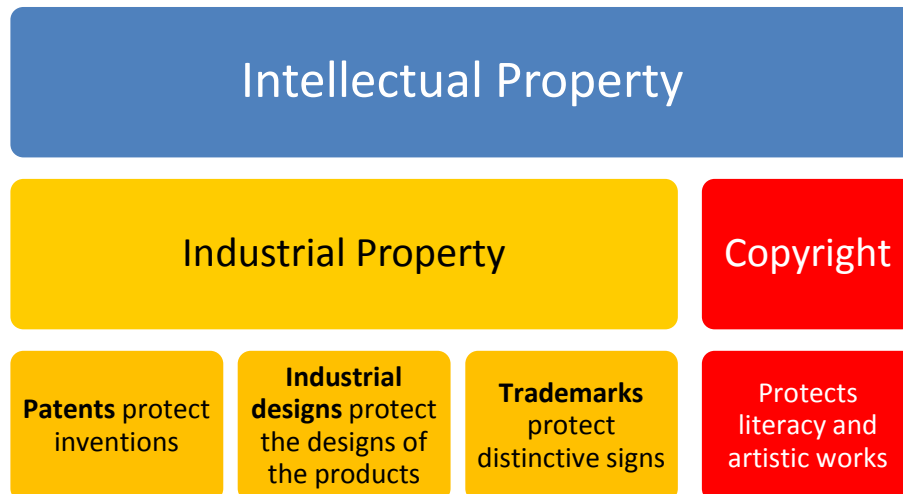
Generally speaking, an **invention** is a new product or process that solves a technical problem. **Innovation** occurs when a new invention changes a way of doing things. An invention differs from a **discovery**, which is something that already existed but had not been found.

Consider, as an example, the telescope and the mountains of the moon. The telescope is an invention that was created in 1608 when Hans Lipperhey, a Dutch eyeglass maker, combined convex and concave glasses at either end of a tube. It was only with the invention of the telescope that humans (Galileo Galilei to be precise) were able to look far enough into the sky to see the mountains of the moon. Galileo didn't invent these mountains, he discovered them - with the help of an invention.

Just as inventions can lead to discoveries, discoveries can sometimes also lead to inventions. For example, Benjamin Franklin's discovery of the electrical effects of lightning led him to invent the lightning rod around 1752. This invention is still in use today and has made buildings much safer places during thunderstorms.

### Patents

A **patent** is an official document given to an inventor by a government. This document generally gives inventors the right to stop anyone else from copying, using, distributing or selling the invention without their permission. Patents are a part of Intellectual Property, which is a legal way to protect all creations of the human mind. Intellectual Property is divided into Industrial Property and Copyright.



Source: Adapted by WIPO, 2010, *Learn from the Past, Create the Future: Inventions and Patents*, p. 18

Inventors obtain patents for their inventions by submitting a patent application to their [national patent office](#). This application includes a detailed description and diagram of the invention and how it works. Patent application forms and other patenting procedures can be complicated so many inventors employ a patent lawyer to help them through the process. Lists of recommended patent lawyers can usually be found at national industrial property offices or lawyers associations.

Inventions can be as simple as a paperclip or as complicated as a robot but they must meet certain conditions of patentability before they can be patented.

The conditions of patentability are:

- 1) Industrial Applicability (Utility):** Meaning that the invention can be made or used in any kind of industry, or must have a practical use; it cannot be just an idea or a theory.
- 2) Novelty:** Meaning that the invention must have a new characteristic that is not part of the current knowledge in its technical field.
- 3) Inventive Step (Non obviousness):** Meaning that the new characteristic of your invention could not have been easily deduced by a person with average knowledge of that particular technical field.

Inventions that are not patented can be copied, sold and distributed by anybody, while inventors may miss out on the money they could have earned from their inventions.

The World Intellectual Property Organization (WIPO) in Geneva, Switzerland administers the Patent Cooperation Treaty (PCT) and every year receives thousands of applications from inventors around the world.

**Source:**

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