

Forum:[Hack Forums](#)

Thread: [Does anyone take "patent pending" seriously?](#)

datguy.dev - June 23, 2019, 11:38 am

Greetings,

I recently developed a new and unique device. I'm not afraid of it infringing on any patents; as in the question. But I was looking up how to file for a patent and the details of that process. Which I think the entire process is complete garbage, but that is besides the point. So many people put "patent pending" on their properties. However, patent pending doesn't really mean anything ... If anyone can put that statement on their device if they have filed for a patent or not why even consider it?

Given the state to file for a patent, how many people have devices labelled as patent pending and are actually pursuing said patent? It seems like a worthless warning. Why not just put a fake patent sticker on the device if your attempting to trick people who don't understand what "patent pending" actually means?

MarvelJeffrey - June 23, 2019, 11:42 am

Hmm the way I see it no, patent pending = no patent.

webdev77 - June 23, 2019, 11:44 am

(Jun 23, 2019 11:38 AM)datguy.dev Wrote: [\[CITE\]](#) Given the state to file for a patent, how many people have devices labelled as patent pending and are actually pursuing said patent? It seems like a worthless warning. Why not just put a fake patent sticker on the device if your attempting to trick people who don't understand what "patent pending" actually means?

It would be fraudulent to put a fake patent sticker on and you can be penalized severely for doing that, costing you the ability to get an enforceable patent on the product in the future as well.

As for the patent pending, it's a legal thing that makes it easier to hunt down infringers once the patent is granted. You can make a clear argument that you have taken all steps to reasonably notify any potentially infringing parties. If it doesn't say patent pending, it's possible that someone could just copy it and unknowingly be infringing instead of willful infringement, which is a very different meaning for settlements.

Mr. Robot - June 23, 2019, 11:44 am

Unless it's a provisional patent nobody cares. If you release your product and start selling go for it.

datguy.dev - June 23, 2019, 12:59 pm

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That makes a lot of sense. But I mean you could at least do something like:

PATENT #6502
(pending)

?ystem - June 23, 2019, 3:00 pm

I tend to stray away from anything that has the words "Patent pending" on it, mainly because anything can be marked as "Patent pending", but it's just useless words people add to their product or whatever to "prove" its legitimacy. Even then those words mean it's awaiting approval but doesn't say it will be approved. Any ole Joe/Jill Smith on Street St. can make a hunk of garbage and send in for a patent, but during that time of before denial/acceptance it's technically "Patent pending". Kind of like marketing something as "FDA cleared" and hoping no one thinks twice about what it really means.