



Technology Transfer Office

What is a Provisional Patent Application?

A provisional application can be filed in the U.S. Patent & Trademark Office without formal claims, oaths or prior art information. This type of application was designed to provide inventors a low cost patent filing opportunity and give U.S. applicants parity with foreign applicants under the GATT Uruguay Round Agreements. The provisional patent application must be enabling (along with any drawings) and name all of the inventors. The term of the provisional is for one year from the date of filing and is excluded from the term of the patent. In order to use the priority date of the provisional application, a utility application must be filed within the one-year period specified above. A provisional application filed prior to public disclosure also preserves the right to file patent applications outside the U.S.

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