2. Design patents are granted to individuals who invent new original designs for an article to be manufactured. It protects the appearance of an article. Examples include a computer cabinet or a container.

3. Plant patents are granted to individuals who invent, discover, or asexually reproduce new varieties of plants.

Patent Infringement

According to the USPTO, “Patent infringement is unauthorized making, using, offering to sell, selling or importing into the United States any patented invention.” Infringement can be classified as one of the following:

- Direct infringement is selling, using, or making a patented creation. It can be classified as the following:
  - Literal infringement occurs with each limitation in the asserted claims present in the accused device.
  - Infringement under the doctrine of equivalents occurs when the difference between the patented device and the accused device becomes insubstantial.

- Indirect infringement is instigating another person to sell, make, or use a patented invention.

- Contributory infringement is participating in the making or supplying of products that are meant for a patented invention.

Resolving patent infringement is a two-step process involving the following:

1. Analyzing the claims by going through all patented documents
2. Verifying the claim for its authenticity

Patent Search

The following is the seven-step strategy proposed by the USPTO for a patent search:

1. Index to the U.S. Patent Classification: It is an alphabetical index in which someone can view the general terms depicting the invention and its function, effect, end product, structure, and use. A person can note class and subclass numbers and can then refer to the Manual of Classification.

2. Manual of Classification: Class and subclass numbers noted down earlier can be referenced to find out where the terms fall within the U.S. Patent Classification System. Search the entire class and give importance to the dot indent.

3. Classification Definitions: Go through the definitions to establish the relevancy of classes and subclasses to the search. The definitions comprise important search notes and suggestions that can be referred to in further searches.

4. Browse Patent Titles and Abstracts: Inspect whether the search is in the right direction or not. If not, redirect the search and find out lists of patents and published applications containing the right keywords to initiate the search again.

5. Retrieve Subclass Listing: Retrieve a list of all patent numbers (granted from 1790 to the present) once the relevant classes or subclasses are identified.

6. Official Gazette—Patent Section: Refer to the Gazette section and find out ideal claims and a representative drawing for all patents on the lists. This step will eliminate unrelated patents. Published applications can be viewed online.

7. Complete Patent Document: Examine the complete text and drawings of relevant patents and compare it with the invention. This will help in determining similarities and dissimilarities in the invention and published patents.

Tool: http://www.ip.com

The IP.com Prior Art Database provides companies with a way to publish their innovations in a publicly searchable, library-indexed collection of prior art. It allows a company to easily provide evidence in the event of a patent dispute.