

GUITAR INVENTORS – HUSH!!!!

By the RC Trademark Company

While the RC Trademark Company is a law firm limited to trademarks, we often receive calls from guitar inventors about patent issues. Some of us are registered patent attorneys so we offer this advice to guitar inventors.

The law in the United States pertaining to patents contains several distinct bars on obtaining a patent such as the “public use” and “on sale” bars. However, what defines “public use” and “on sale” can be a tricky matter and should be discussed with your attorney as it is too complicated to fully describe in this article.

Furthermore, with the passing of the American Inventors Act, the law in this area is unsettled. What we can tell you is that it is best to not disclose your invention to anyone prior to filing for a patent without first consulting with a patent attorney.

So, we leave you with an example pertaining to patents and guitars. The great pickups on a Gibson Les Paul are referred to as PAF (i.e., patent applied for) pickups. If we use PAF pickups as an example, Mr. Lover, of Gibson, filed his application for a patent on June 22, 1955 and only after the patent was filed did PAF pickups start appearing on Les Pauls.

Why did Mr. Lover apply for the patent before they were used on the Les Pauls? Because if he hadn't, the PAF pickups may have been subject to the law pertaining to public use. We're sure that great guitar ideas will continue to be invented for all of us to enjoy, but if you want to seek a patent, keep it secret!