

What is the Difference Between a Utility Patent and a Design Patent?

A utility patent protects the structure, composition, or function of an invention, while a design patent protects the ornamental and non-functional aesthetics of a product.

Utility Patents – A utility patent protects the structure, composition, or function of an invention. A utility patent can protect a physical device, a step-by-step method (which can be used to cover things like software or methods of manufacturing chemicals), or a composition of matter (e.g., biological or chemical).

Design Patents – A design patent is used to protect the ornamental and non-functional aesthetics of a product. It protects the look of a product, which can include coloration if you like.