

Proving You Were First to Invent: Keep a Logbook

The United States uses the [first to invent rule](#), granting a patent to the first inventor who conceives and reduces the technology or invention to practice, for example a working prototype or a well written description. Other countries use the first to file rule granting a patent and all rights to the first person who files a patent application for an invention. However, most of our readers will need to pay attention to the first to invent rule (for a United States patent) and will need to keep a logbook.

Keep Good Records

Detailed records of the concepts, test results, and other information related to making an invention should be kept in a logbook. You can start a logbook from the very first moment you think of an idea. Proper record keeping can be used as proof of the conception date of an invention and to show continuous activity, also referred to as due diligence. Both are issues that arise during the patent process and a logbook can settle such issues. Record your date of original conception then keep a detailed record of your invention activities as you develop your ideas into reality. This is called "reduction to practice" in legalese.

The patent examiner may turn down your patent application if the patent examiner finds an example of [prior art](#) that has an earlier date than your filing date. Proving the date of your idea's conception then becomes invaluable.

What Works - [Logbooks](#)

The best way to prove that an idea is yours is by maintaining an inventor's journal or [logbook](#). Read the additional material in the right sidebar to learn how to correctly maintain a logbook. Just like a patent application, if you do not write a logbook correctly you can lose your rights. For example, your logbook should not be a loose-leaf binder; it should be a bound binder. A loose-leaf binder might mean you added pages later and that would make your journal's integrity invalid.

What Does Not Work - Registered Letters

Do not think you can mail yourself a letter. Do not hope that your word or the testimony of a close friend will be sufficient.