

Design Patents Milestone Announced

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The USPTO has [announced](#) that the 1 millionth design patent was just issued. The USPTO grants design patents for new, original, and ornamental designs for an article of manufacture. Protecting the way something looks, as opposed to how it works (covered by a utility patent), is a vital step for many small businesses.

One of the factors leading up to this milestone is the increase in design patents for computer generated icons and certain aspects of the graphical user interface (GUI) elements of a computer program. A relatively recent Supreme Court decision has made it more difficult to obtain utility patent protection for some of the functional aspects of computer software. One way to at least partially overcome this is to consider design patent protection.

Design patents can be obtained for computer generated icons, including GUIs and GUI elements. This is particularly important because a sequence of computer generated icons—including images that change in appearance during viewing—may be the subject of a design patent claim. This enables coverage, for example, for dynamic icons, a sequence of screen displays and more.

For more information see our article on [Design Patent Protection for Computer Generated Icons and Graphical User Interfaces](#).

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