

Insight Into Patents

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Intellectual Property Practice

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Insights Into Patents

- What is patent ?
- What are inventions for the purposes of patenting ?
- What are the Basic Patentability Criteria ?
- What cannot be patented in India ?
- What is the meaning of Invention under Indian Patent Law ?

Insights into Patent Drafting

- Thinking –up an idea
- Execution of an Idea
- Notes in the Lab Book
- Prior Art
- Searches
- Manual / Electronic Data Bases
- Technical Description

Patent Drafting - Specification

- Title
- Technical Field
- Background
- Prior Art
- Prior Art distinguished
- Detailed description of the Invention
- Claims
- Abstracts
- - Sketches, Figures, drawings; if any

Title

- Most closely connected to the subject matter disclosed
- If the basic disclosure refers to an inventive family it could relate to inventive family
- Clear precise and succinct

Prior Art & Search thereof

- Prior Art
- Disclosures made in granted patents
- Disclosures made in journals/scientific papers/academic writings/thesis/notes
- Anticipation by prior working
- Anticipation by prior publication
- Anticipation by prior public knowledge

Description

- Sufficient minimum disclosure in case of individual application
- Cover all Inventive Concepts in “basic disclosures”
- Add up structures and formulae with brief descriptions
- Inventive Concepts
- Extensions and Modifications
- Improvements
- “Bullet proof Specs”

Claims

- One Main Claim and a Series of Sub-claims
- Main claim will address the basic disclosure
- Main Claim should recite the inventive features, the steps and/or the products thereof
- The Main Claim should provide scope for the elaboration of the Sub-elements in the subsequent claims
- The claims will have a preamble, a body and a transitional element
- The claims should be precise, succinct and clear
- The Claims should be logically numbered and in order
- The product claims should precede the process claims

Abstract

- A brief concise description of the Invention
- Ordinarily the contents of the claim in plain language shall form the abstract

LAB BOOK

- You may maintain a lab book
- You may write all the important points that you address in a given day in the lab book
- The lab book noting should be dated and signed.
- You may get your lab book signed by the R& D director regularly

Technical Specification Format

- Title
- Background – 2 paragraphs
- Narration of known published materials, bibliography of related documents, text books and journals, published patents, whatever is known and available in brief
- Where begin the inventive step
- Explanation of the known related art
- Narration of the Inventive step in bringing out the subject matter of the invention

Thank You

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