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Talking: Raj Krishna

TIPS
TIPMed

"Sensitisation on Intellectual Property "

Rajkrishna Rajan
Engineer
IPCell
SCTIMST

birac nbm

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TIPS

WHY IPR?



- Piracy,
- counterfeiting and
- the theft of intellectual property assets.
- Exporters face unfair competition abroad,
- non-exporters face counterfeit imports at home and
- All businesses face legal, health and safety risks from the threat of counterfeit goods entering their supply chains

8 October 2021

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029:47 11:27 AM

STAGES - FILING TO GRANT OF PATENT

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    graph TD
      A[FILING OF APPLICATION  
PROVNL. / COMPLETE] --> B[PUBLICATION OF APPLICATION]
      B --> C[REQUEST FOR EXAMINATION]
      C --> D[EXAMINATION ISSUE OF FER]
      D --> E[GRANT OF PATENT]
      E --> F[Decision of Controller]
      F --> G[Appellate Board]
      F --> H[Revocation/Amendment]
      I[3rd Party Representation] --> D
      J[OPPOSITION] --> E
      K[Appeal] --> G
  
```

- IF PAIS FILED CS, TO BE FILED WITHIN 11MONTHS
 - PROMPTLY AFTER 18 MONTHS FROM FER
 - WITHIN 6 MONTHS FROM FER
 - ALL CORRECTIONS TO BE COMPLETED WITHIN 11 MONTHS
 - WITHIN 11 MONTHS

3rd Party Representation
 OPPOSITION
 Appeal
 Appellate Board
 Revocation/Amendment

Renewal Fee
 * No fee for 1st
 * Renewal fee, 1%
 for 2nd to 3rd
 * Delay upto 20
 payment of fee
 * Patent lapses
 prescribed period

No Notes.

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PATENTS



- A patent is a legal title by the Government to the holder
- to exclude others from exploiting the invention without authorization
- for twenty years
- in exchange for full disclosure of the invention
- within the geographical boundaries of the nation

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It was under the Venetian System that Galileo applied for a patent in 1593 for his invention the One Horse Water Pump.

The pump was made for supplying water for irrigation. The pump required a single horse for power (one-horsepower pump) and discharged water through 20 spouts.

A patent was granted decreeing that for a period of 20 years, Galileo should have exclusive rights and that any infringer's apparatus would be forfeited and he would have to pay a fine of 200 ducats.



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THREE BASIC CHARACTERISTICS OF PATENTS

- 1. The contractual characteristic:** It is like a contract between the two parties – the inventor and the government. The inventor gives a full disclosure of the invention. In return, the government gives to the inventor the right to exclude others from making, using or selling his/her invention for a limited period of time.
- 2. The property characteristic:** Patents have a right of ownership similar to real property that can be transferred in whole or in part. Like a real estate, a patent can be sold, or it can be “rented” (licensed) and rent collected for its use (royalties).
- 3. The monopoly characteristic:** The “monopoly” associated with patents is limited in time (20 years) and negative in nature, (i.e, exclusionary)

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graph TD; A[WHAT IS PRESENT IN THE ART?] --> B[WHAT ARE THE DRAWBACKS IN THE EXISTING METHODS OR PRODUCTS?]; B --> C[WHAT ARE SOLUTIONS THE INVENTOR PROPOSES?]; C --> D[WHAT IS THE INVENTION? WHAT ARE THE EMBODIMENTS?]; D --> E[WHAT IS THE BEST METHOD OF PERFORMING THE INVENTION?]; E --> F[WHAT IS THE AMBIT OF PROTECTION?]; F --> A;
```

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