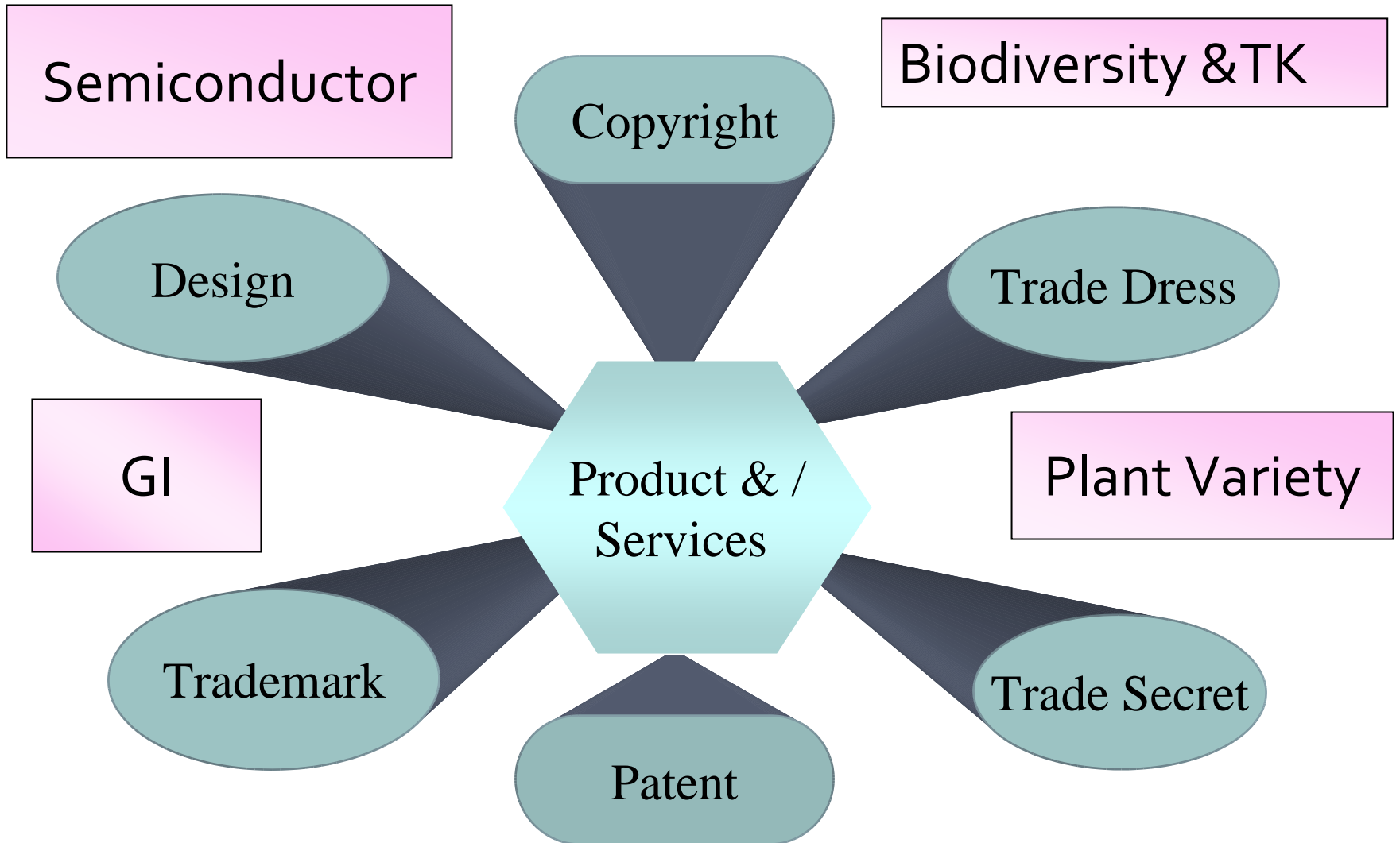


**INVENTING THE FUTURE – THE IMPORTANCE OF
INVENTIVE AND INNOVATIVE ACTIVITY IN ENHANCING
THE COMPETITIVENESS OF A BUSINESS**

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INTELLECTUAL PROPERTY RIGHTS



IPR AND SUBJECT MATTER OF THE IPR

PATENTS - INVENTIONS THAT IS NEW, INVENTIVE STEP, INDUSTRIALLY APPLICABLE

TRADEMARKS - MARKS, LOGOS REPRESENTING GOODS OR SERVICES

COPYRIGHT - ART, MUSIC, LITERATURE, FILM (INCLUDES PAMPHLETS ON PRODUCTS)

DESIGNS - FEATURES OF OBJECTS, PRODUCTS VISIBLE TO THE EYE

PLANT VARIETIES - NEW VARIETIES THAT ARE NOVEL, DISTINCT, UNIFORM & STABLE

TRADE SECRETS - INFORMATION & KNOW-HOW THAT GIVE EDGE OVER COMPETITION

GEOGRAPHICAL INDICATIONS - GOODS PRODUCED OR MFGD, EVOCATIVE OF A REGION

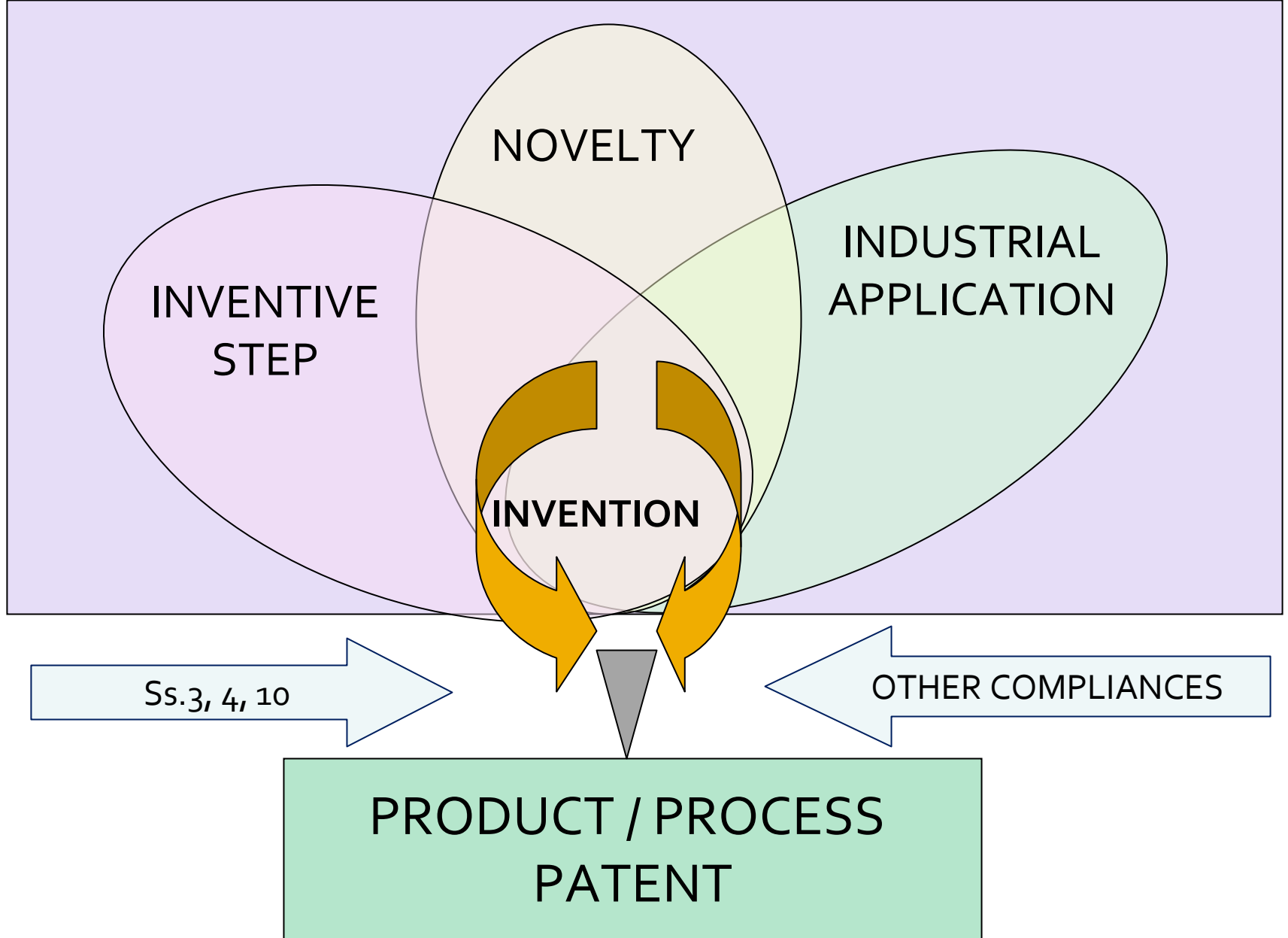
PATENT

What is a patent?

- An exclusive right granted to persons,
- who have developed
 - a new,
 - non-obvious and
 - useful invention which,
- allows them to exclude others from
 - making, selling or using the invention
- Is protection to the idea itself, where expressed in the form of an invention

PATENT ...

- Is protection to the idea itself, where expressed in the form of an invention
- The patent right is duration specific – 20 years
- Territorial in nature



What is a Patent?

A patent is

- *a contract* between the patentee and the government for his disclosure of the invention to the government in return for an exclusive right for a fixed period of time;

Thereafter the invention comes into public domain.

- *a passive right* to the patentee to exclusively sell, use, manufacture his patented technology.
- *an active right* to prevent others from encroaching on his exclusivity without authorization.

PATENTS

- What is a patent
- Criteria of patentability
- Process of getting a Patent
- A specification
- Opposition
- Infringement
- Remedies

NON-PATENTABLE INVENTIONS

- Commercial use contrary to law, morality, health or environment.
- Mere discovery of living or non-living substance occurring in nature.
- Diagnostic Therapeutic treatment of animals / Plants excluded from the treatment clause.
- Plants and animals in whole or any part thereof but other than micro-organisms.
- A mathematical or business method or computer program *per se* or algorithms.
- Literary, dramatic, musical, aesthetic work.
- Topography of ICs.
- Traditional Knowledge

Complete Specification

- Field of the invention
- Background which will include prior art
- Drawbacks of the prior art, if any
- The object of the invention
- The Invention
- Detailed description of the invention (with reference to drawings, if any).
- Alternative embodiments of the invention, if any
- The working of the invention
- Drawings, if any
- Claims

Claim - its importance

- to infringe a claim, an accused apparatus must have at least all of the elements of the claim. **If one element of the claim is missing, then the accused apparatus does NOT infringe.**
- so leave out all unnecessary limitations to a claim.
- The goal of claims drafting is to write a claim of the broadest scope possible in light of the prior art.
- Additionally dependent claims of varying could be drafted.
- So to obtain the broadest claim possible, try to claim the fewest elements possible while getting over the prior art.

RESEARCH

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graph TD; R[RESEARCH] <--> N[NEED BASED / PROBLEM SOLUTION]; R <--> B[BREAKTHROUGH RESEARCH]; N <--> N_L["• MAY BE PATENTABLE<br>• IMPROVEMENT PATENTS<br>• INCREMENTAL INNOVATIONS"]; B <--> B_L["• PATENTABLE INVENTIONS<br>• PLATFORM TECHNOLOGY<br>• DIVERSE APPLICATIONS"];
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NEED BASED / PROBLEM SOLUTION

- MAY BE PATENTABLE
- IMPROVEMENT PATENTS
- INCREMENTAL INNOVATIONS

BREAKTHROUGH RESEARCH

- PATENTABLE INVENTIONS
- PLATFORM TECHNOLOGY
- DIVERSE APPLICATIONS

BREAKTHROUGH RESEARCH / PATENTS

HOW TO IDENTIFY THESE ?

- TECHNOLOGY LANDSCAPE
- DISCUSSIONS WITH PREMIERE COLLEGES /
INVENTORS / INDUSTRY EXPERTS
- WATCH ON COMPETITOR'S IP

LANDSCAPE

- A PICTURE OF PUBLISHED LITERATURE IN A TECHNOLOGY DOMAIN
- DISTRIBUTION OF TOPIC-WISE RESEARCH
- IDENTIFICATION OF WHITE SPOTS

WHAT YOU GET FROM A TECHNOLOGY LANDSCAPE

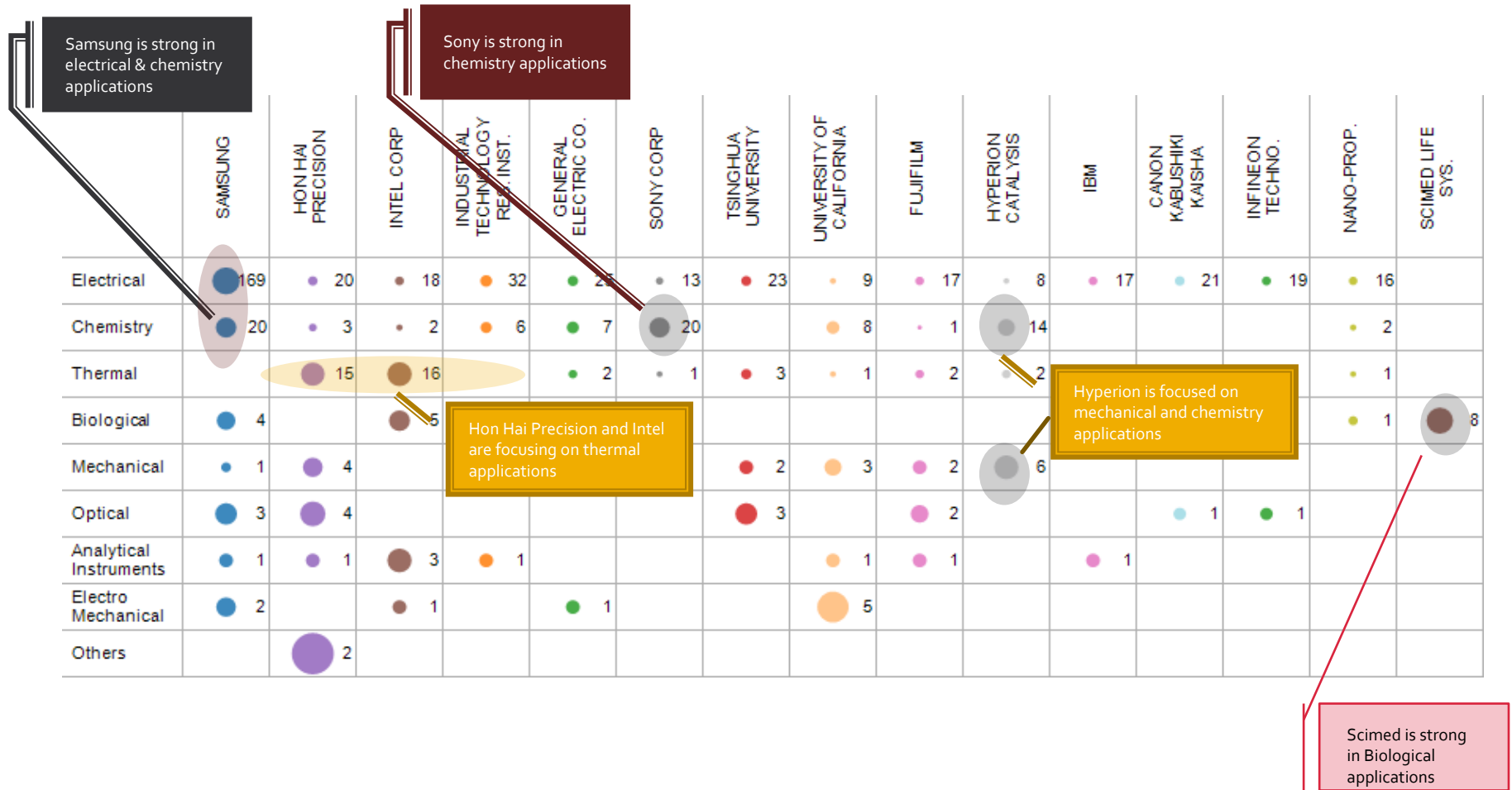
- This technology landscape will help you to give you R&D direction along with white gaps and areas of fundamental research.

- Study may include:
 1. Patent and publication filing trends
 2. Country-wise distribution
 3. Technology white gaps with commercial or technological value?
 4. Major players, university-wise, industry-wise and inventor-wise?
 5. Major players and technology mapping.
 6. Identification of fundamental research and respective players?
 7. Collaboration opportunities

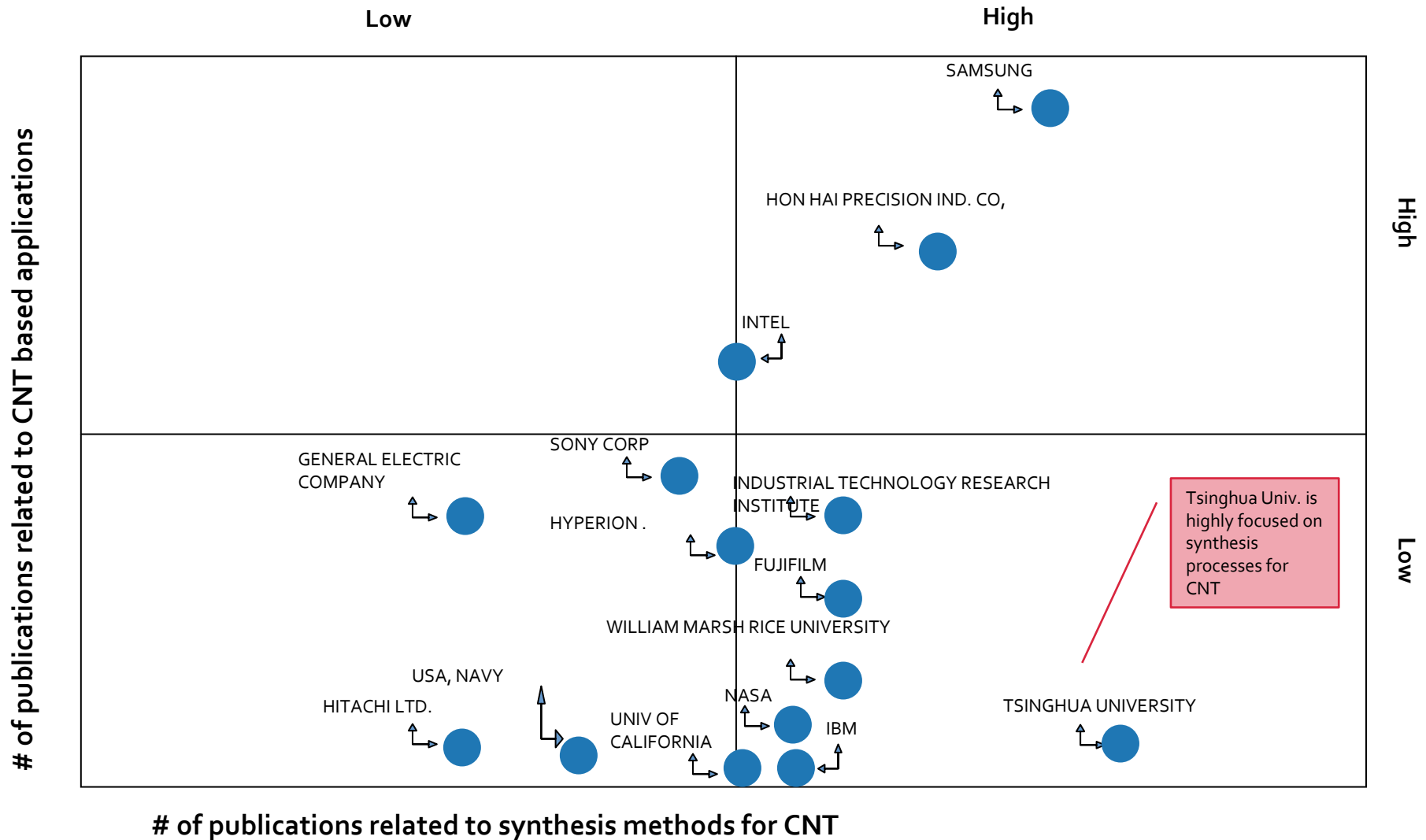
You could define the scope of the study by defining:

- Area of technology and level of taxonomy/sub-clusters which you may like us to study
- Country limitations (Patent wise),
- Budget for the same

CNT based electrical applications are most attractive with Samsung being a clear leader with 169 patent families



Samsung, Hon Hai Precision and Intel are active in filing patent applications focused on CNT based applications as well as synthesis methods for CNT



SAMPLE – FOR TEACHING ONLY

MARKET EVALUATION....

- Other criteria for market
- Seasonality of the product
- Availability in off-season
- Demand vs Supply
- Premium pricing?
- Storage and transport
- Existing markets and marketing strategy

BRANDING AND BRAND POSITIONING

QUALITY

QUALITY

DUE DILIGENCE

ADVERTISING AND VISIBILITY
INCLUDING SURROGATE ADVERTIZING

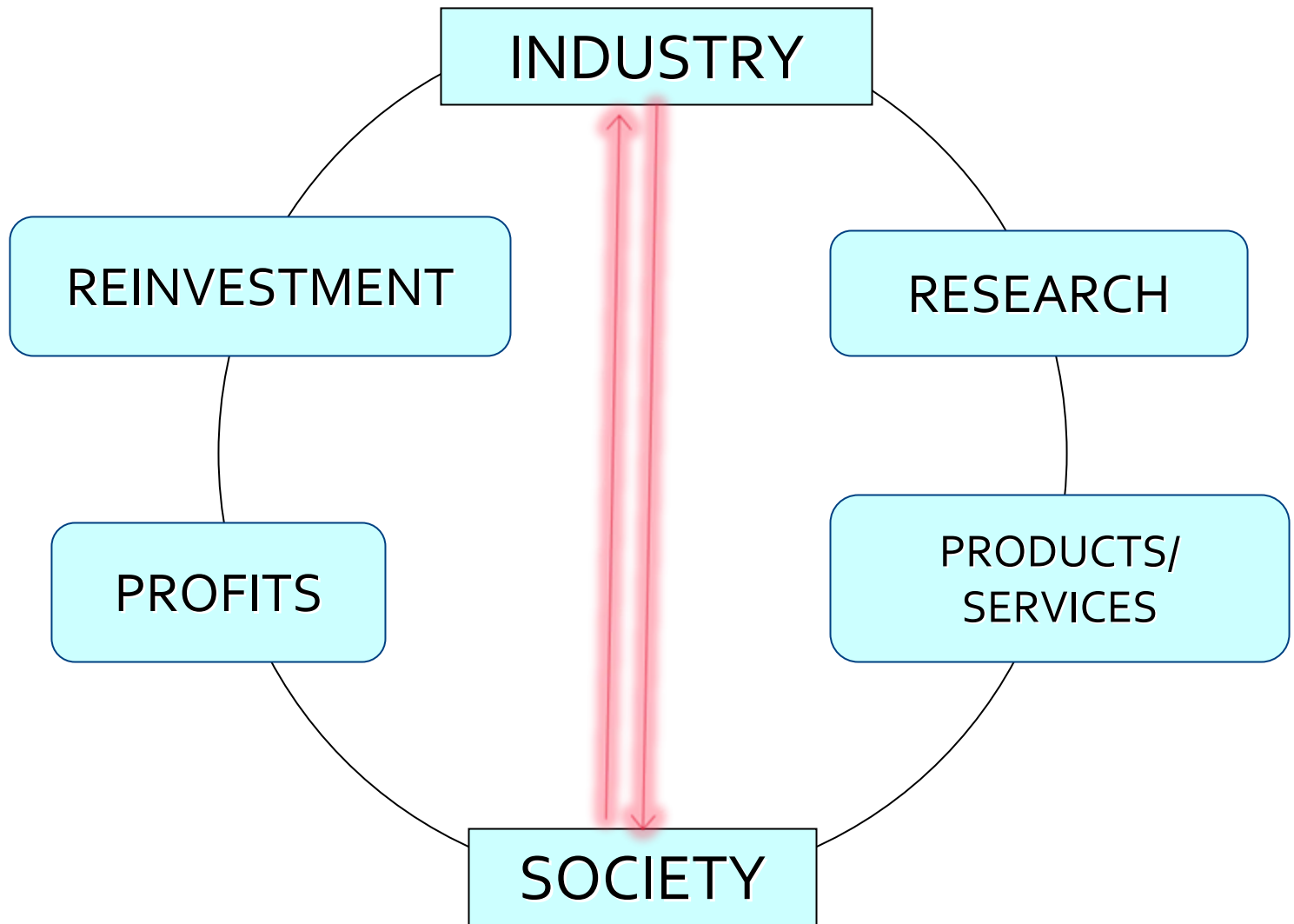
PACKAGING AND PRICING

ACCESSABILITY AND AVAILABILITY

WATCH CELL
INFRINGEMENT, QUALITY CONTROL, MARKET TRENDS

QUALITY

WHY DO WE NEED PATENTS?



THANK YOU

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