



Inventive Concepts:

Finding a Cheese in the Labyrinth

Claim Drafting – Exercise 2



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**Exercise to
spot and generalize (identify)
an invention
in order to prepare the
drafting of
broad claims
for a patent application**

A Tea pot ?

Tea pot with one spout



Questions to the inventor in view of the identification of the invention (1)

- Did you or anyone else make a written or oral publication or disclosure regarding any aspects of the? (prior publication may destroy novelty)
- Did you test the invention?
- Can you tell me what you have invented?
- Do you have a photo or drawing of your invention?

Tea pot with two spouts and two cups



Tea pot with two spouts ???

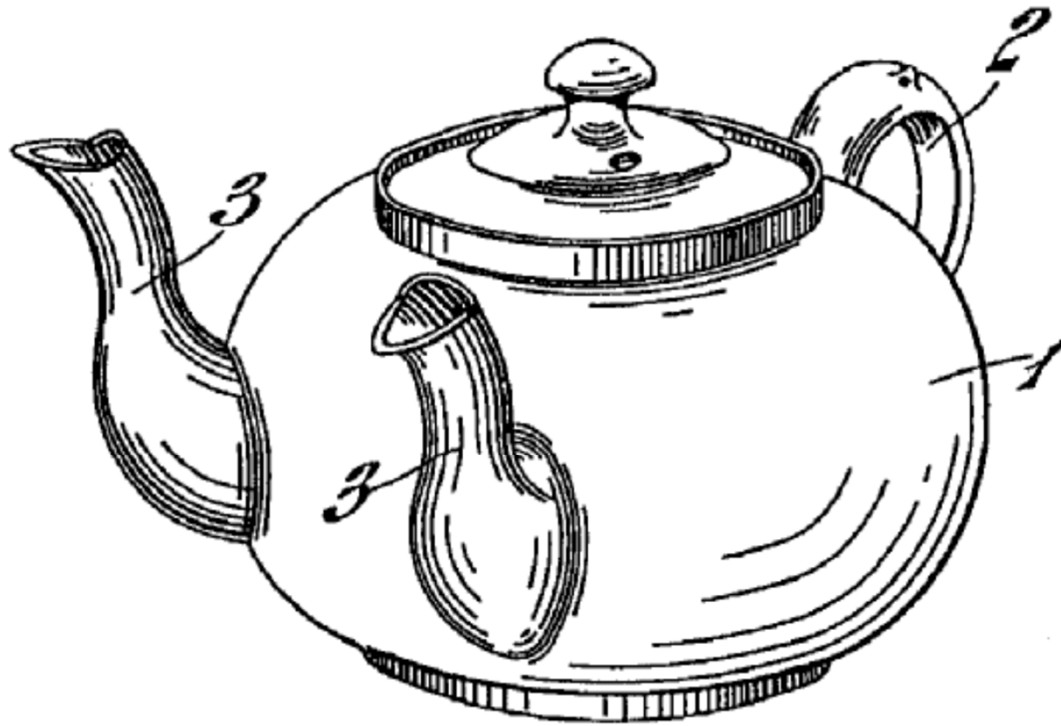


Fig. 1.

Tea pot with two spouts ???

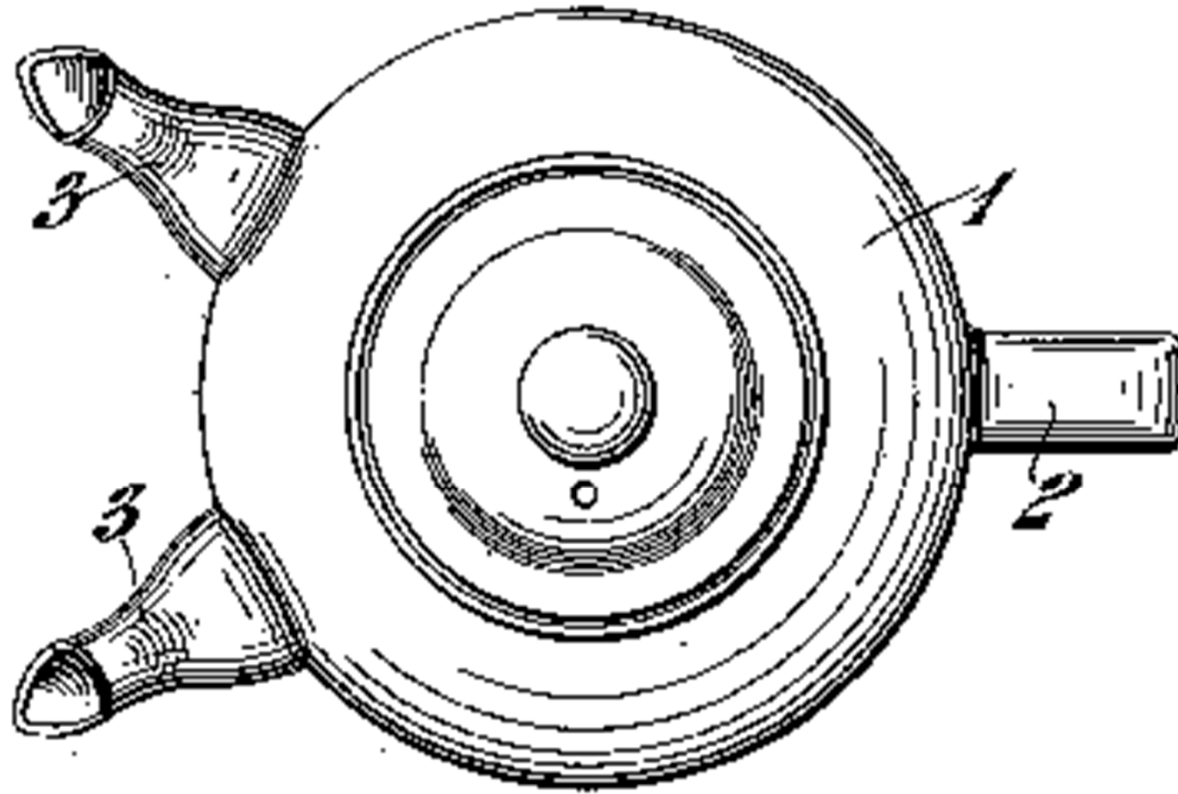
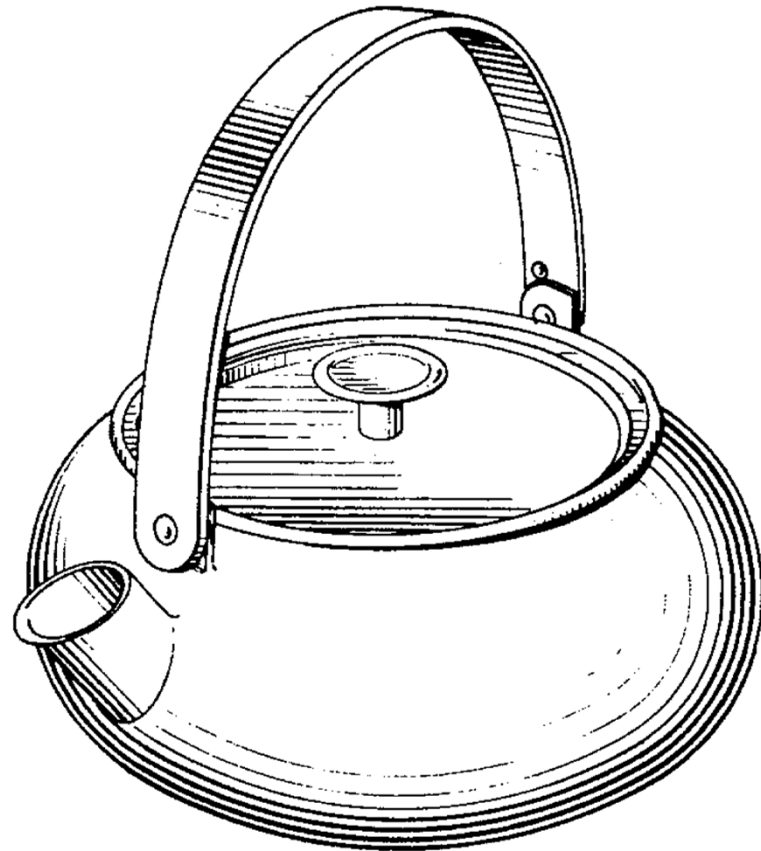


Fig. 2.

Questions to the inventor in view of the identification of the invention (2)

- What prior art does exist concerning the invention?

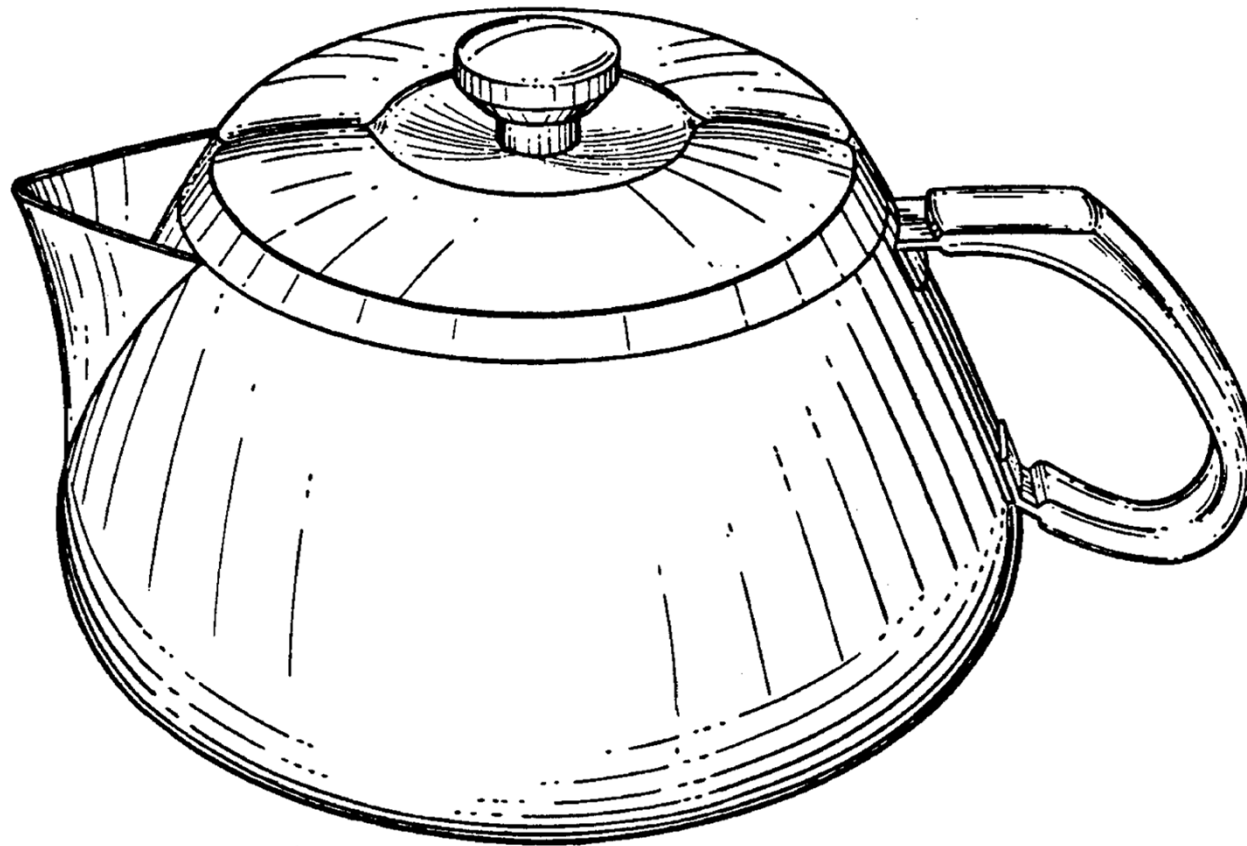
Tea pot 1



Tea pot 2



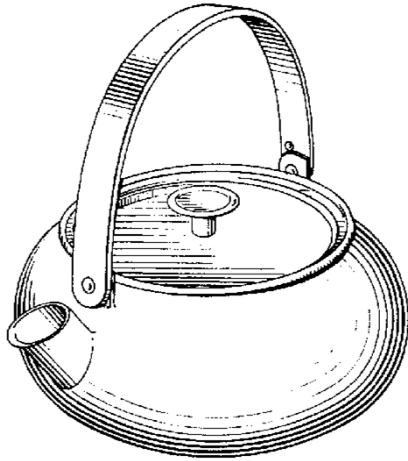
Tea pot 3



Questions to the inventor in view of the identification of the invention (3)

- What single piece of prior art is the closest to the invention?

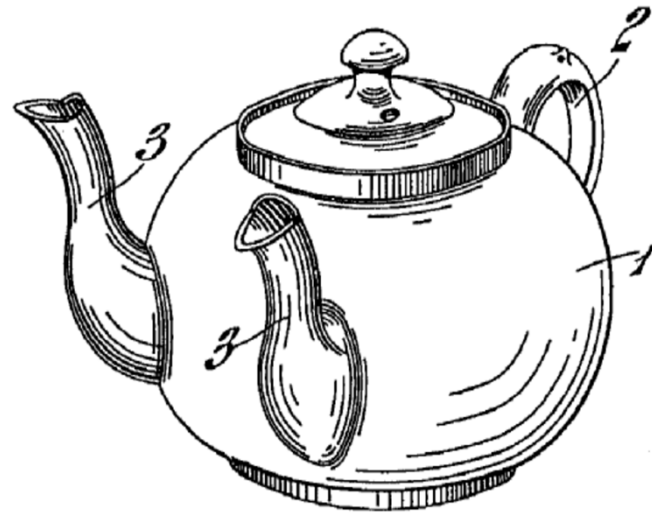
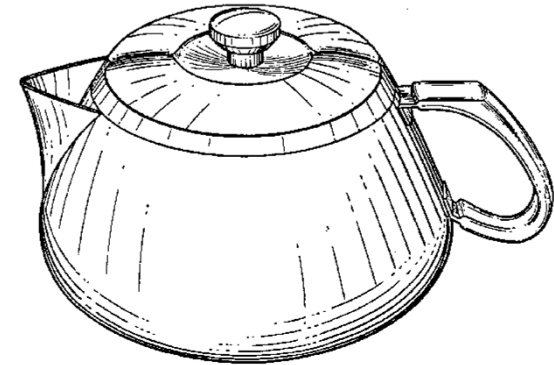
Tea pot 1



Tea pot 2



Tea pot 3



**Tea pot of the
inventor**

Fig. 1.

Questions to the inventor in view of the identification of the invention (4)

- Why tea pot 2?

Questions to the inventor in view of the identification of the invention (5)

- What is the difference between the closest prior art and the invention? (Novelty?)
- Could you explain your invention?
- How is it constructed?
- How does it function?
- How is it used?

Questions to the inventor in view of the identification of the invention (6)

- What arguments do we have in favor of inventive step?
- Are there any other applications of the invention?
- What is the aim of the invention?
- What technical problem was solved by the invention?

Questions to the inventor in view of the identification of the invention (7)

- How was the problem solved in the past?
- What do you want your competitors not to be allowed to do? (Strategic defense)
- How could a competitor design around the contemplated patent claims? (Strategic defense)

Questions to the Inventor for Identifying the Invention (9)

- Do you intend to use the invention in your own business? (Revenue generation)
- Are you planning to sell or license your invention? (Revenue generation)
- Where do you want to get a patent? (Filing)

Please prepare:

- Drawings useful to explain the invention
- One independent claim defining the invention and granting the broadest possible protection
- Several dependent claims defining fall back positions

(in case the invention according to the independent claim should not be valid because further prior art exists)

Suggested Answer:

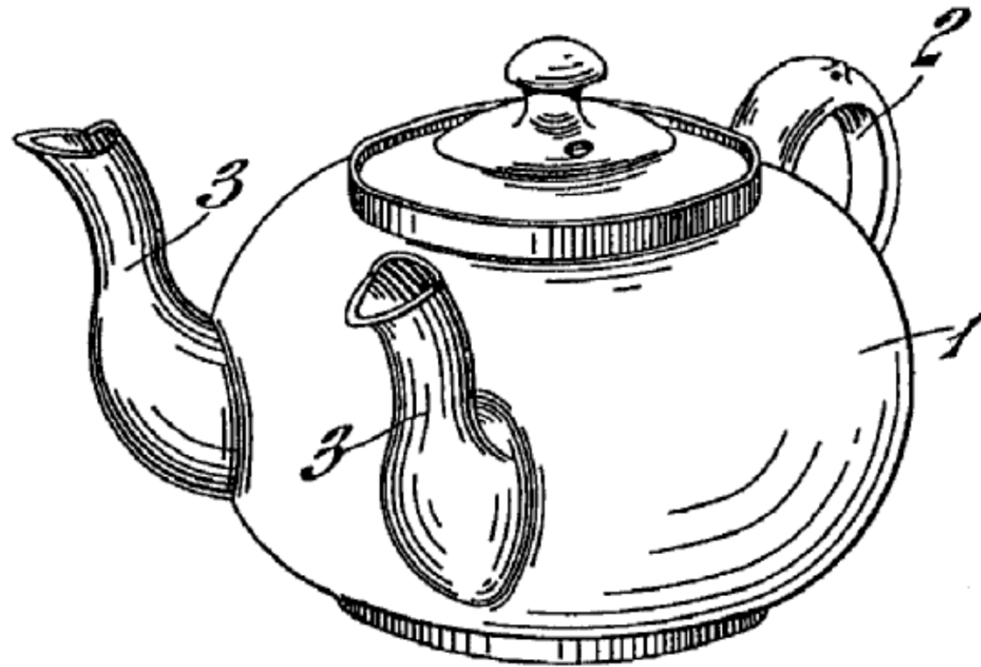


Fig.1.