

Topic 7:

Claim Drafting - Methodologies and Techniques

James Snaith

Kilburn & Strode

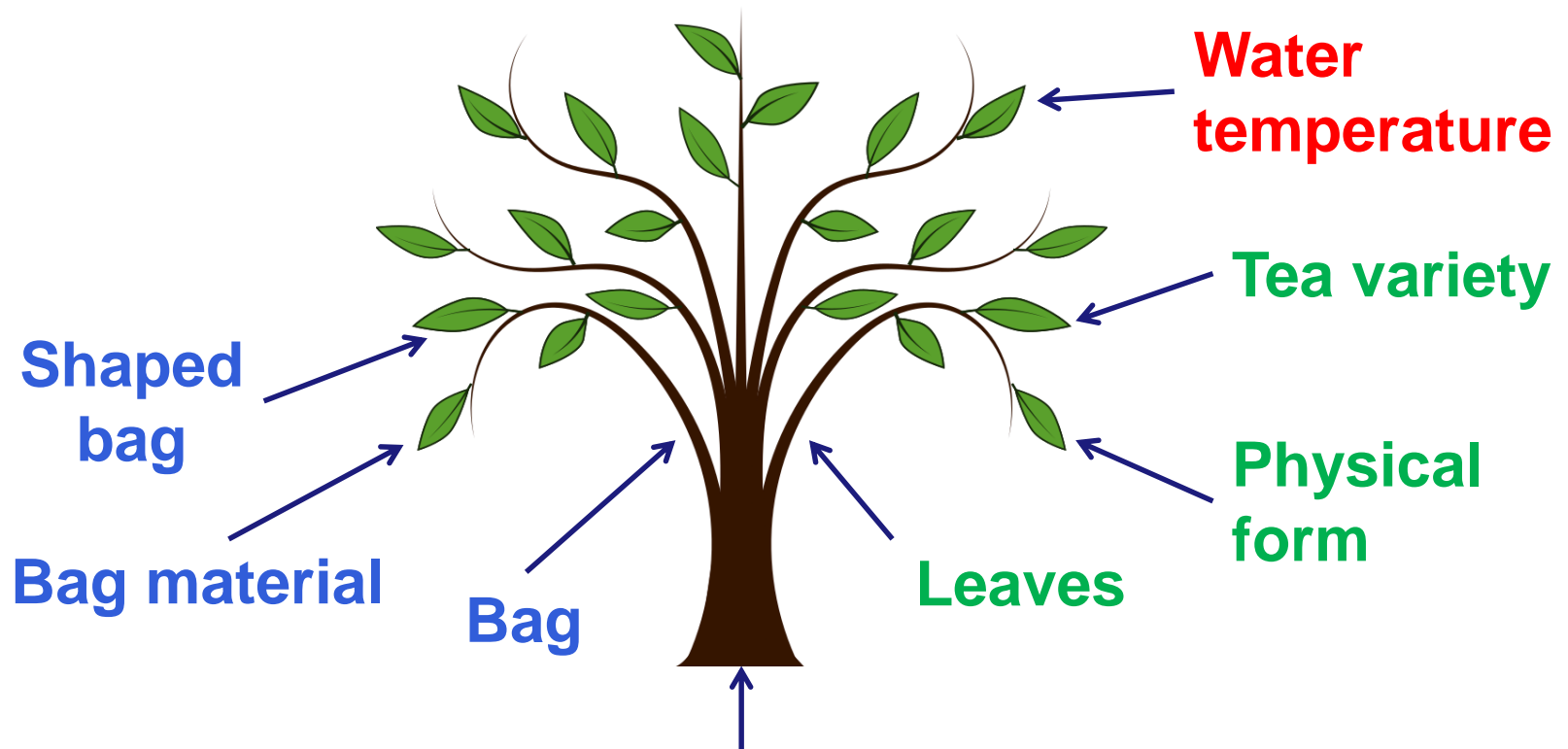
What is an invention – legal requirements recap

- Novelty – something that’s “new”
- Inventive step – “advantages”, “solutions to problems”, “alternatives”

What is an invention – recap

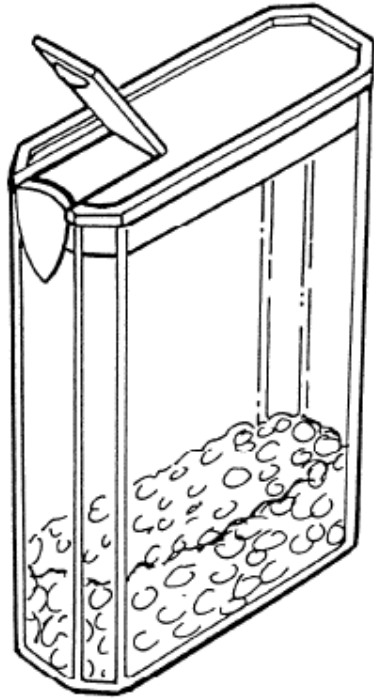
- There is no “right way”
- Many devices and methods include many “inventions”
- Revolutionary and incremental developments relative to the “state of the art”
- Overall objective is to spot the “most important” invention

What is an invention – recap

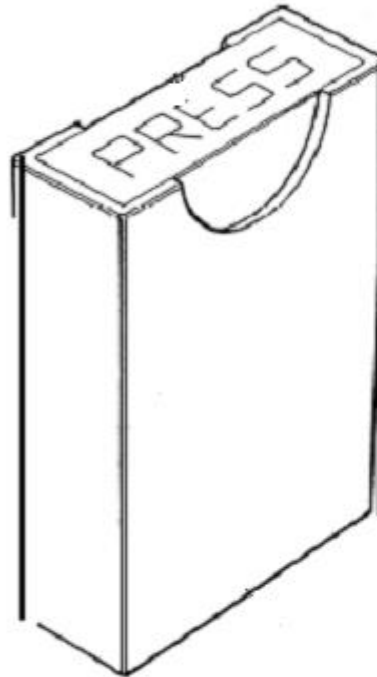


A method of brewing tea, comprising steeping tea leaves in water.

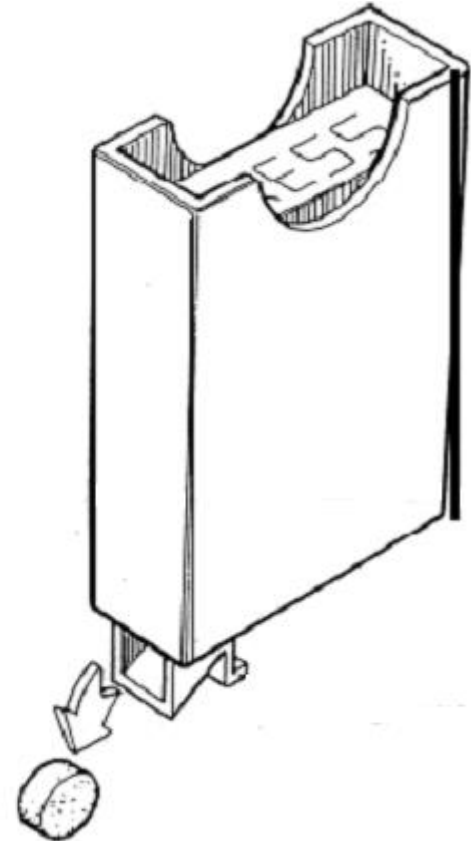
Recap – Yesterday’s puzzle



“Prior Art”



“Invention”



Recap – Our independent claim

An tablet item dispenser comprising:

~~of~~ a housing and

a dispenser compartment located within the housing, the dispenser compartment including a dispensing channel shaped to permit one or more items to be dispensed, and

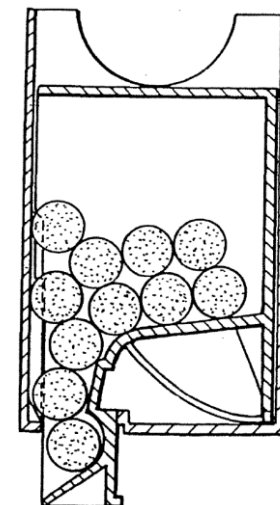
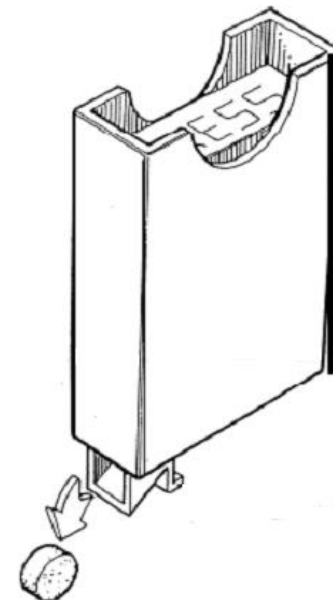
~~spring lever mechanism, and~~

~~a stopper,~~

wherein the housing and the dispenser compartment are slidable relative to one another between an open position in which the dispensing channel is open for permitting dispensation of items, and a closed position where the housing closes the channel
the dispenser transporting a single tablet in the shaped channel via gravity pull,

~~the dispenser transporting a single tablet in the shaped channel via gravity pull,~~
~~the spring lever mechanism pushes the tablet out of the container by pressing the dispenser compartment and returned automatically after releasing the dispenser compartment~~
wherein the dispenser compartment is biased towards the closed position,

the stopper configured to prevent the tablet from dispensing out the container and contain single tablet chamber dispenser compartment.



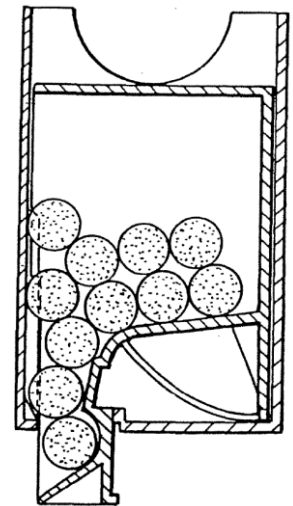
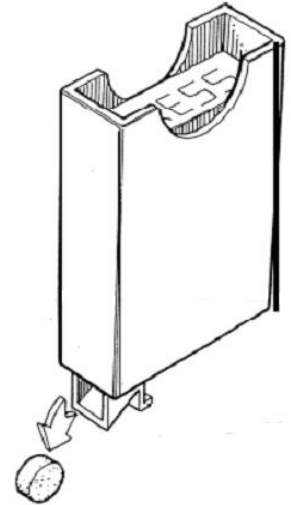
Independent claims drafting – make a list

- Everything about its structure, movement and function
- Any “advantages”, “solutions to problems” and “alternatives” you can see
- Essentially any features/anything you notice about the device

Make a list – anything you notice

- Inner container/hopper
- Outer container/housing
- Channel
- Shape of the channel
- Button
- Spring/biasing means
- Sliding movement
- Single item dispensing

- Automatic closure
- Hygienic
- “Press”
- Blue and white colouring
- Plastic
- Easy to use



Build a picture claim?

A plastic mint dispenser, comprising:

a blue housing;

a white dispenser compartment contained within the housing, said dispenser compartment having the word “PRESS” written thereon and comprising a dispensing channel for dispensing mints;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

said dispenser compartment being biased towards the second position,

and said dispenser being configured for single mint dispensing.

Build a picture claim?

A **plastic mint** dispenser, comprising:

a **blue** housing;

a **white** dispenser compartment contained within the housing, said dispenser compartment having **the word “PRESS”** written thereon and comprising a dispensing channel for dispensing **mints**;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

said dispenser compartment being **biased towards the second** position,

and said dispenser being **configured for single mint dispensing**.

Refinement: divide and categorise your list

- Divide and categorise the features between:
 - Structural, functional and movement features; and
 - Advantages, solutions and alternatives

Refinement: divide and categorise your list

Structure/function/movement features

Inner container/ hopper	Spring/biasing means Sliding movement
Outer container/ housing	“PRESS”
Channel	Blue and white colouring
Shaped channel	Plastic
Button	

Advantages, solutions and alternatives

Single mint dispensing/hygienic
Automatic closure
Easy to use

Refinement: eliminate non-essential features

- Eliminate features which achieve nothing

Refinement: eliminate non-essential features

Structure/function/movement features

Inner container/ hopper	Spring/biasing means Sliding movement
Outer container/ housing	“PRESS”
Channel	Blue and white colouring
Shaped channel	Plastic
Button	

Advantages, solutions and alternatives

Single mint dispensing/hygienic
Automatic closure
Easy to use

Refinement: eliminate non-essential features

Structure/function/movement features

Inner container/
hopper

Spring/biasing means

Sliding movement

Outer container/
housing

~~“PRESS”~~

Channel

~~Blue and white
colouring~~

Shaped channel

~~Plastic~~

Button

Advantages, solutions and alternatives

Single ~~mint~~ dispensing
/hygienic

Automatic closure

Easy to use

Refinement: eliminate non-essential features

A **plastic mint** dispenser, comprising:

a **blue** housing;

a **white** dispenser compartment contained within the housing, **said dispenser compartment having the word “PRESS” written thereon** and comprising a dispensing channel for dispensing **mints**;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

said dispenser compartment being biased towards the second position,

and said dispenser being configured for single **mint** dispensing.

Our refined “picture claim”

An item dispenser, comprising:

a housing;

a dispenser compartment contained within the housing and comprising a dispensing channel for dispensing items;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

said dispenser compartment being biased towards the second position,

and said dispenser being configured for single item dispensing.

Further refinement: problem and solution-approach

**Single item dispensing
/hygienic**

Problem/solution 1?

Automatic closure

Problem/solution 2?

Easy-to-use dispenser

Problem/solution 3?

Further refinement: problem and solution-approach

Structure/function/movement features

Inner container/hopper

Outer container/housing

Channel

Shaped channel

Button

Spring/biasing means

Sliding movement

Advantages, solutions and alternatives

Single item dispensing
/hygienic

Automatic closure

Easy to use

Further refinement: problem and solution-approach

Structure/function/movement features

Inner container/hopper

Outer container/housing

Channel

Shaped channel

Button

Spring/biasing means

Sliding movement

Advantages, solutions
and alternatives

**Single item dispensing
/hygienic**

Automatic closure

Easy to use

Our refined “picture claim”

An item dispenser, comprising:

a housing;

a dispenser compartment contained within the housing and comprising a dispensing channel for dispensing items;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

said dispenser compartment being biased towards the second position,

and said dispenser being configured for single item dispensing.

Our refined “picture claim”

An item dispenser, comprising:

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said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

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and said dispenser being configured for single item dispensing.

Our refined “picture claim”

An item dispenser, comprising:

a housing,

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said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel,

~~said dispenser compartment being biased towards the second position,~~

~~and said dispenser being configured for single item dispensing.~~

Our final claim

An item dispenser, comprising:

a housing;

a dispenser compartment contained within the housing and comprising a dispensing channel for dispensing items;

said dispenser compartment being slidable within the housing between a first position in which the dispensing channel is open and a second position in which the housing closes the channel.

Recap – Our independent claim

An tablet item dispenser comprising:

~~of~~ a housing and

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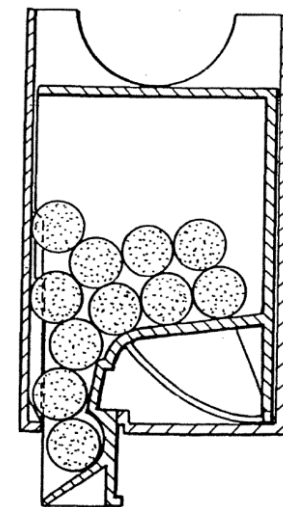
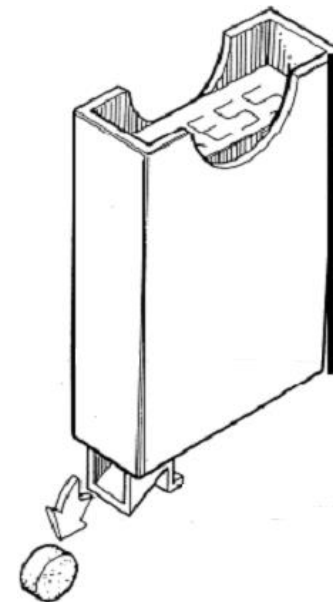
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wherein the dispenser compartment is biased towards the closed position,

the stopper configured to prevent the tablet from dispensing out the container and contain single tablet chamber
dispenser compartment.



What is an invention – recap

- There is no “right way”
- Many devices and methods include many “inventions”
- Revolutionary and incremental developments relative to the “state of the art”
- Overall objective is to spot the “most important” invention

Recap – Useful techniques

- Lists
- Table of features and advantages
- “Picture claim”
- Problem and solution approach

Recap – Make a list

- Everything about its structure, movement and function that's “new”
- Essentially any features of the device
- Divide and categorise based on:
“advantages”, “solutions to problems” and “alternatives”
- Keep refining

Q & A

Thank you

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