

## PATENT REGISTRATION

Patent is an IPR relating to inventions and is the grant of exclusive right for limited period, provided by Government to such inventor country.

The Patent of Invention is to ensure property right (legal title) for the invention, which may be extremely valuable to an individual or a company. The Registration of Patent and its laws is to encourage inventions by promoting their protection and utilization so as to contribute to the development of industries, which in turn contribute to the promotion of technological innovation and to the transfer, and dissemination of technology.

### CRITERIA OF PATENTABILITY

A patent is provided for an invention which satisfies the following criteria:

1. **Novelty:** Invention or technology which has not been anticipated by publication in any document or used in the country or elsewhere in the world.
2. **Inventiveness:** The invention involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art.
3. **Industrial applicability:** The invention is capable of being made or used in an industry.
4. Not falling under the not patentable categories under Section 3 and 4 of the current Indian Patent Act.

### RIGHTS OF A PATENTEE

The Act confers following Rights or Benefit upon the patentee:

1. **Product Patent:** Where the subject matter of the patent is a product, the exclusive right to prevent third parties from the act of making, using, offering for sale, selling or importing for those purposes that product without patentee's consent
2. **Process Patent:** Where the subject matter of the patent is a process, the exclusive right to prevent third parties, who do not have the patentee's consent, from the act of using that process, and from the act of using, offering for sale, selling or importing for those purposes the product obtained directly by that process.



## **PATENT REGISTRATION PROCESS**

A regular patent drafting / filing project will involve the following steps:

1. Sending a Non-disclosure Agreement to the client
2. Understanding of the Invention from the client
3. Conducting an extensive Patentability Search and submitting a report to the client and discussing the report with the client to receive approval for drafting patent application (optional)
4. Drafting the patent application (provisional / complete)
5. Filing patent application and providing a reporting letter with relevant dates, deadlines and provisions for the clients record
6. Providing a FREE PUBLIC NOTICE on instruction from the client, publicly notifying the 'patent pending' status of the invention
7. Leveraging opportunities of commercialization for the client's patent pending invention with prospective buyer or in-licensor approaching closer2patents
8. Filing family members of the patent application in other jurisdictions (if and when applicable)
9. Prosecution & liaisoning with the Indian Patent Office & foreign affiliates for other patent offices
10. Renewals and Maintenance of Granted Patents

## **TERM OF PATENT**

Patent will be granted for 20 years form the date of application subject to renewal fees paid every year.

## **PATENT APPLICATION UNDER PCT**

Patent law differs from country to country and there is no “world patent” or “International Patent” However there is an international filing system that is accessible in accordance with Patent Co-operation Treaty (PCT), when a PCT application is filled in one of the member state of PCT, this is legally in effect equivalent to filling in all PCT member states, when have been designated in the application.