



A report on

**Online certificate course on prior art
search and patent specification drafting**
(2nd edition)

26th February to 1st March 2024

Organized by

DPIIT IPR Chair, Tezpur University

In association with

DPIIT IPR Chair, Gujarat National Law University

A five-day online certificate course on prior art search and patent specification drafting was jointly offered by the DPIIT-IPR Chairs of Gujarat National Law University and Tezpur University from February 26 to March 1, 2024. The objectives of the course were to provide participants with an overview of patent law, educate them on the practical aspects of filing a patent, and help them hone their prior art search and patent drafting skills so they can draft patent specifications on their own after the training.

Prominent experts from different prestigious institutions of the nations like Dr. Sanjib Kr. Paul Scientist CSIR-IICT, Hyderabad, Dr. Tapas Kumar Bandyopadhyay Associate Professor, Metallurgical and Materials Engineering, IIT Kharagpur, Ms. Ilangai and Ms. Vidushi Bhardwaj IPR Consultant/Registered Patent Agent, delivered their lectures on various important topics related to requirements for patentability, understanding of a patent document, significance of prior art searches, patent citations and prior art in the background cross-reference, detailed description of the invention with reference to drawings/flowcharts, the international patent system-PCT route, etc.

Day 1: Inaugural Session and Briefing

The inaugural session commenced with the introductory note of Dr. Koushik Saikia Research Assistant, DPIIT-IPR Chair, Tezpur University who mentioned that this program marks the significant collaboration of two esteemed institutions of the Nation. The participants were given a warm welcome by Prof. (Dr.) Pritam Deb, DPIIT IPR Chair Professor, Tezpur University, he emphasized the significant role that patents, the most powerful type of intellectual property rights, play in safeguarding and advancing sustainably creative, economically viable projects that aim to provide answers to technological challenges. Prof. Deb added that the workshop's main objective is to give crucial IP management training that is applicable to practitioners, scientists, researchers, and stakeholder groups at all levels.



Photo: Professor Mrinmoy Kumar Sarma, Dean, Academic Affairs, Tezpur University while addressing the participants in inaugural session.

Prof. Mrinmoy Kumar Sarma, Dean (Academic Affairs), Tezpur University was present as the chief guest in the inaugural session and expressed his appreciation for the proactive steps taken by the IPR Cell, Tezpur University. He also mentioned the importance of recognizing and safeguarding one's creativity using IPRs. Finally, Dr. Annamma Samuel, DPIIT IPR Chair Professor, Gujarat National Law University (GNLU), who emphasized the prospects of Patent understanding and its importance in intellectual arena introduced all the participants and sent forth a vote of gratitude to everyone at end of the first inaugural session.

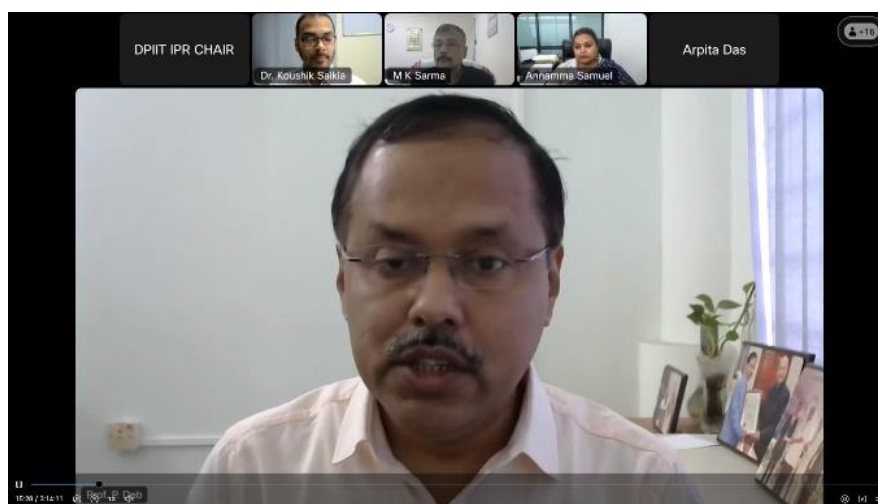


Photo: Professor P. Deb, DPIIT IPR Chair Professor, Tezpur University while giving the welcome speech in the inaugural session on day 1.



Photo: Dr. Annamma Samuel DPIIT IPR Chair, GNLU while delivering the Vote of thanks in the inaugural session.

Resource Person: Dr. Sanjib Kr. Paul, Scientist at CSIR-IICT, Hyderabad,

The first technical session of the five-day-long certificate course was led by Dr. Sanjib Kr. Paul, who talked about the many aspects of patents, including types of patent applications and the filing procedure. He claimed that the distance between scientists and lawyers who take the initiative to safeguard peoples' intellectual property rights is less. He talked about the various requirements for patentability, the process of granting patents, and the in-depth explanation of the offline patent application process at each of the four patent offices around the country.

In his opening remarks, Dr. Sanjib Kr. Paul gave a general overview of intellectual property rights and their several forms. All other IP rights, he said, can be safeguarded in the individual's name, with the exception of Geographical Indication. The Geographical Indication of Goods (& Registration & Protection) Act 1999, The Geographical Indication of Goods (& Registration & Protection) 2003, The Trade Mark Act 1999 (as amended), The Copy Rights Act 1957 (as amended in 1999), and The Patent Act 1970 (as amended) were among the laws he mentioned that covered these intellectual property rights. The Design Rules 2002 (as modified), The Trade Mark Rules 2003, The Design Act 2000, and so on. Dr. Paul gave a brief explanation of patents, their terms, goods that are and are not patentable, and the requirements for being patentable. He mentioned non-patentable innovations and cited Sections 3 and 4 of the Patent Act of 1970. He also briefed the attendees on the crucial paperwork required to file for a patent on any innovation, explaining

that this paperwork will assist in distinguishing between a new invention and any previously published work on the subject. Explaining in detail about non patentable goods Dr. Pail said that

- An invention which is frivolous, or which claims anything obviously contrary to well established natural laws;
- An invention the primary or intended use or commercial exploitation of which could be contrary to public order or morality or which causes serious prejudice to human, animal or plant life or health or to the environment;
- The mere discovery of a scientific principle or the formulation of an abstract theory or discovery of any living thing or non-living substance occurring in nature;
- The mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy of that substance or the mere discovery of any new property or new use for a known substance or of the mere use of a known process, machine or apparatus unless such known process results in a new product or employs at least one new reactant.
- A substance obtained by a mere admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such substance;
- The mere arrangement or re-arrangement or duplication of known devices each functioning independently of one another in a known way;
- A method of agriculture or horticulture;
- Any process for the medicinal, surgical, curative, prophylactic diagnostic, therapeutic or other treatment of human beings or any process for a similar treatment of animals to render them free of disease or to increase their economic value or that of their products.
- Plants and animals in whole or any part thereof other than micro-organisms but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals;
- A mathematical or business method or a computer programme per se or algorithms;
- A literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever including cinematographic works and television productions;
- A mere scheme or rule or method of performing mental act or method of playing game

- A presentation of information;
- Topography of integrated circuits;
- An invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components.

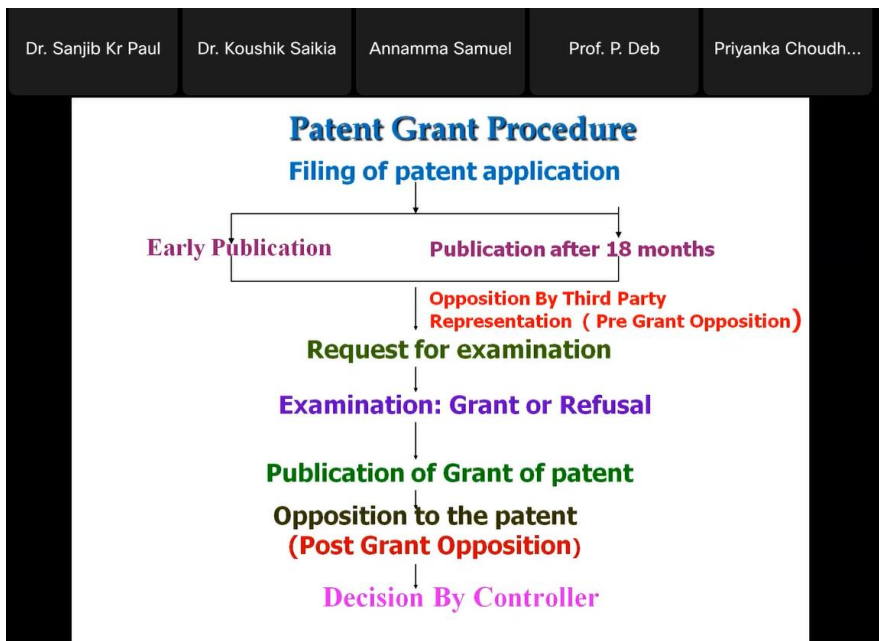


Photo: Dr. Sanjib Kr. Paul, Scientist at CSIR-IICT, Hyderabad while taking his session on day-1 of the programme (on top) and one of the slides of his presentation (at bottom).

In his last section, Dr. Sanjib Kr. Paul also provided an explanation of the patent grant method, including filling out the application, examining it to determine whether to grant or refuse a patent, publishing the patent grant, post-grant resistance to the patent, and the controller's judgment.

Resource Person: Prof. Dr. Tapas Bandyopadhyay Metallurgical and Materials Engineering, IIT Kharagpur

Dr. Tapas Kumar Bandyopadhyay, Associate Professor, Metallurgical and Materials Engineering, IIT Kharagpur, led the second session. Dr. Bandyopadhyay started his lectures by defining a patent, its conditions, and the importance of understanding the patent paperwork. He discussed the characteristics and economics of intellectual property rights. According to him, territorial, exclusive, negative, and limited term rights are further definitions of patent rights.

Dr. Bandyopadhyay referred the Section 2 (m), (j), (ja) to explain the meaning of patent, invention and inventive steps under the Indian patent Act 1970. He mentioned the following inventions which are non-patentable in the countries like USA and Europe are:

Abstract ideas, well established natural law, Art and Discoveries, Scientific theories, mathematical methods (ii) Aesthetic Creation (iii) Schemes, Rules and methods of performing mental Acts playing Games or doing Business and programs for Computers (iv) presentation of Information

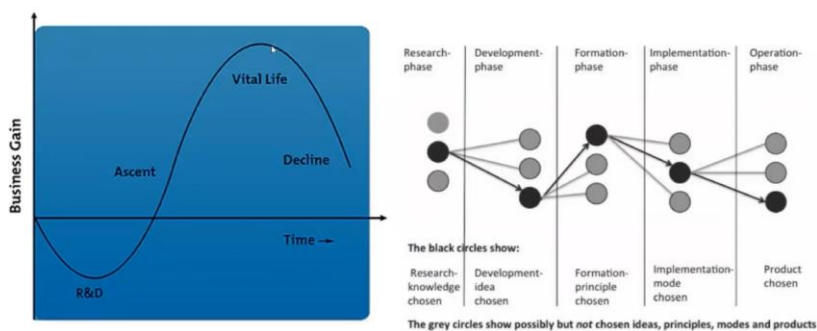
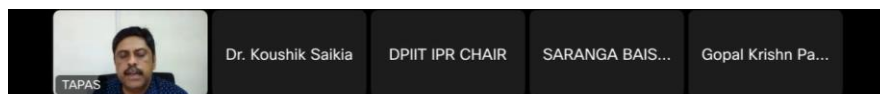
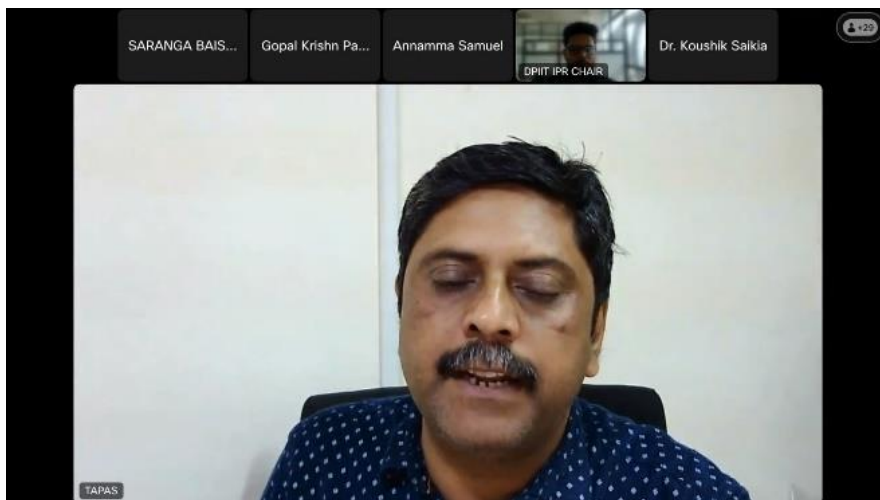
He explained that an invention can lost its novelty by:

- Prior Publication
- Prior claiming
- Prior Public use
- Prior Public knowledge

He discussed comparing an innovation to previous art in order to analyze uniqueness. He quoted "Diamond v. Chakravarty 447, US 303 (1980)" to give more specific information about the patentability of living entities.

He went on to explain to the participants that an innovation must have an industrial application and cited Section 28 of the Indian Patent Act 1970 to let them know that the inventor can ask to

have their name mentioned in the patent letter by completing Form 8 and submitting an application with the required fee.



<https://www.mindtools.com/a6s5eb0/the-technology-life-cycle>

Photo: Dr. Tapas Kumar Bandyopadhyay, Associate Professor, Metallurgical and Materials Engineering, IIT Kharagpur while taking his session (on top) and one of the slides of his presentation (at bottom).

Day 2: 27th February 2024

Resource Person: Ms. P. Ilanangai, an IPR consultant and registered patent agent.

Ms. P. Ilanangai gave vibrant lectures on the importance of prior art searches, how to conduct searches for prior art, the classification systems, and sources for prior art searches, among other topics. To make the conversation very engaging and educational, she also led a practical training in the second session. Ms. Ilanangai repeatedly emphasized to the attendees throughout the workshop that they should practice patent searches enough before really applying for inventors.

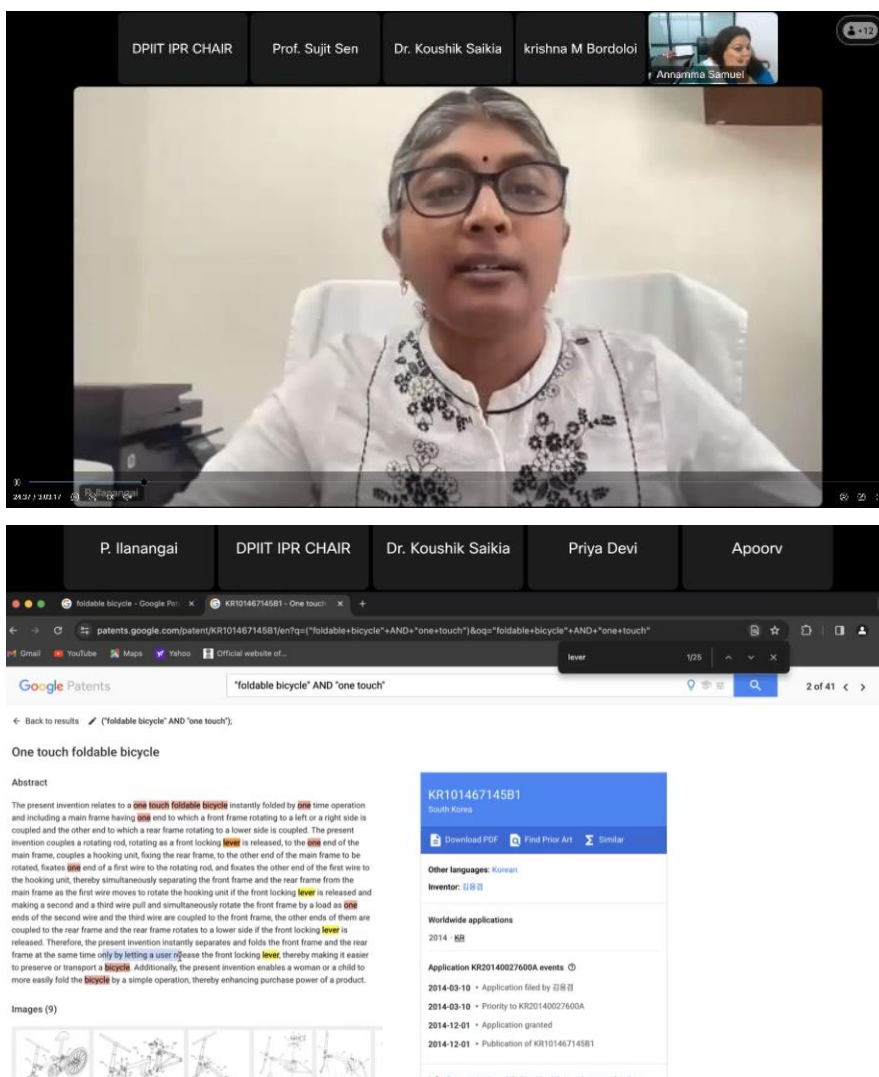


Photo: Ms. P. Ilanangai, an IPR consultant and registered patent agent on Day-2 while delivering taking her session (on top) and one of the slides of her Hands-on training session (at bottom).

Ms. P. Ilanangai talked on what is Patent search and what one can decide through it. She emphasized that Patent search can confirm whether the new invention is patentable or not and is any similar or like invention patented, not patented or likely to be patented. She informed that to

be patentable an invention should fulfill three conditions like novelty, inventive steps and industrial applicability. Patent search can establish the novelty of the invention. It can help the inventor not only to decide the reason to pursue a patent but also to make required modifications to improve the probability of getting a patent. She said that the knowledge of prior art will guide the applicant in drafting the patent application by highlighting the novelty of the invention. Patentability search can assist in determining how broadly one can claim the new invention which can finally give new insight into the commercial value of the patent. During Patentability search (with a combination of key feature of the invention) documents that are sought were publicly available as of the earliest priority date of the patent application and which clearly disclose all the features set out in the claims. These documents may be granted patents, published patent applications, publicly available journals, magazines, websites brochures books any other materials capable of describing invention. If a prior art discloses all the essential elements of the proposed patent application, then its deemed invalid or lacking novelty. If none of the prior arts that are cited singularly includes all the features of the claim under consideration, then the claim is deemed to be novel. She talked about classification of patents and its importance as it provides concise subject code for the technology and breaks down patentable technology into manageable units.

Ms. P. Ilangai also covered how to use keywords to identify previous art connected to patents. She reviewed patent search strategies and gave a thorough description of how to search Google Patents and other official websites of various patent offices located around the world for prior art related to patent applications. In order to create a very participatory and educational debate, she led the practical instruction on preceding art searches. Ms. Ilangai often encouraged the attendees to practice patent searches before putting their inventions up for real.

She discussed how to run a generic search utilizing an invention's terms in the second session of the day. She gave an example of how to search for patent art using the keyword "foldable bi-cycle" in Google Patent Search on the Google Chrome browser. More than a lakh patents with terms like "foldable," "folding," etc., were found. Via the Indian Patent Office visit, she provided information on how to conduct a public search and look for patents, trademarks, and other intellectual property. Therefore, the granted and pending status of various patent applications may be seen by visiting the patent link. She gave instructions on how to check the status of an application submitted to obtain a patent for a new invention by visiting the official websites of the various patent offices

throughout the world. Ms. P. Ilanangai gave the participants some homework to complete during the last portion of the day so they could gain some hands-on experience with patent and prior art searches.

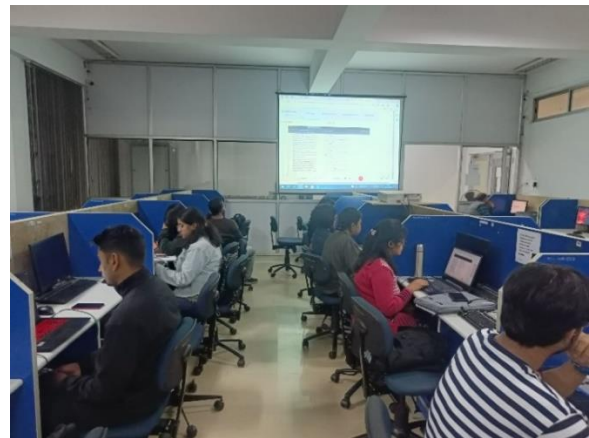


Photo: Participants from Tezpur University attending the course (on left) and Hands on training on Patent Search at Computer Center (on right).

Day 3: 28th February 2024

The third day of the course was continued by Ms. P. Ilanangai, who gave a brief overview of the patent specification. The patent specification, according to her, is also known as the disclosure. It includes an invention description that complies with specific writing standards. A patent specification's primary goal is to inform the public of the monopoly the applicant or patentee has chosen to acquire (the claims) and what he believes to be his invention (the body). She said that in order to submit a patent application, a candidate must include a comprehensive and detailed description of all the elements that make up the invention, along with the optimal technique for carrying it out in the specification. The disclosure of the invention in a specification must be such that a person skilled in the art may be able to perform the invention.

Ms. Ilanangai, described that patent specification can be of two types

- i) Complete Patent Specification and
- ii) Provisional Patent Specification.

Provisional or Complete Specification shall be submitted in Form-2 along with the Application Form-1 and other documents accompanied with the prescribed fee as given in the First Schedule. Provisional specification is a temporary application which is filed when the invention is not

reached its final stage and is still under experimentation. It is a broad disclosure of the invention in the form of a written description which describes the invention and is a permanent and independent scientific cum legal document which is not allowed to amend.

Provisional patent specification has the following subsections:

- Title of Invention
- Field of Invention
- Background Art
- Summary of Invention (the invention's objectives and advantages, or alternative embodiments of the invention)
- Brief description of drawings (if necessary)
- Claims (optional)

Describing the non-provisional application or complete specification, Ms. Ilanagai said that it is a techno-legal document that includes all of the invention's scientific facts as well as patent rights claims. It must reveal the most effective way to implement the invention that the applicant is aware of and is eligible to have protected. The disclosure must be adequate to allow someone in India with a mediocre level of expertise in the field to which the claimed invention pertains to work on the claimed invention.

Complete Specification comprises of the following structure:

- Title
- Field of Invention
- Background Art including citations of prior art

Objects of invention (the invention's objectives and advantages, or alternative embodiments of the invention)

- Summary of invention
- Brief description of drawings
- Detailed description of the invention with reference to accompanying drawings / flow charts.
- Claims
- Abstract

The Provisional application filing has some advantages like:

- It secures a priority date for the application over any other application which is likely to be filed in respect of the same invention being developed concurrently.
- The specification mentioned in the provisional application should be sufficiently detailed and must be drafted very carefully to ensure that the priority rights are secured for your invention.
- Through the provisional application the applicant gets 12 months' time to fully develop the invention and ascertain its market potential to file a complete specification.

The complete specification can be filed in two ways:

- i) **Subsequent filing; or**
- ii) **Direct filing.**

- **Subsequent filing** - the complete specification is filed subsequent to the filing of the corresponding provisional specification claiming the priority date. Such subsequent filing of complete specification should be done within twelve months from the “priority date” or the filing date of provisional specification.
- To avail priority from the corresponding provisional specification, the subject-matter as disclosed in the complete specification should be fairly supported in the provisional specification.

Direct filing- the complete specification is filed in first instance with the patent office.

P. Ilanangai Dr. Koushik Saikia DPIIT IPR CHAIR Chetalini Prakash Johri

PATENT SPECIFICATION

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- **Direct filing-** the complete specification is filed in first instance with the patent office.

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Photo: A slide from Ms. Ilanangai’s presentation on Day -3 of the course.

Ms. Ilangai provided a thorough explanation of inventions, emphasizing that patents safeguard the technological solutions that inventions provide. She concluded that while a product created by using natural law is not patentable, it is a technological solution that qualifies for protection. An innovator, according to her, always sees issues and comes up with solutions. The innovation should next have a proper title that is at least fifteen words long, accurate, meaningful, and adequately conveys the creative aspects of the invention. She informed that certain contents are not allowed in the title like the inventor's name

- ❖ The word Patent'
- ❖ Words in other languages
- ❖ The abbreviation etc.
- ❖ Fancy expressions such as „Wash well soap“; Intelligent cooking stove“

Through the assignment of many classroom tasks, Ms. Ilangai directed the participants to identify product and process patents. She suggested that certain things be prioritized while describing the process of creating backdrop art, including as:

- The background section should be fairly short and should provide an introduction to the field of the invention.
- Background should disclose limitations of the prior arts or differences of prior arts from the inventor's idea.
- It should not disclose novelty of the proposed invention and should not contain derogatory words.
- Background should contain reference of related prior arts or conventional method/system for solving the problem.
- The background should highlight the need of the present invention.
- Background should not contain informal words- etc.“, like“, and i.e.“, so on.
- The background should not explain how the proposed invention solves the given problem.
- Background should not mention about the objects of the proposed invention.

At the conclusion of the session, Ms. Ilangai gave advice on how to write the invention's objects, emphasizing that they should both clearly show the invention's benefits and create a

demand. It should also make explicit the technical issues with the current technology and how those issues are resolved, emphasizing the clear distinctions between the claimed invention and the previous art.

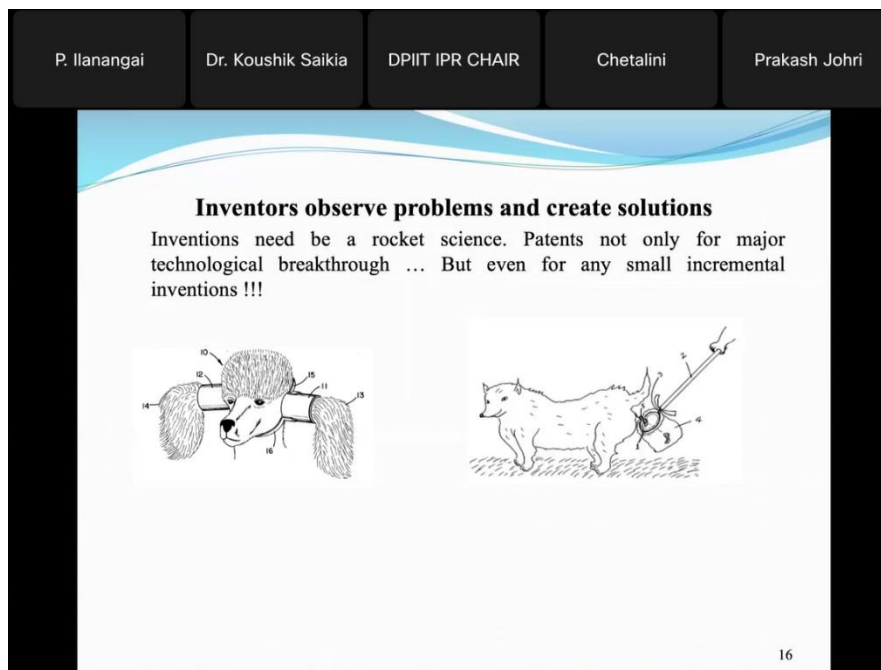


Photo: A slide from Ms. Ilanangai’s presentation on Day-3 of the course.

Day 4: 29th February 2024

The fourth day of the sessions continued with Ms. P. Ilanangai providing a thorough explanation of the process of drafting the other specification of the patent like subtopics of patent, citations and prior art in the background, divisional applications, patents of addition, patent summaries, and brief descriptions of drawings etc. She pointed out that patents are everywhere including the copper buttons used in the pockets of the jeans pant. Initiating her session of the day she reflected upon cross reference on divisional application. She stated that when a patent is filed for a specific product one cannot deviate from it and change the application’s subject which is specifically filed for that product but some times a single application might represent different characteristics of the product like, patent application for a spray bottle which will automatically represent three characteristics of the product e.g. the spray bottle, the of making the spray bottles, the apparatus used to make it are interlinked to one another and form the same subject matter and it’s a single

inventive concept so its has unity in the invention therefore can be filed for patent in the single application. It is also known as single inventive concept

Ms. P. Ilanangai explained it with the reference of Rule Reference [Rule 13(3)] which mentions

- The complete specification of application for patent of addition shall include specific reference to the number of main patent or the application for main patent, as the case may be, and a definite statement that the invention comprises an improvement in, or a modification of the invention claimed in the specification of the main patent, granted or applied for.
- With the help of patent application cross references can be made to other patent applications by identifying the title, the application number or the international application number and the international filing date.

She provided clarification on cross-reference to related applications and patent of addition (as defined by sections 54, 55, and 56 of the Patents Act, 1970). She also summarized the process by which an applicant may file for a patent of addition if he or she develops an invention that is improved upon or modified from the main application for which they have already applied for or been granted a patent.

Additionally, Ilanangai covered drafting as an abstract, drafting as a full explanation of the innovation (with reference to any drawings or flowcharts), and drafting as a summary of the invention.

Ilanangai mentioned the following crucial topics in her discussion about the claim's introduction. She wrapped off her fourth day's session with a quick explanation of the claim's importance and scope.

- There is no restriction to the number of claims to be included in the specification. But the applicant has to pay additional fee, in excess of ten claims.
- Each claim is evaluated on its own merit and, therefore, if one of the claims is objected, it does not mean that the rest of the claims are invalid.
- Patent rights exist in claims.

- Claims form the protective boundary that lets others know when they are infringing on your rights.

There are two basic types of claims:

- Independent claim
- Dependent claim

Independent claim:

- Standalone claim/does not depend on any claim.
- Broadest claim.
- Covers all the significant characteristics of the invention.
- Different embodiments of the same invention can have an independent claim such as a method, apparatus.
- But should be covered by the unity of invention.

Dependent Claim

- Depends on another claim.
- Depends on an independent claim or another dependent claim.
- It incorporates all the limitations of the claim on which it is dependent on
 - ❖ as claimed in claim 1
 - ❖ a method according to claim 1
 - ❖ an apparatus of claim 1
- A dependent claim may add to the claim on which it is dependent on
 - ❖ one or more elements
 - ❖ a further description or limitation of one or more elements of the parent claim, or
 - ❖ both
 - ❖

Claims also can be of two types:

1. Product claim

- A claim that covers a structure, device or system, apparatus or composition of a product, article etc.

Ex:

A machine for husking areca nut, comprising: feed hopper; husking chamber; husk blower; connecting shaft; and motor for husking disk.

A botanical pesticide for control of pests in agriculture and horticulture crops, comprising:

- Adenanthra peronia;
- Acorus calamus; and
- Methanol,
- wherein the ingredients are extracted using and/ or through methanol.

2) Process or Method claim:

A claim that covers the method by which an invention is performed by defining the steps to be followed. It can be method or manufacture of a product to achieve the desired result.

- A process may be a mechanical, electrical or chemical.

Ex:

A method of making a ball, comprising forming an inner sphere by forming an outer shell with a fluid mass center;

- forming a plurality of core parts from elastomeric material;
- arranging and adhesively joining the core parts around the inner
- sphere with a flexible adhesive and then cross linking the core parts
- to each other by compressing them together at an elevated
- temperature to form a substantially spherical core; and
- molding a cover around the assembled core,
- wherein the elastomeric material has a cohesive strength and the
- adhesive has an adhesive strength that is stronger than the cohesive
- strength.

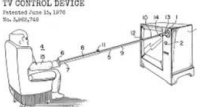
Significance of claims:

A claim is a statement of technical facts expressed in legal terms defining the scope of the invention sought to be protected. No monopoly is obtained for any matter described in the complete specification unless it is claimed in the claims. What is not claimed in the claims stands disclaimed, and is open to public use, even if the matter is disclosed in the description. The claims shall clearly define the scope of the invention with conciseness, precision and accuracy, so that others may know the exact boundary into which they should not trespass. It is important to make claims on all aspects of the invention to ensure that the applicant gets the widest possible protection.

P. Ilanangai DPIIT IPR CHAIR krishna M Bordoloi Dr. Koushik Saikia Prakash Johri

INTERESTING FACTS

ORRIS T. MICHAELS
TV CONTROL DEVICE
Patented June 24, 1919
No. 1,490,763



World of Engineering @engineers... - 15h
On Nov 11, 1930 - Patent number US1781541 is awarded to Albert Einstein and L. Szilard for the Einstein refrigerator. The Einstein refrigerator is an absorption refrigerator which has no moving parts, operates at constant pressure, and requires only a heat source to operate.

U.S. Patent Sep. 2, 1986 4,608,967

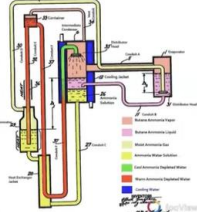



FIG. 1



Govt school student secures patent for his innovation

Email: ilanangai_ilan@yahoo.co.in Contact No: 9840350494

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Photo: A slide from Ms. Ilanangai's presentation on day 4 of the course.

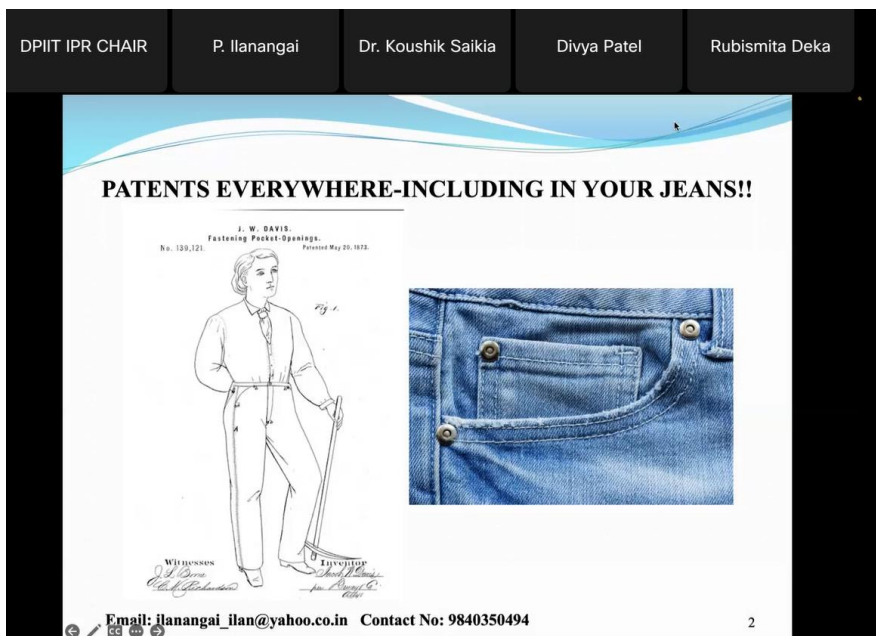


Photo: A slide from Ms. Ilanangai’s presentation on day 4 of the course.

Scope of claims:

Claims must not be too broad to embrace more than what the applicant has in fact invented. A claim which is too broad may encroach upon the subject matter which is in public domain or belongs to others. However, a claim must not be too narrow also because such a claim would not be sufficiently effective against potential infringement. An infringer would go scot-free, if the claims were too narrow and hence, the full benefit of the invention may not accrue to the inventor. A good drafting may begin with broad claims and develops towards claims that are narrower in scope.

Ms. Ilanangai concluded the day's activities by giving the participants a class assignment to complete so they could have personal experience writing an abstract and describing an idea.

Day 5: 1st March 2024

On the final day of this short-term course, three sessions were jointly led by Ms. Ilanangai, an IPR consultant, and Ms. Vidushi Bhardwaj, a registered patent agent. Ms. Ilanangai led the first two sessions, providing thorough explanations on structure of claims, drafting and interpretation of

claims for patent registration of an invention.. She also led a hands-on session with the participants on drafting of claims and a detailed specification for a patent claim.

Ms. Ilanagai started the session with the description of “structure of Claim”. The following important topics were discussed Ms. Ilanagai:

The description of invention in the complete specification is to be followed by a “statement of Claims” preceded by the prescribed preamble, “**I / We claim**” as the case may be.

- **Claims should start from a fresh page**, after a detailed description of the invention and should be serially numbered.
- **Each claim should be in a single sentence** and should be clearly worded. Each claim should be fairly based on matter disclosed in the specification.
- The choice of words and terminology used in claims should be traced back to the specification to ensure that the specification and claims are consistent, and that the same terminology is used throughout.

A claim usually consists of three parts:

- Preamble,
- Transitional phrase; and
- Body.

Ex:

A weighing apparatus, comprising:

- weighing balance;
- electric circuit; and
- power supply source,

The preamble: The introductory phrase identifies the category of the invention e.g., an apparatus, device, article, composition, a method or process and sometimes the purpose or object of the invention (for example, a weighing apparatus for visually challenged, a composition for fertilizing soil).

- It is good to keep the preamble consistent with the title of the invention.

Exs:

A weighing apparatus for visually challenged.

A weighing apparatus.

A herbal hair care formulation.

The next part of the claim and stands between preamble and a body is the transition phrase. There are two types of transitional phrases: open-ended and closed phrases.

Open ended phrases are inclusive, not exclusive whereas closed ended phrases limit the claim to nothing more than the specifically-recited elements.

Open ended transitions expand the scope of the claim by allowing for other elements or limitations

- An indicative list of regularly used open ended transitions is:
 - Comprising
 - Comprises
 - Having
 - Containing
 - Characterized by or characterized in that or the improvement

Exs:

1. A weighing apparatus, comprising:

weighing balance; electric circuit; and power supply source,

- **An indicative list of regularly used closed ended transitions is:**
 - Consists
 - Consisting
 - Composed of

Claim covers only elements named and nothing more

Exs:

1. A device, consisting of:

A;

B; and

C attached to said A.

Exs:

1. A formulation, consisting of:

A - 40%;

B - 40%; and

C - 20%.

The percentages should add up to 100%.

2. A chemical composition, comprising:

10% of A compound;

45% of B compound; and

45% of C compound

The body: it follows the transitional phrase.

- It recites the elements/limitations/steps and describes how the elements cooperate with one another [structurally, functionally or physically].
- Positive recitation-every element has to be introduced before describing it.
- Essential features that distinguish your invention from prior art.
- Can be in the form of a single paragraph or sub-paragraph.

Ms. Ilanangai stated that a patent claim cannot be merely a list of parts. It must explain how the different elements exist in relationships with one another. Thus, the claim would likely be rejected if written this way:

Exs:

1. A pencil eraser comprising:

a top;

a base; and

a projection.

1. A device, consisting of:

writing means; and

erasing means.

Ms. Ilanangai described the Drafting and Interpretation of claims and explained the following important topics:

Wherein clause:

- Phrase such as "wherein" is used to further define a structure or provide a function associated with a given structure.

Exs:

1. A device, consisting of:
writing means; and

erasing means,

wherein said erasing means is detachably attached to said

writing means, and

wherein said erasing means is provided with a cap.

- The independent claim should bring out sufficient details of interrelationship, operation or utility to establish that the invention achieves the intended objectives.
- Further independent claims are justified where the single inventive concept covers more than one category e.g. process, product, complementary versions within one category e.g. plug and socket, transmitter and receiver, which work only together.

Claim Punctuation, use of correct antecedent basis, indefinite article "a" or "an" were also informed by Ms. Ilanangai. Drafting and Interpretation of claims like Independent and Dependent Claim and also how all documents and copies of the documents, except affidavits and drawings, should be filed with patent office also discussed by the resource person in her session.

During the session's last section, Ms. Ilanangai also discussed how some remarks made in the first person shouldn't be taken as assertions.

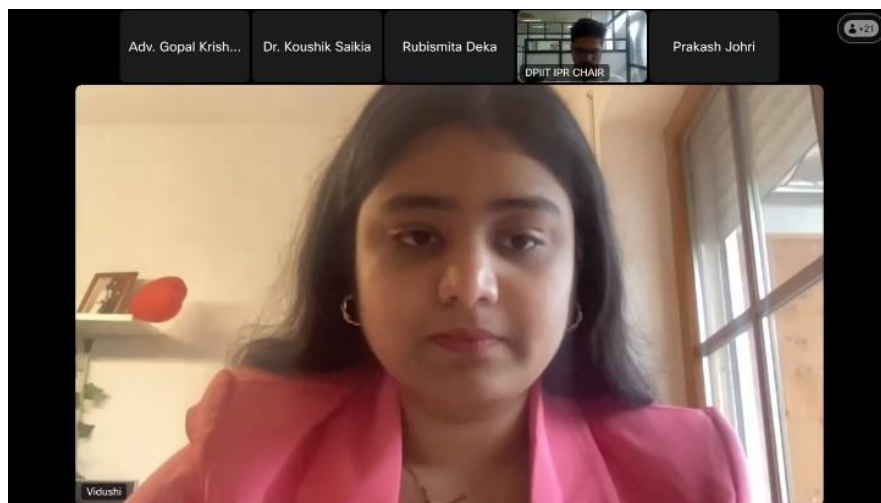
Exs.

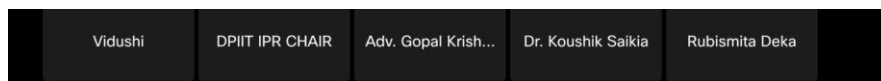
- I claim to be the inventor of this appliance.
- I claim a patent and that no one else shall use my invention without leave.
- I claim that the machine described above is quite new and has never been seen or used before.
- I claim some reward.
- Also, the claims should not be made, for illustrating the efficiency or advantages of the invention such as I claim that this device is better and cheaper and more effectual than anything known.
- I claim that my process or machine will do such and such things.

- I claim the following advantages.
- I claim an improved sewing machine.
- I claim a mechanism for converting heat into electrical energy without any loss of efficiency.

Resource Person: Ms. Vidushi Bhardwaj, a registered patent agent

The last technical session of this weeklong certificate course was taken by Ms. Vidushi Bhardwaj, a registered patent agent. Her session was basically on two aspects: (i) patent agent registration examination procedure and (ii) regarding PCT mode of patent filing. She also explained in details about the job description of a patent. Ms. Bhardwaj explained about the Patent Corporation Treaty (PCT) way of patent filing in many countries and mentioned how this platform of patent filing is different from the conventional Paris Convention way of filing. She explained various stages of PCT filing with various examples for the benefits of the participants.





How to file a patent application simultaneously in different countries?

- **Direct** : directly file separate patent applications at the same time in all of the countries in which patent is desired (for some countries, regional patents are available).
- **Paris Convention**: having filed the first patent application in a Paris Convention country (one of the Member States of the Paris Convention for the Protection of Industrial Property), file separate patent applications in other Paris Convention countries within 12 months from the filing date of that first patent application, with the benefit of claiming the filing date of the first application in all other countries.
- **Patent Cooperation Treaty** : file an application under the PCT, directly or within the 12-month period provided for by the Paris Convention from the filing date of a first application, which is valid in all Contracting States of the PCT.

Photo: Ms. Vidushi Bhardwaj, a registered patent agent while taking her session (on top) and one of his slides (at bottom).

As part of the valedictory remarks, Prof. (Dr.) Pritam Deb, DPIIT IPR Chair Professor, Tezpur University, and Dr. Annamma Samuel, DPIIT IPR Chair Professor, Gujarat National Law University (GNLU), thanked the participants for their interest in this fresh take on intellectual property rights. To increase local community's understanding of intellectual property rights and their protection, they also indicated their willingness to plan similar events of this nature soon.

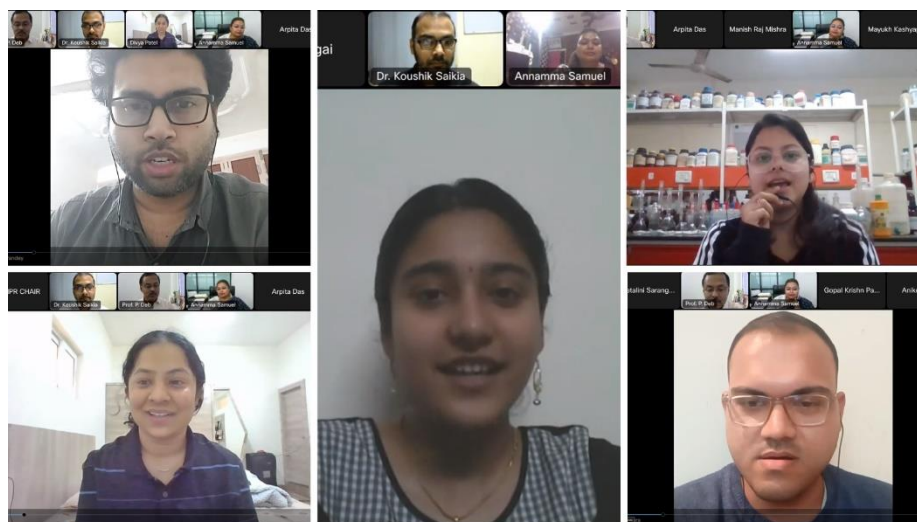


Photo: Participants while sharing their experience on the certificate course during the valedictory session on the 5th day of the certificate course programme.

After the valedictory speech, the participants expressed their opinions about the course. It was clear from their remarks that they found the course was very beneficial and connected. The participants also found the workshop's practical activities were very beneficial. The majority expressed optimism that similar offline seminars will be held in the future.

Finally, the five-day online certificate course ended with a vote of gratitude from Jyotiringa Puzari, Research Assistant at Gujarat National Law University and DPIIT-IPR Chair.

LIST OF PARTICIPANTS

Name	Designation	Affiliation
1. Aniket Nihal	Student	Chotanagpur Law College, Ranchi
2. Arpita Das	Research Scholar	Tezpur University, Assam
3. Aryan Kumar	Student	Tezpur University, Assam
4. Ashawari Dewri	Research Scholar	Tezpur University, Assam
5. Ashim Tamuli	Research Scholar	Tezpur University, Assam
6. Chetalini Sarangthem	Research Scholar	Tezpur University, Assam
7. Darshan Jyoti Gogoi	Research Scholar	Tezpur University, Assam
8. Divya Patel	Student	Nirma University
9. Gopal Krishn Pandey	Professional	SKS Law Associates
10. Jahnabi Das	Research Scholar	Tezpur University, Assam
11. Ketaki Kishor Sane	Job aspirant	ICSI
12. Krishna M. Bordoloi	Research Scholar	Tezpur University, Assam
12. Manish Raj Mishra	Research Scholar	Tezpur University, Assam
13. Manoj Kumar Sutradhar	Research Scholar	Tezpur University, Assam
14. Mayukh Kashyap	Student	National Law University and judicial Academy Assam
15. Mohamed Jamirul F	Professional	Advocate
16. Ms. Anmol Yogesh Ahuja	Academician	Chembur Karnataka College of Law, Mumbai.
17. Ms. Bhavana Hemchandra Bharambe	Research Scholar	Indian Institute of Chemical Technology Hyderabad
18. Ms. Krishna Mani Bordoloi	Research Scholar	Tezpur University, Assam
19. Nongmaithem Jeebika Devi	Research Scholar	Tezpur University, Assam
20. Pancham Rathod	Academician	GNLU, Attalika Avenue Knowledge Corridor, PDPU Rd, Koba, Gujarat 382421
21. Parag Medhi	Research Scholar	Tezpur University, Assam

22. Parishmita Devi	Research Scholar	Tezpur University, Assam
24. Pragya Moni Gogoi	Research Scholar	Tezpur University, Assam
23. Prakash Johri	Student	Himachal Pradesh National Law University Shimla,
24. Preethi	Professional	Remfry and Sagar
25. Preksha Rahul Mundhada	Student	Indian Institute of Management
26. Priya Devi	Research Scholar	Tezpur University, Assam
27. Priyanka Choudhury	Research Scholar	Tezpur University, Assam
28. Prof. Sujit Sen	Academician	Department of Chemical Engineering, National Institute of Technology, Rourkela, Odisha-769008, India
29. Quinat Tasneem Rafique	Research Scholar	Tezpur University, Assam
30. Robita Doley	Research Scholar	Tezpur University, Assam
31. Rubismita Deka	Research Scholar	Tezpur University, Assam
32. Saranga Baishya	Research Scholar	Tezpur University, Assam
33. Saurabh Apoorva Gupta	Research Scholar	Tezpur University, Assam
34. Sonjukta borborah	Research Scholar	Tezpur University, Assam
35. Susanta Roy	Research Scholar	Department of Life Science & Bioinformatics, Assam University Diphu Campus, Diphu - 782 462 Dist: Karbi Anglong Assam, INDIA.
36. Vaishnavi.S	Student	V.M. Salgaocar college of Law, Goa

ABOUT THE RESOURCE PERSONS

1. Dr. Tapas Kumar Bandyopadhyay

Associate Professor

Rajiv Gandhi School of Intellectual Property Law

Metallurgical and Materials Engineering, IIT Kharagpur

Dr. Tapas Kr. Bandyopadhyay, an Associate Professor at the Indian Institute of Technology Kharagpur, excels in Metallurgical and Materials Engineering and Intellectual Property Law. He earned his Ph.D. in Metallurgical and Materials Engineering from IIT Kharagpur and holds a Master degree in Intellectual Property Rights.



Joining IIT Kharagpur in 2006, Dr. Bandyopadhyay has since been a pivotal part of the Rajiv Gandhi School of Intellectual Property Law and the Department of Metallurgical and Materials Engineering. His prior roles include serving as a Scientist at NTPC Ltd. India and as an Examiner of Patents and Designs for the Ministry of Commerce, Government of India.

With a foundation in metallurgy as a Metallurgist at the Indian Copper Development Centre, his early career also involved roles as a Senior Research Fellow and Research Associate at CSIR. Dr. Bandyopadhyay's career encapsulates a seamless integration of academic expertise, research acumen, and practical industry experience, marking him as a distinguished figure in Metallurgical and Materials Engineering and Intellectual Property Law. His unwavering commitment to advancing knowledge and fostering innovation is evident in his contributions to both academia and industry.

2. Dr. Sanjib Kr Paul

SCIENTIST

CSIR-IICT, Hyderabad

Dr. Sanjib Kr. Paul is a distinguished scientist currently working at CSIR-IICT, Hyderabad and Intellectual Property Convener. Completing his Bachelors in Biological Sciences with Distinction in 2008, he pursued his Master degree in Food Processing Technology and a Ph.D. in Agricultural Engineering, specializing in Food Process Engineering.



Holder of a Ministry of Human Resource Development (MHRD) Fellowship and UGC-Junior Research Fellowship, Dr. Paul commenced his career as a Multipurpose Worker in 2010. Transitioning to a Technical Assistant at Assam University, he played a pivotal role in introducing the Bachelor of Vocation (B. Voc) program in Food Processing.

In 2016, he joined the Indian Patent Office as Examiner of Patents and Designs, earning accolades for his work. Dr. Paul's expertise extends to intellectual property rights, evident in his comprehensive training from organizations like WIPO.

Dr. Paul's interdisciplinary research focuses on environmental safety, biodegradable packaging, nano-food biotechnology, and more. With over 15 international research papers, 5 book chapters, and a filed patent, he continues to contribute significantly to the field. His memberships with AFSTI and Assam Science Society highlight his commitment to scientific excellence.

3. Ms. P. Ilangai

IPR consultant and Registered patent agent

Ms. P. Ilangai holds a Bachelor degree of Engineering in Electronics and Communication from the Government College of Engineering, Salem, University of Madras. She worked as Senior Associate – Patents and Industrial Designs with Altacit Global, Chennai for the tenure June 2008-November 2016. Presently she is working as an Intellectual Property Right (IPR) Consultant/Patent Agent (IN/PA-1365). She offers services like IPR Protections (Search, Drafting, Filing, Registration and Renewals, Oppositions, Litigations) - Patents and Industrial Designs, Trademarks and Copyright protection (Drafting, Filing, Prosecuting and Litigations). Since, 2008 Ms. Ilangai has drafted and filed more than 1200 Patent applications in various field of technologies in India and Foreign countries and done prosecution of Patent applications in various field of technologies till and after grant. She has Conducted more than 1200 Patent prior art searches in various field of technologies. She has also done more than 50 Freedom to Operate Opinion, Infringement analysis, Validity Opinion, prepared and filed Pre-grant and post-grant oppositions and filed more than 200 Design applications.



4. Ms. Vidushi Bhardwaj

Registered patent agent

Ms. Vidushi Bhardwaj is a registered Indian patent agent, an advocate, and an engineer. Presently, she is working as a European Patent attorney candidate at a law firm in Germany. She has received a Gold Medal for all-round excellence in the LL.B. program and scored rank 1 in LL.M. After having worked at tier 1 law firm in India for around 4 years as an Indian Patent Attorney, Vidushi moved to Germany to start her training to become a European Patent Attorney. She holds a deep knowledge of patent laws and likes to research on the emerging IP issues.



FLYER OF THE EVENT

2ND EDITION OF ONLINE CERTIFICATE COURSE ON PRIOR ART SEARCH & PATENT SPECIFICATION DRAFTING



Jointly conducted by DPIIT IPR Chair, Gujarat National Law University &
DPIIT IPR Chair, Tezpur University

26th February to 1st March 2024 / 4:00 PM to 6:30 PM / PLATFORM: CISCO WEBEX

PATRONS



Prof.(Dr.) S. Shanthakumar
Director,
Gujarat National Law University



Professor Shambhu Nath Singh
Vice-Chancellor, Tezpur University,
Assam

RESOURCE PERSONS



Dr. Tapas Kumar Bandyopadhyay
Associate Professor
Rajiv Gandhi School of Intellectual Property Law &
Metallurgical and Materials Engineering, IIT
Kharagpur



Vidushi Bhardwaj
Registered Indian Patent Agent



P. ILANANGAI
IPR Consultant /Registered Patent Agent



Dr. Sanjib Kr. Paul
SCIENTIST
CSIR-ICT, Hyderabad

COURSE COORDINATORS



Prof.(Dr.) Pritam Deb
DPIIT IPR Chair Professor, Tezpur University



Dr. Annamma Samuel
DPIIT IPR Chair Professor, GNLU

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- Students (Undergraduates, Graduates, Postgraduates and Research Scholars)* Rs. 1500/- inclusive of GST (*Valid Student ID is Required)
- Entrepreneurs, Innovators, Academicians, and Others Rs. 2500/- Inclusive of GST

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ORGANIZING COMMITTEE

Dr. Koushik Saikia : (9957074291)
Jyotiranga Puzari : (9127018953)
For any queries:
dpiitchair@gnlu.ac.in