



# PATENT SEARCH FOR ENGINEERS AND LAWYERS

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**INTENDED AUDIENCE :** Students belonging to Engineering and Science streams, LL.B in IP Law, LL.B, Masters in IP Law, PG Diploma in IP Law

**INDUSTRY SUPPORT :** All technical industries, law firms

### COURSE OUTLINE :

Patents are legal documents which provide the basis of an invention and the extent to which rights are covered in relation to an invention. One of the indicators for a country's innovative ability is patenting index and patents are considered to be the highest in the innovative index. Search for patent information is undertaken for various purposes. Understanding technology trends, gaining an insight into lead technologies, forming a part of literature search before embarking on R&D, determining patentability of an invention, freedom to operate searches before product entry into market are some of the predominant reasons for patent search. The need for customised products, rapid production and global marketing necessitates scouting for technologies worldwide. Skilled patent professionals are a requirement for any successful organisation. The past decade has also witnessed the growth of IP filing from academia as well. Patent search is an important component of literature search for identification of new areas of innovation. Objectives of the course: This course will focus on providing the students/participants

- To develop skills to conduct patent search and analysis
- To develop practical insights into specific types of patent search
- To enable understanding of the techno-legal aspects of patent search and analysis

पेटेंट कानूनी दस्तावेज हैं जो एक आविष्कार का आधार प्रदान करते हैं और एक आविष्कार के संबंध में किस हद तक अधिकार शामिल हैं। किसी देश की अभिनव क्षमता के संकेतकों में से एक सूचकांक पेटेंट है और पेटेंट को अभिनव सूचकांक में उच्चतम माना जाता है। पेटेंट सूचना शोध विभिन्न उद्देश्यों के लिए किए जाते हैं। प्रौद्योगिकी रुझानों को समझना, प्रमुख तकनीकों में अंतर्दृष्टि प्राप्त करना, अनुसंधान और विकास पर लगने से पहले साहित्य शोध का एक हिस्सा बनना, एक आविष्कार की पेटेंट क्षमता का निर्धारण करना, बाजार में उत्पाद को उतारने से पहले अनुसंधान को संचालित करने की स्वतंत्रता पेटेंट शोध के कुछ प्रमुख कारण हैं। अनुकूलित उत्पादों की आवश्यकता, तेजी से उत्पादन और वैश्विक विपणन दुनिया भर में प्रौद्योगिकियों के लिए स्कार्टिंग की आवश्यकता है। कुशल पेटेंट पेशेवर किसी भी सफल संगठन के लिए एक आवश्यकता है। पिछले दशक ने शिक्षाविदों द्वारा आईपी फाइलिंग के विकास को भी देखा है। पेटेंट शोध, नवाचार के नए क्षेत्रों की पहचान के लिए साहित्य शोध का एक महत्वपूर्ण घटक है। पाठ्यक्रम का उद्देश्य : यह पाठ्यक्रम छात्रों / प्रतिभागियों को निम्न निलखत प्रदान करने पर ध्यान केंद्रित करेगा • पेटेंट शोध और विश्लेषण करने के लिए कौशल विकसित करना • पेटेंट शोध के विशिष्ट प्रकारों में व्यावहारिक अंतर्दृष्टि विकसित करना • पेटेंट शोध के तकनीकी-कमूनी पहलुओं की समझ को सक्षम करना और विश्लेषण

### ABOUT INSTRUCTOR :

Prof. M. Padmavati is a Professor at the Rajiv Gandhi School of IP Law. At the School she teaches the subjects of Patent Law, IP Management, Patent Procedure and Drafting to both undergraduate law students as well as master students of law. Her primary area of research includes Intellectual Property and Commercialization of recombinant and herbal drugs and Drug Regulation, Biodiversity Law. She has many research as well as consultancy projects, from Ministry of Human Resource Development, DST, Council of Scientific and Industrial Research etc.,. She has been awarded the Microsoft-Young Faculty Scholarship in Intellectual Property. She is an Advisor to the IPR Cell, IIT Kharagpur. She is the Course Coordinator of the KIRAN-IPR Program at IIT Kharagpur for training women scientists in IPR, patent search in which women scientists are trained for a year in IPR. She has been guiding Masters as well Doctoral student's research in IP. Her articles have been published in renowned journals in the field of Intellectual Property Laws. She is a member of important professional as well as government bodies such as World Bioenergy Association and International Patent Information User Group (PIUG), International Trade Mark Association (INTA), West Bengal Science and Technology Council etc. She is also an Editorial Board member of Journal of Intellectual Property Rights (JIPR). She has been an invited speaker at international as well as national conferences. She provides pro-bono assistance in filing of IP.

Prof. S. Matilal, after obtaining his LL.B. with a First Class started practising at the Bar of the High Court at Calcutta and Supreme Court of India. He obtained his LL.M. in Business Laws from National Law School, Bangalore. After completing his masters, he took up a Faculty Position at NUJS, Kolkata. After a year of teaching he went back to practice and started working as Associate (IP) in Khaitan & Co., Advocates. Thereafter he did his second LL.M. from Case Western University Law School, U.S.A. He obtained his LL.M. with honours in Intellectual Property Law from Case Western University Law School, U.S.A. He was in top 1 percentile of his batch. He was awarded Fulbright Scholarship to pursue research at Spangenberg Centre for Law, Technology & the Arts, CWRU, U.S.A. He got CALI Excellence for the Future Awarded (Awarded by Centre for Computer Assisted Legal Instruction, Chicago, U.S.A.) for his research work on pharmaceutical data exclusivity. He received Microsoft Outstanding Young Faculty Award in 2009 (Awarded by Microsoft Corporation, U.S.A.) for conducting research on the Application of the DOE in Software Patents. After coming back to India he started working as Partner in Khaitan & Partners, Advocates. Currently he is a faculty at Law School of IIT Kharagpur where he teaches Copyright Law, Jurisprudence and Property Law. He also co-teaches a course on Artificial Intelligence and Law. His publication includes a book on software intellectual property law and European Intellectual Property Review article on data exclusivity.

## **COURSE PLAN :**

### **Week 1:** Inventions and Patent Eligibility

- Patentability criteria for inventions

- Prior Art categories

- Disclosure Norms

- Patent Specification – Description and Claims

### **Week 2:** How to read a patent document - Patent Anatomy

- Introduction to Patent search

- Fundamentals of Patent Search

- Fields for Search -Keyword Search -Classification Search – IPC, CPC,USPC, F term -Combination Search - concept based search

### **Week 3:** Public search databases IPO EPO USPTO Patent Scope

- Subscribed databases search

- Differences between public search and subscribed database search

### **Week 4:** Types of Patent search

- Patentability Search

- Validity Search

### **Week 5:** Types of Patent search

- Patent Landscape Search

- Clearance Search Advantages and Limitations of each type of search

### **Week 6:** Analysis of Patent Search with illustration (examples from different technology areas)

### **Week 7:** Patent landscape analysis

### **Week 8:** Value of Patent Search and analysis