

Patent Drafting for Beginners
Prof. Feroz Ali
Department of Humanities and Social Sciences
Indian Institute of Technology, Madras

Lecture-14
Outcome of Search

Outcome of search once a search is done, they could be 3 possible outcomes to that search.

(Refer Slide Time: 00:24)

Three Outcomes

- Favorable
- Negative
- Neutral



One it could be a favorable outcome, where you communicate to the client that the invention is patentable. Or it could be a negative outcome, where you communicate to the client, that the invention may not be patentable. You do not say that the invention is never patentable or you do not say that the invention cannot be patented. You always cautiously describe your report, because you as we said there is no such thing as a perfect patentability search report.

So, you communicate that there is a possibility that the invention may not be granted, or it could be a neutral report. The neutral report is where there is a fair chance that the invention can be granted, they could also be some objections to it where it is a you could say a 50-50 percent chance of the invention getting granted.

(Refer Slide Time: 01:17)

Patentability Report

- Patentability criteria
 - Novelty
 - Inventive step
 - Industrial Application

Exceptions to patentability (section 3 & 4)



Now, in the report, you would also you would you would give a patentability report if the client insists on it. And the patentability report will normally consider or have a detailed description on delete last few words; the patentability criteria will delete last few words. The patentability report will have a brief description on novelty inventor step and industrial application. It would also have some information about exceptions to patentability to the extent they are relevant.

(Refer Slide Time: 01:51)

The Importance of search

- Identify white space: where you can patent
- Avoid patent office objections
- Understand the field – prepare for drafting



Importance of search a patentability search allows you to identify the white spaces where you can patent. It helps you to avoid potential office objections which can come in the future, and also it helps you to understand the field which helps you to prepare the patent specification. We have already covered that there are inputs that a a patent agent would get from the patentability report which could be used.

In the next lecture we will see what is a patentability search. And the following lectures we will discuss the details about patentability search.