Patent Drafting for Beginners
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Lecture - 05
Patent Classification

Patent classification.

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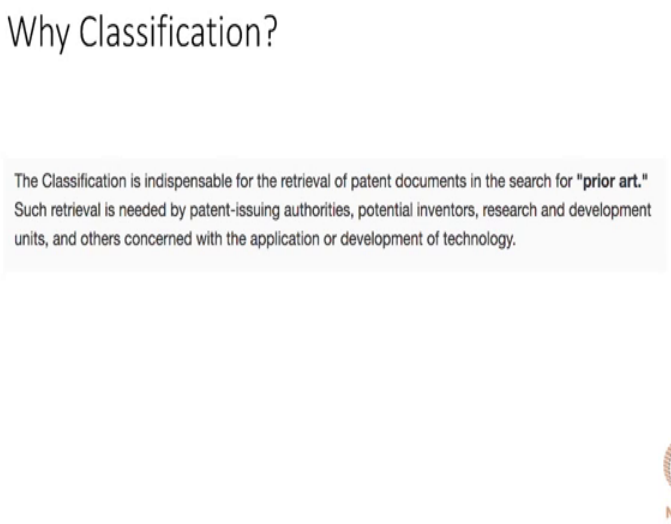

Why should patents be classified? Now this is a question that you can ask. What is the need to classify patents? The need to classify patents comes out of the humongous amount of patents that we have today. US, the United States patent office has granted more than 9 million patents, and patenting has been in vogue for quite many years.

So, we require a system by which it is easier to look for patents, and to search for patents. So, the system by which we look for patents, we had already mentioned that there is patents, we know that something is a patentable invention when you compare it with the prior art. So, to understand the prior art, and because we have so many granted patents, we need a system of classification.

Now, the classification is a system of codes that are used to identify inventions. Inventions fall within as we have already mentioned broad streams of technology. But invention in itself will fall under some category or some subcategory. So, the

classification is to place an invention in the context of broader technologies and fields of technologies.

Now, the classification is indispensable for retrieving information on patents, when you do a prior art search. So, in let us imagine a world without classification. Then the only way we will be able to look at patent prior art is by looking for things using words, you know, we find some key search terms, and we search for those terms that is not the best way to look for prior art. Prior art because it is codified, and it is classified, we use classification codes to search for prior art.

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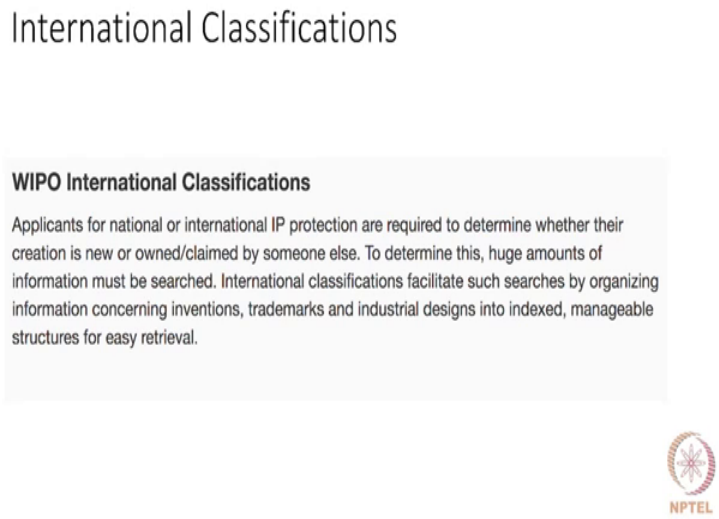

Now, there are multiple international classifications, it may sound a bit confusing to for starters, but this is a place which you can easily navigate because today we have technology which helps you to search for these things. We also have a cross reference from one classification to another.

Now, the reason we have multiple classification is the fact that we had patent law developed in us united states in a particular format. And you had patent law develop and in Europe in a form that was different from what was in Europe. So, the us practice got codified and the US patent office used certain codes for classifying inventions. The codes that the European office used were different. So, at some point they came together created common codes, started using common codes, and now we have broadly 2

classifications if you can put it that way, but all the other classifications have now kind of been consolidated.

So, wipo; wipo that that is the world intellectual property organization is the main organization which deals with intellectual property rights. And wipo has it is own classification which we will soon see is called the IPC classification. IPC, now wipo not only has classification for patents, it also have classifications to facilitate search of information concerning invention, trademark, industrial designs. So, so it the ambit of wipo is much bigger than patents itself.

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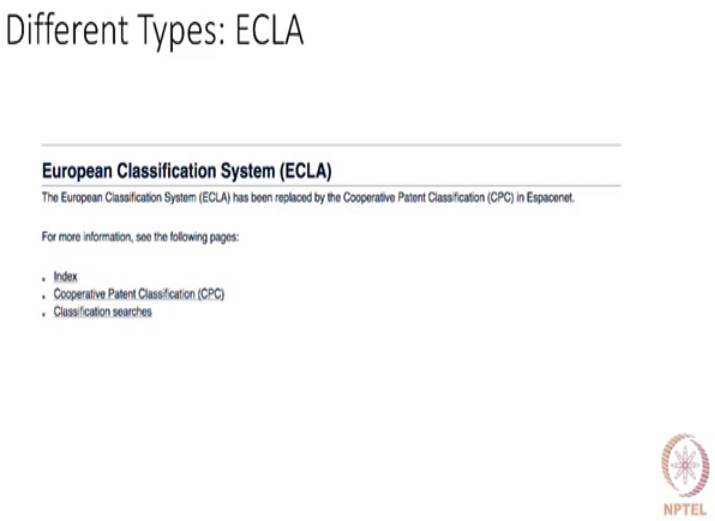

Now, different types of classification; you have the ECLA which is a European classification system. This has now been replaced by the co operative patent classification system. Now CPC in espacenet we already had a look at how the espacenet looks now. So, the European classification system has now moved to the CPC ok. We will come to what this is what CPC is. I just to tell you that different patent offices evolved different systems of classifications, and now they are all moving towards a uniform system.

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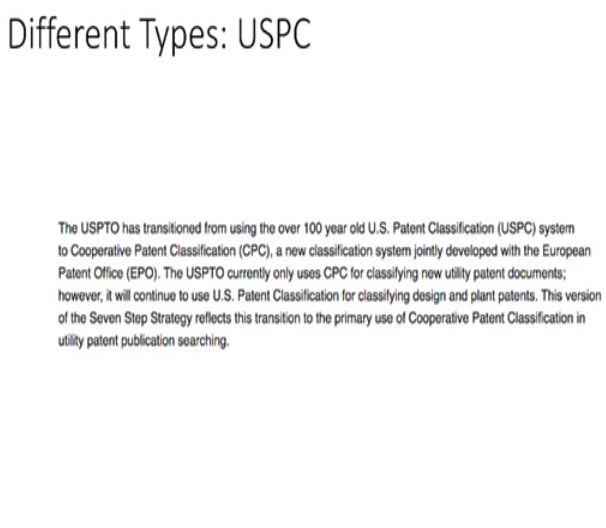

USPC, united states which has more than 100 years history in classification, started off with something called the USPC, which was the united states patent classification system. But they moved to the CPC again, the co operative patent classification. So now, this classification is jointly developed and run by the US patent office and the EPO.

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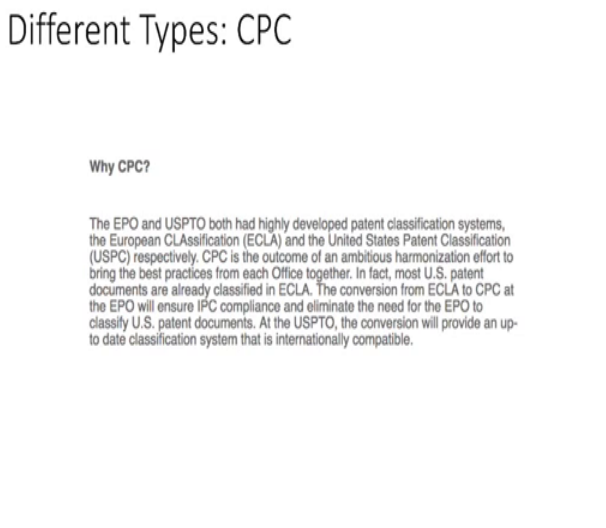

And that brings us to the CPC, which is the classification system jointly developed and run by the USPTO and the EPO.

Now, this is an outcome of an ambitious harmonization effort to bring the best practices of each office. So, today US patent office, and the EPO follow the CPC system. And finally, we have the IPC System.

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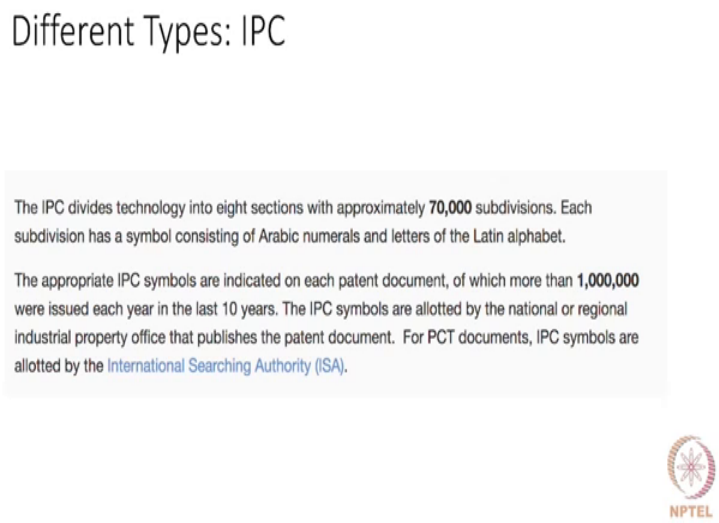

Now we will start with the IPC system, because the IPC system divides type technology into 8 sections with approximately 70,000 subdivisions.

So, you should understand the ambit of a classification regardless of what you can think of, will form will fit into one of these 70,000 subdivisions. You name the invention there is a category under which it will fall in. So, it has got 8 broad sections we look have a look at that, and then you have 70,000 subdivision. Almost, anything and everything imaginable falls into some subdivision or the other.

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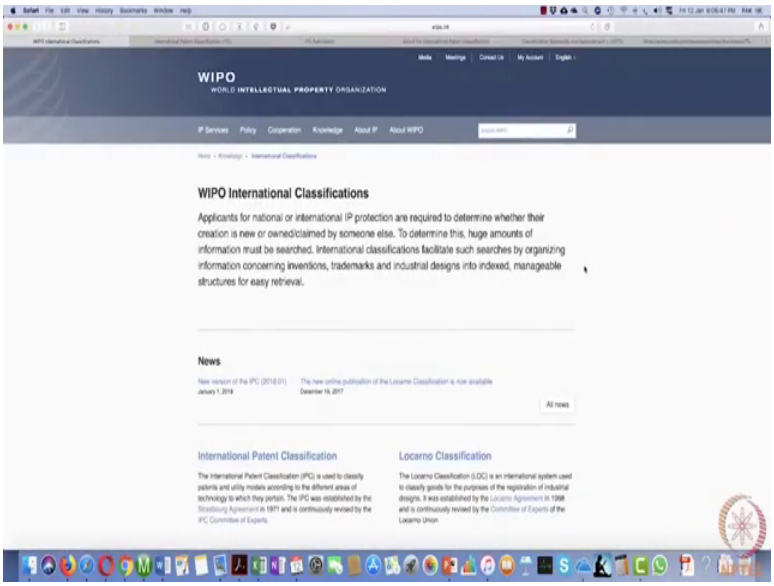

Now, let us have a look at the classification system itself. This you are now at the wipo homepage. Now the wipo has an international classification page. And from there you can go on to the international patent classification.

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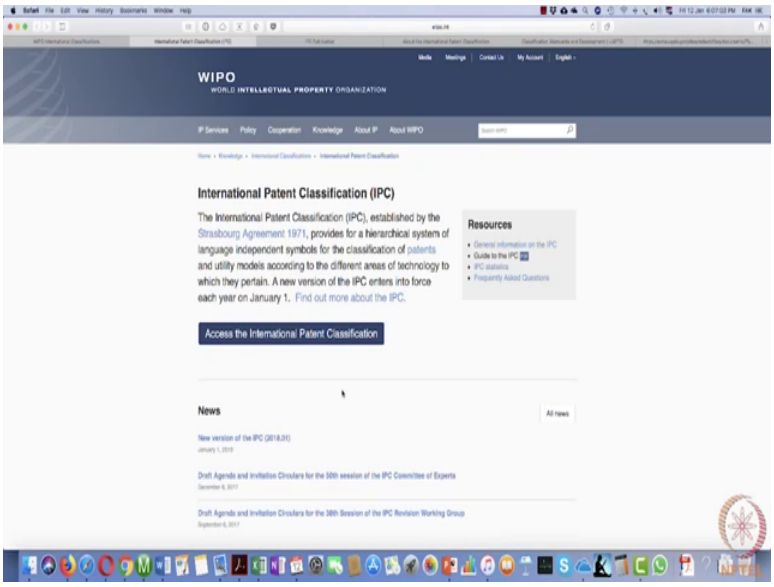

Now, this is how it looks. Now in the international patents classification, you can access the international patent classification, that is the IPC.

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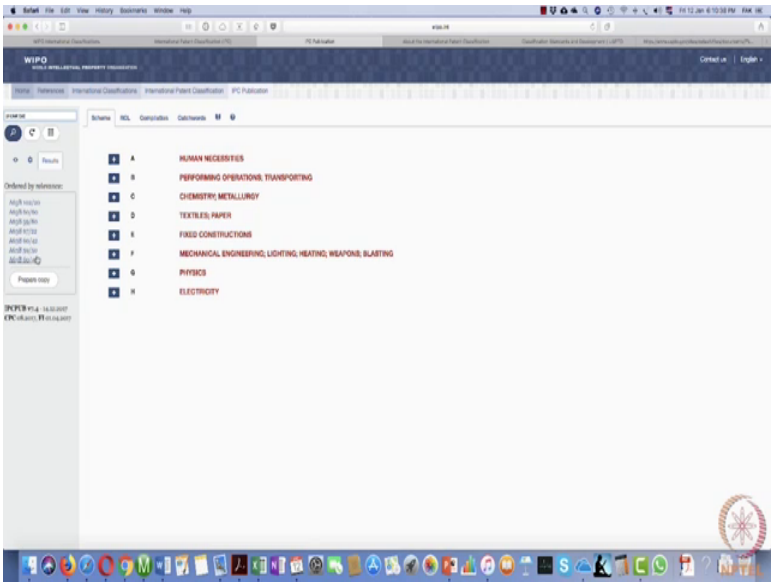

This is how the IPC looks. Now these are the 8 codes or 8 sections. Human necessities, performing operations, transporting, chemistry metallurgy, textiles paper, fixed constructions mechanical, engineering, physics electricity. Very, very broad classification, but the entire world is within these classification more than as you just saw. More than 70,000 subdivisions are there.

Now, how do the subdivisions look like? All you need to do is just click here or here. Now it just expands. Now this will give you the codes, what is important here is to look at the codes. Now b 01 d is a code b 0 3 b is another code. These are all codes for different categories of invention. So, anything that you can think of will come under this code.

Now, the does that mean that this entire thing of classification is codified, right? Today we have the IPC and broadly the CPC. Now recently the IPC this is the wipo has also introduced a CPC code. Can you see here? This is the cp code, CPC code onto the left-hand side of your screen. So, you could also click on this when you search and it will give you corresponding CPC codes.

So, there is some kind of measure by which there is harmonization and cross reference to these codes. We will just look at a quick example where this is put into practice.

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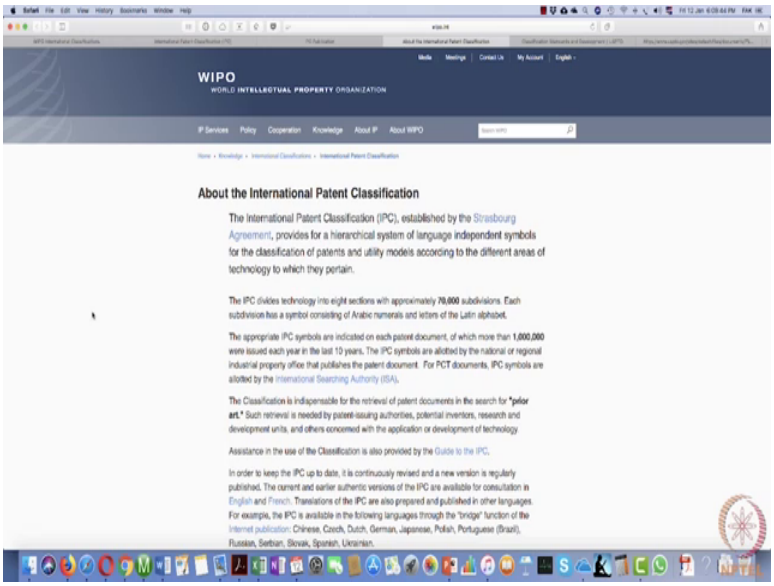

Now, the international patent classification, there is some write up on this you can get some information from the links, that have been provided below.

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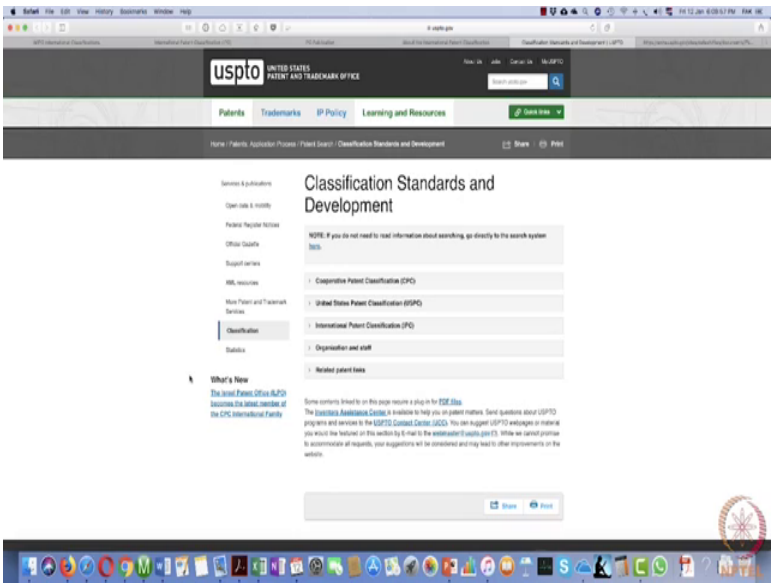

And to make sense of how these classifications work together. You can go to the USPTO dot gov website. There you have a nice write up on the classification standards and development.

So, you have the CPC mentioned there. You have the USPC mentioned there. Now they largely follow the CPC now. And you also have the IPC. So, this is a great source of

information as to how these things developed, and what is the implication. Now under the US patent office USPC, you will find a link where it will give you a search strategy.

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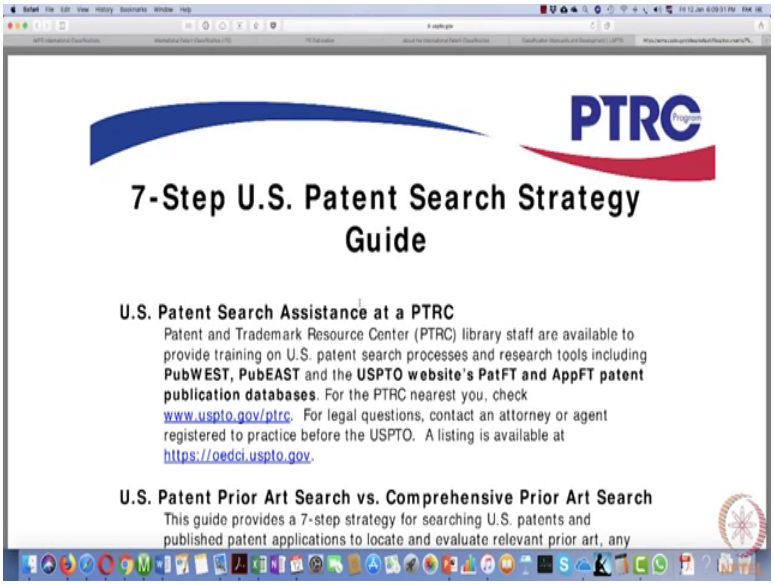

Now, this is a document which you can refer to and look at it in some detail.

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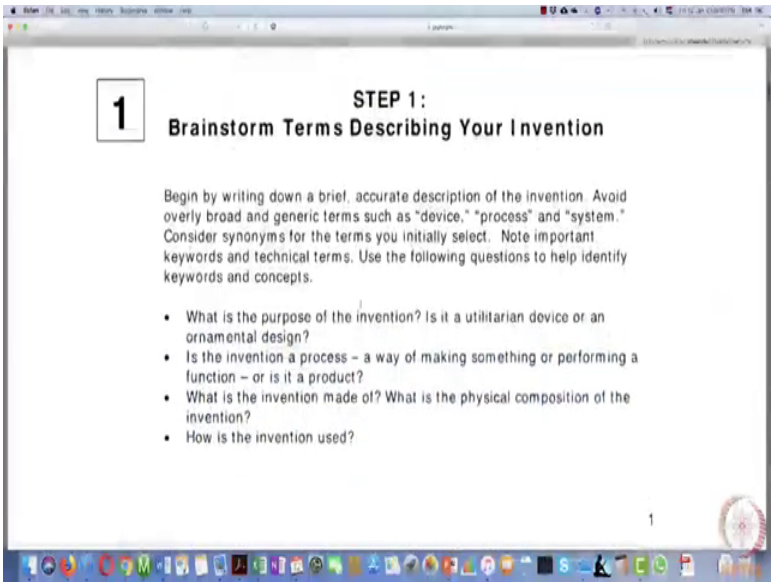

It gives you strategies on search, brainstorm terms describing your invention access.

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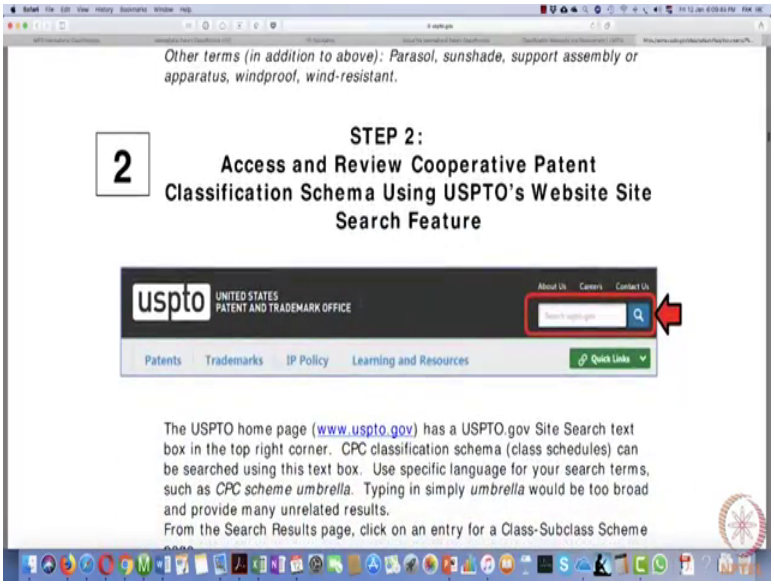

Access and review cooperation, cooperative patent classification, CPC schema using USPTOs website. Then they give you the steps and how to do it.

So, this will be a great source for those who want to look at search in some great detail. And the US you will find the 7-step strategy under the USPC section here. Now let us just try our hands on some search. Now we can come back to this place, this is the wipo page. And let us just look for cricket bat. I am just going to search cricket bat here. And when I search cricket bat, onto your left-hand side of your screen, I get all the codes under which cricket bat could be mentioned.

So, I will just keep on the first code. So, that you get to see this, there it is. So, it says a 63 b 102 slash 20 is cricket. And 20 is a code which also has other code a 62 b also has application of clubs that is a broader category.

Now, this comes under a 63 b the general code, which is apparatus for physical training, gymnast swimming climbing, ball games. So, and this comes under a 63 which is the broad category of sports games and amusements. Which comes under a which is human necessities.

So now, regardless of what invention you are looking at, you will now be able to find the classification code for it. And when you search for inventions, you can either look for related patents within that invention; like, what a Google patent search will throw, or you

could look for this code. Because now you know every cricket bat that is claimed ever should have used for this game cricket, they should have used this code. Or they should have at least used a 60 to b. So, a 60 to b you could search by the code and find all the relevant prior art.

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Now how these different classification systems compare. We just have a screenshot of what you just saw in the US patent office website.

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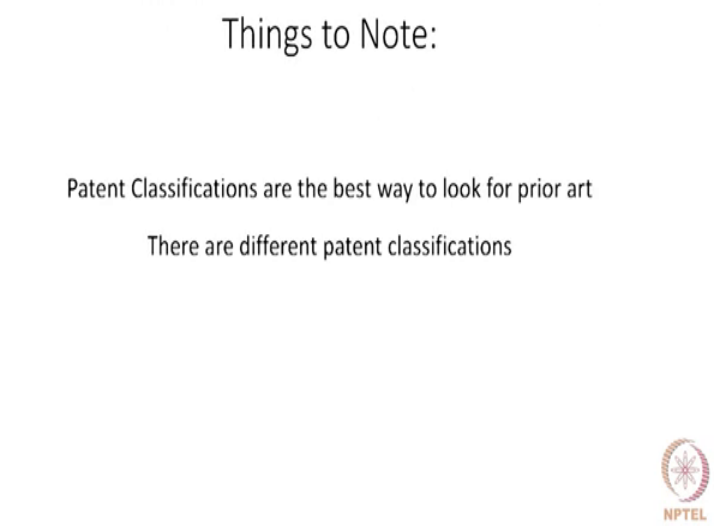

So, the things to note; patent classifications are the best way to look for the prior art. Doing a keyword search, may help, but that is not the best way. You need to get to some use, some classification code to traverse the prior art. And there are different patterns of classification.