

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

Lecture – 52
Evolution of Patent Specification

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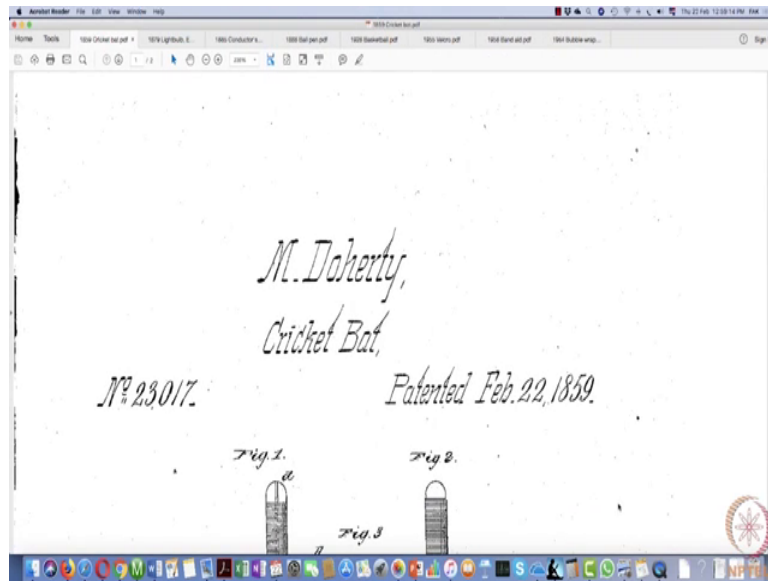
Evolution of Patent Specifications



Evolution of patent specifications: patent specifications did not evolved in the form in which we find them today the structure or the requirements of a patent specifications were much different over a period of time. In the early days there were no claims in a patent specification it is hard for us to imagine that situation, but patents were filed even without claims. But later on when the dispute started to arise with regard to private property with regard to what was owned by whom, the art of crafting claims evolved.

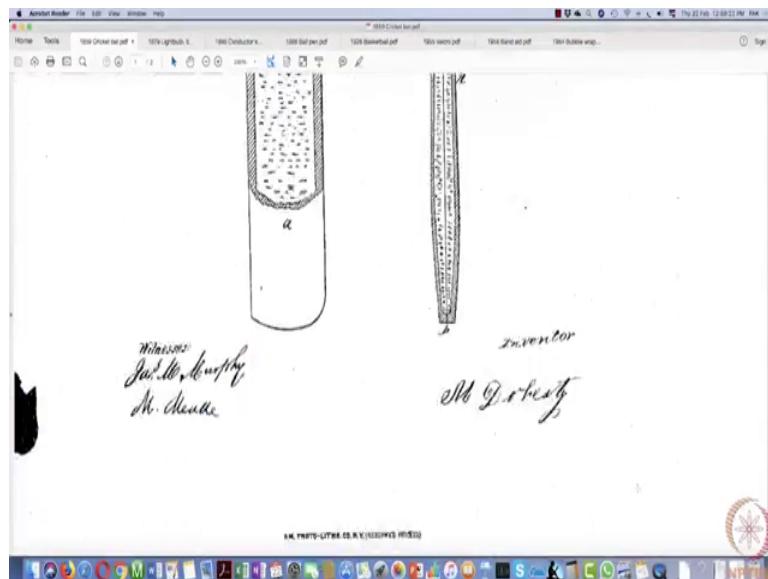
So, earlier they were just at one point in time they were just brief descriptions or detailed descriptions of the invention. So, slowly over a period of time the claim appeared and even in claim the style in which claims were done also changed over a period of time. So, let us just look at a small section of history and let us try to understand them through inventions that we are aware of, which have been a which has been a part of history and see how specifications themselves have evolved over a period of time in line with the requirements made out by certain patent offices, and also look at how claims have also evolved in parallel with the structure of the specification.

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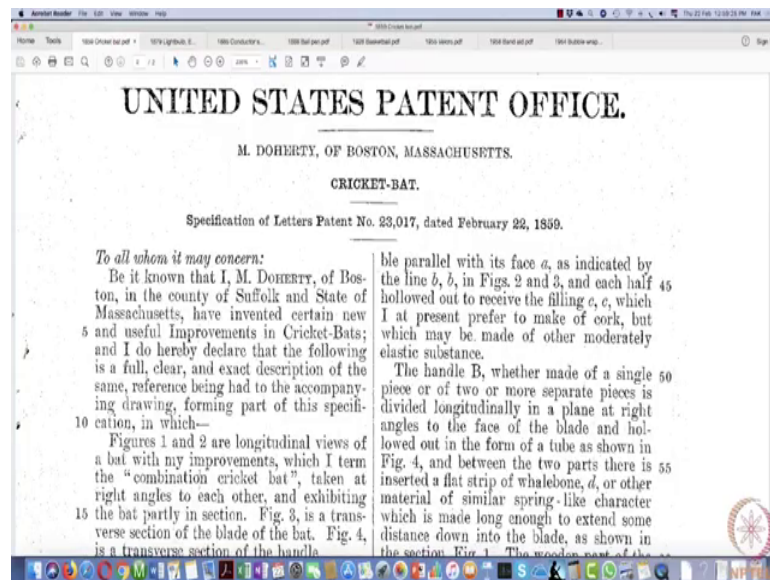
Now here we have the patent for a cricket bat. This is an 1859 patent.

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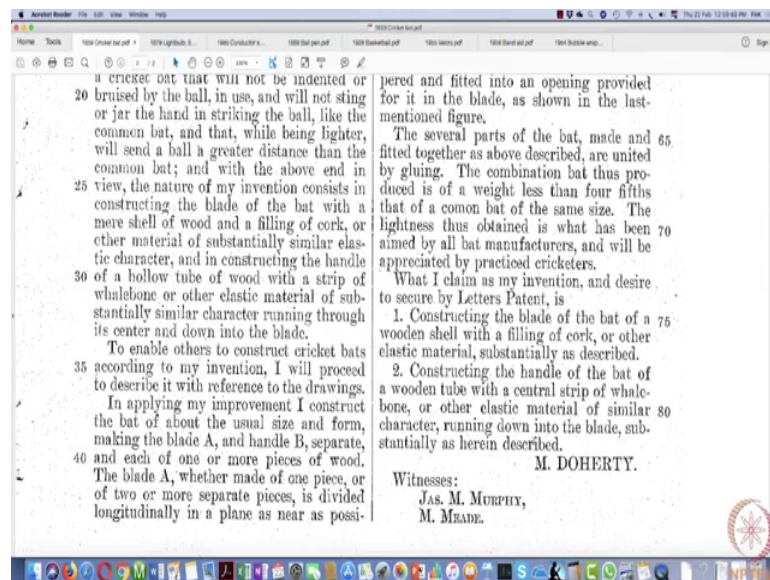
Now you can just see that it is pretty basic in its recital you can just see that the structure used to be quite different.

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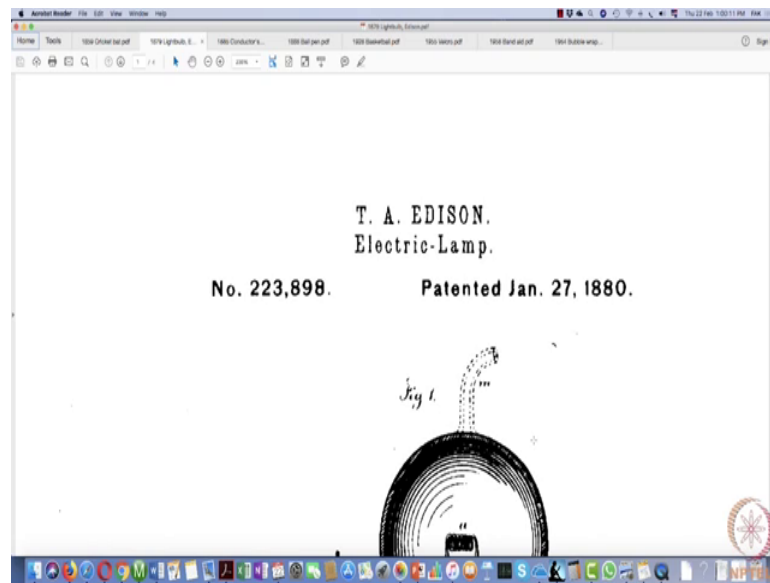
It just starts with to all whom it may concern and the inventor in the first person describes the invention and the claims are here what I claim as my invention and there is claim 1 and claim 2.

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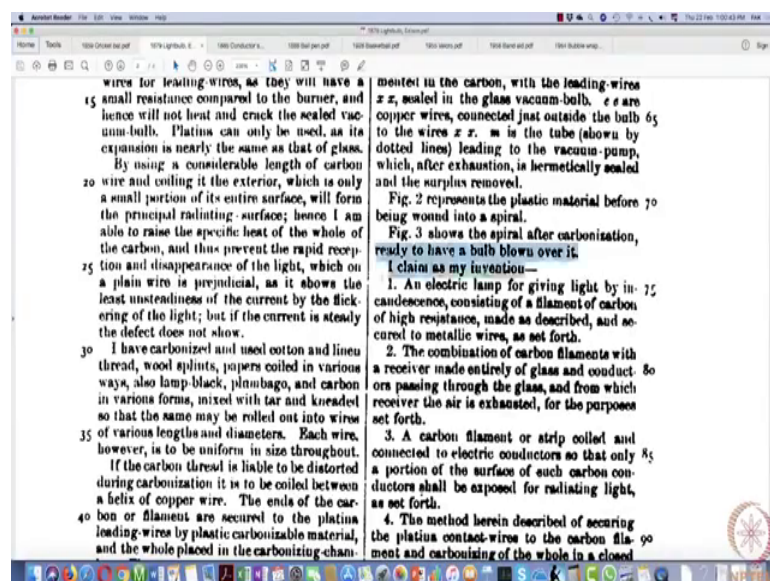
Now this is quite simple considering what we now draft and you will notice that the claims do not even follow the kind of a structure that we have been teaching.

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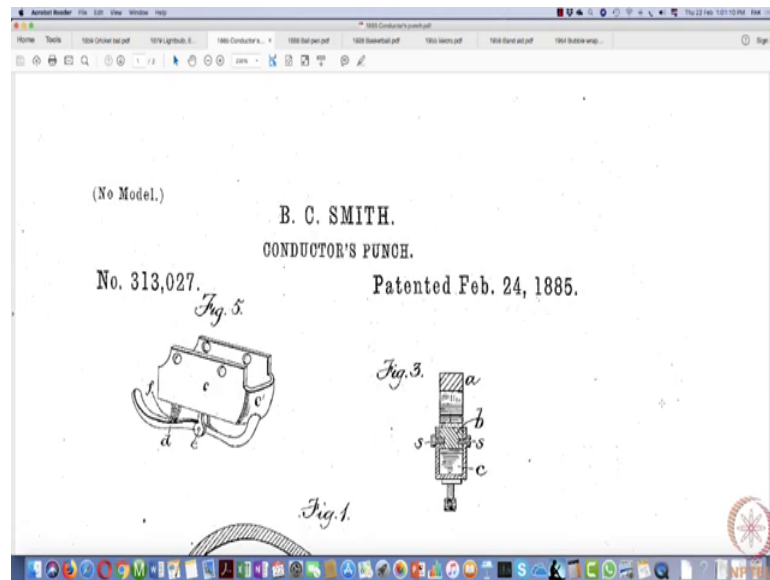
Now, this is the next application the earlier application was an 1859 patent, now this is a patent that is a 1880, it was granted in 1880 this is granted to Thomas Edison for the electric lamp something which most of us are familiar with now this is the best available copy. So, you may not be able to read it in great detail, but you will find that the portions of the claim towards the end I claim as my invention an electric lamp for giving light by incandescence.

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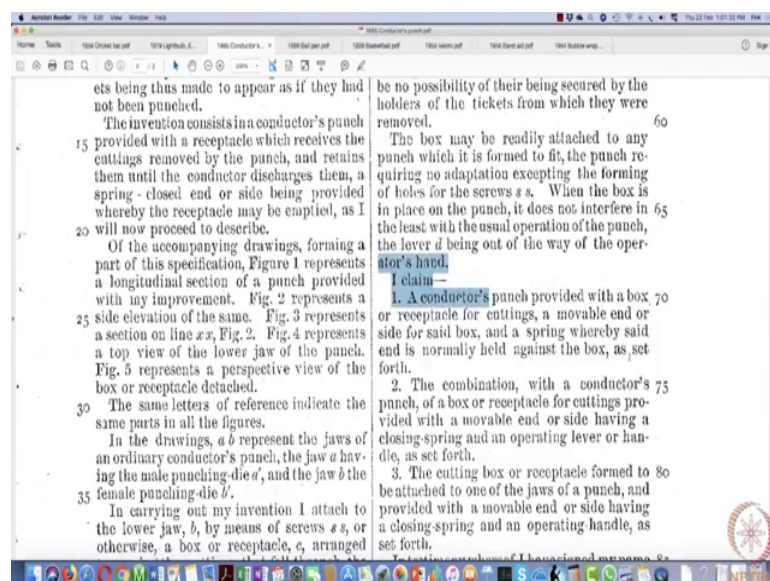
And claim two as combustion of carbon filaments claim three again a carbon filament or strip coiled again you will find that there is no relation between the claims that modern patent drafting requires you to do.

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The third patent is an 1885 patent again a US patent for a conductors punch, the punch that is used by conductors for checking tickets. Now you can see that it is described again in the first person and the claims begin right here.

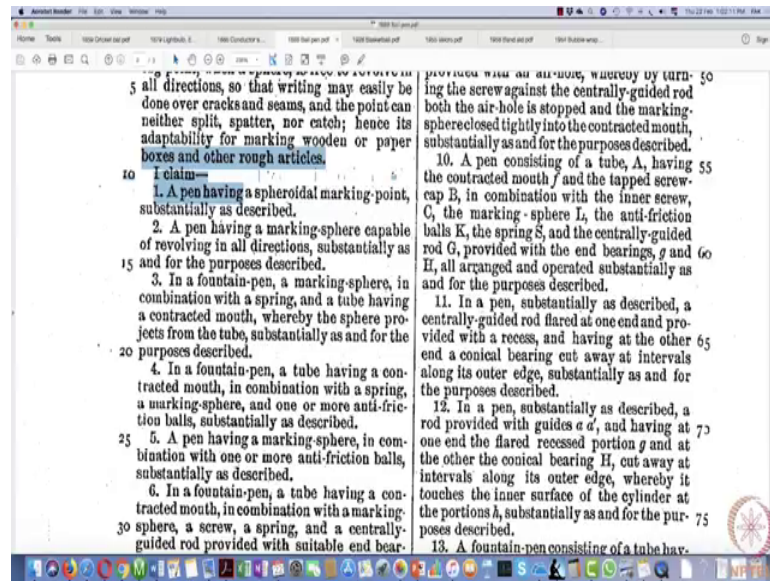
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The conductors punch provided with the box or acceptable receptacle for cutting a movable end for cuttings a movable end or a side for the said box and a spring whereby said end is normally held. Again there is claim 2 claim 3 you do not see a relationship between the claims 1888 patent for a ball pen.

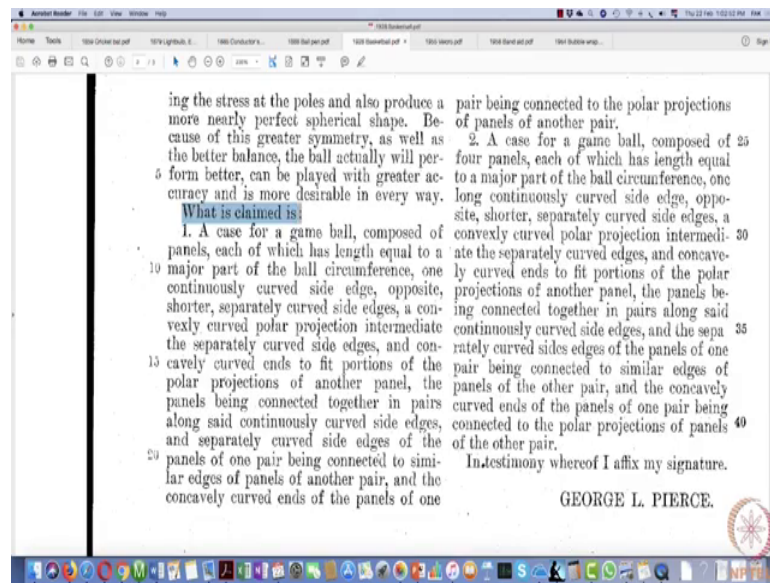
Now, we had covered this in some detail in our earlier lectures and again its a recital in the first person figures are explained and you have the claims here.

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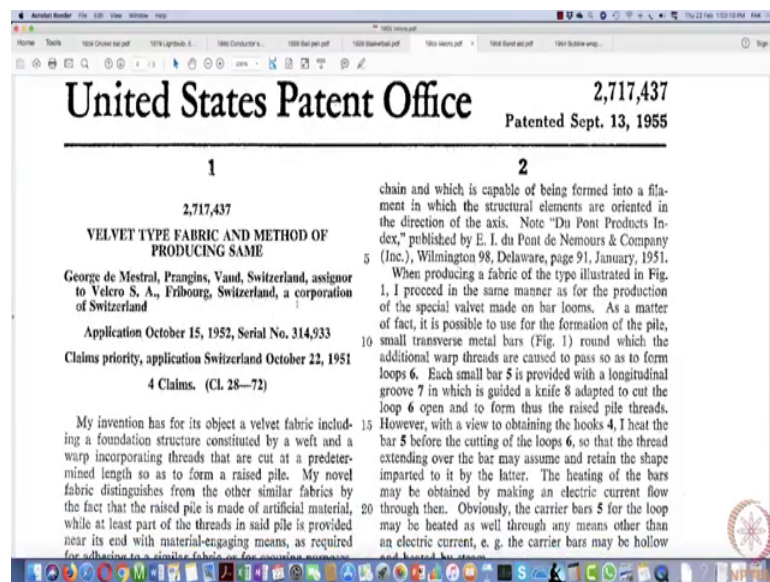
I claim a pen having spheroidal marking point and claim 2. Again we do not see any relationship between the claims, as we will find in a modern specification. 1929 patent for the basketball. Now again you will find there is a general description and you have the claims.

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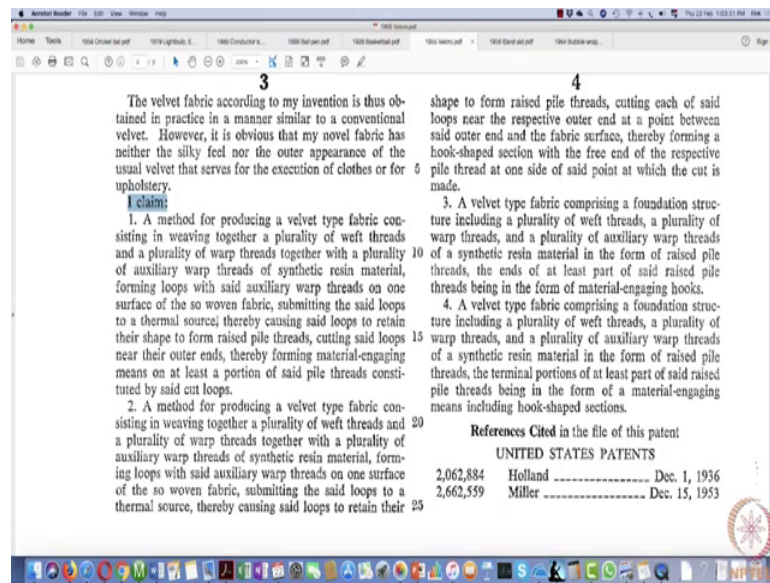
What is claimed is a case for a game ball its explained there are two claims again no relationship between the claims. 1955 patent for the Velcro.

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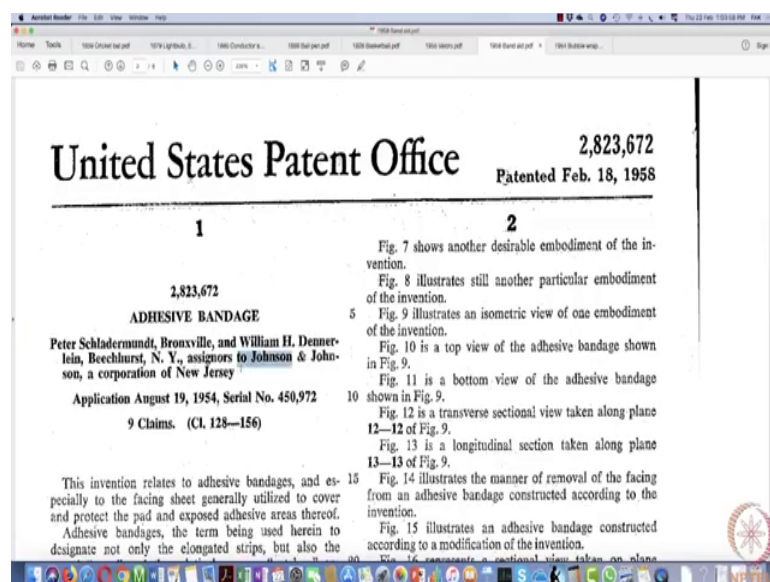
Now, this is not very old, but you will find that that is the structure seems to have changed slightly you can find that the inventors name appearing and application, date appearing priority details appearing into the specification you see a small change in the structure and the claims you will find claim I claim.

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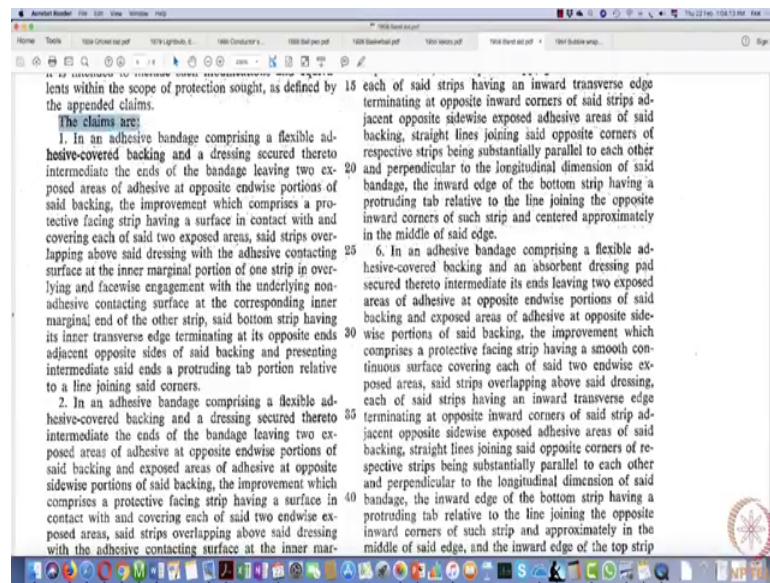
A method and there is claim 2, claim 3 and claim 4 there are two method claims and two product claims. Again we do not see a relationship between the claims that is explained here. 1858 claim for the band aid and you would have guessed who had filed this application, application for a band aid filed by Johnson and Johnson you can see that here ok.

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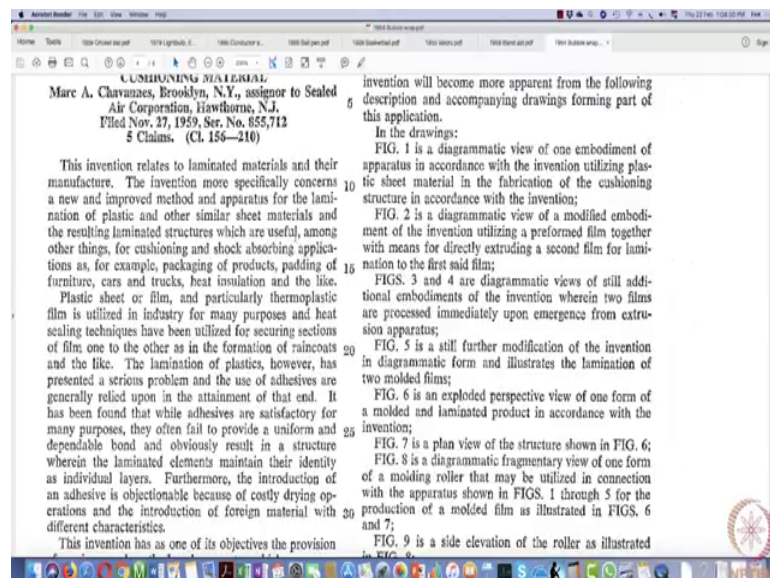
Now, this again follows a slightly different patent, but when it comes to the claims towards the end of the application, you will find the claims are

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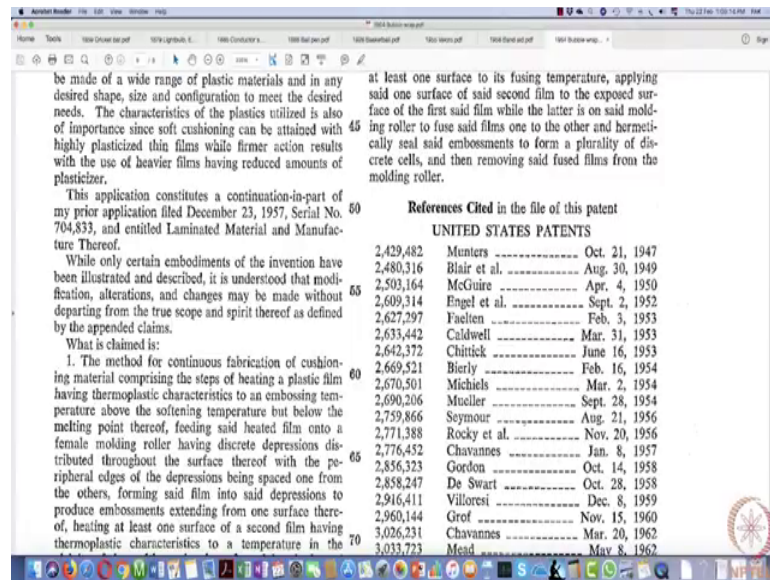
One an adhesive bandage comprising two again another claim an independent claim, and 3 is again an independent claim, you will find that there is no relationship between the claims, but when we come to this application in 1964, this is the application for a bubble wrap how to make a bubble wrap which is used in packing. You will find that after the drawings, there are quite a lot of detailed drawings you will find that the patent is explained just how we found in the earlier patents.

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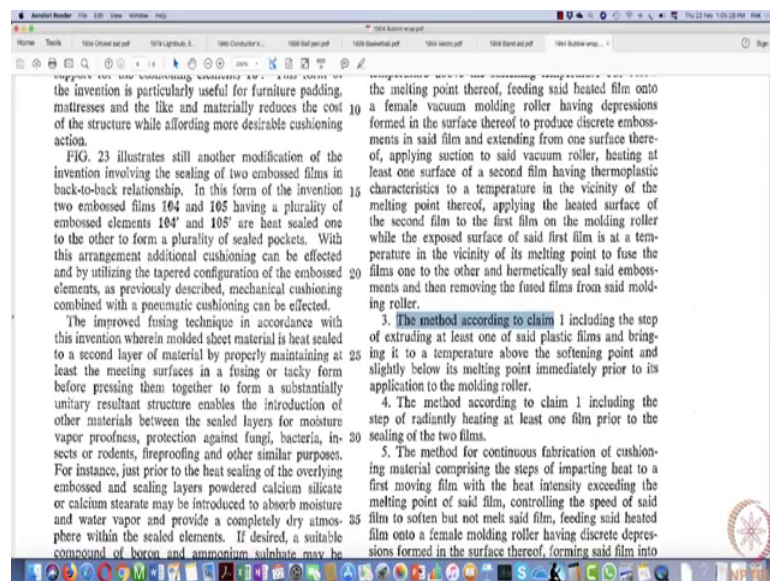
But when we come to the claims part, I quickly take you through the claims part you will find the claims are recited here in a way in which we would do it like its a modern resettle, claim 1 what is claimed is a method for continuous fabrication of cushioning material.

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Now that is a detailed claim 1, claim 2 is again a detailed claim 3 says a method according to claim 1.

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So, a dependent claim which refers to a earlier claim or what we call referring to a claim this structure if we can see that appear in this patent. Now this tells us how patent the drafting of specification the structure and the way in which claims were arranged has changed over a period of time.