

Patent Drafting for Beginners
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Lecture – 33
How to Catch an Invention

How to catch inventions.

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Look for the disclosure

- Physical embodiments are different from written disclosure

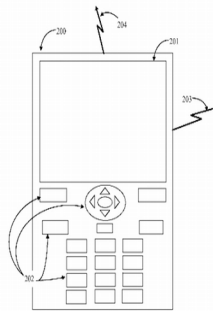


Figure 2: Overview of typical physical embodiment of the invention



To look for an invention, the first thing is to look for a disclosure. Inventions are nothing but disclosures which are made in a way in which you can get a patent granted. So, if the disclosure is patentable that is what we call a patentable invention. So, where do you look for a disclosure? A disclosure you have to bear in mind is a written disclosure which is different from the physical embodiment of the invention itself. The physical embodiment is different from the written disclosure.

For instance, this is how a remote control device looks like. There is an interface; there are some buttons, and typically it is in a standard form. This could be understood as a physical embodiment or how it will look if it is in its physical state.

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Look for the disclosure


- Physical embodiments are different from written disclosure

Upgradeable intelligent remote control device with integrated program guide
US 20080178224 A1

RESUMO

This patent describes an intelligent, programmable, universal remote control device which can be used by a user to control any device that responds to commands sent via infrared, Bluetooth, or other wireless personal area network technology. The invention includes an integrated program guide that may be updated either manually or automatically from a remote server. The program guide is structured so that it can contain any information about the devices to be controlled, is searchable, and can be customized by the user. For example the program guide may contain information about the channels a device can receive, the programs on each channel, detailed information about each program, and supplemental content for selected programs, including executable and interactive content. The user may search the program guide for desirable programs and may customize the guide to show only those programs or channels that are of interest to the user. The invention can be embodied using existing mobile communications devices, or any programmable device that includes a display, input system, wide area network, for example the Internet, access to remote servers, and wireless local/personal area network access, for example infrared, to devices to be controlled. The invention also allows users to save their settings, preferences, and identification to a remote server and to restore these values from the remote server.

Número de publicação	US20080178224 A1
Tipo de publicação	Candidatura
Número de candidatura	US 11622 315
Data de publicação	24 Jul 2008
Data de apresentação	20 Jan 2007
Data de prioridade	20 Jan 2007
Inventores	Michael Laude, Kristen Glass
Beneficiário Original	Michael Laude, Kristen Glass
Exportar citação	BIBTeX, EndNote, RefMan
Citações de Patentes (4)	Referenciado por (60), Classificações (14)
Links Externos:	USPTO, Atribuição na USPTO, Espacenet



Whereas, when the same invention is described in a written form it is described as a disclosure. Here you have an invention this pattern describes an intelligent programmable universal remote control device which can be used by a user to control any device that responds to commands sent via infrared, Bluetooth or other wireless personal network technology. Now, the description as you just saw, the written description is much different from the physical embodiment itself.

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Look for the disclosure

- Physical embodiments are different from written disclosure
- Invention disclosure form
- Interviewing the inventor



Now, normally you would expect the disclosure to be made and what is called an Invention Disclosure Form or IDF for short. The invention disclosure form will have various columns which you would ask the inventor to fill. It could have something on what is the field of knowledge; it could have something on the background art; it could have something on similarities with existing inventions; it could have something on uses advantages the inventor features. So, the invention disclosure form will have quiet lot of information for the, to be filled by the inventor.

Another way to get information from the inventor is by interviewing the inventor. This is the traditional way in which the patent attorney, interviews the inventor, asks a series of questions, gets replies to the questions. And eventually will be able to get a good disclosure from the inventor through the interview.

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Importance of disclosure

- Disclosure
 - Search the prior art
 - Draft the patent specification



How important is the disclosure. Now, the disclosure can be used to search the prior art, so that the how effective the disclosure is will result in how good the patent ability search report will eventually be. So, the disclosure can be used to search for the prior art, and it can also be used to draft the patent specification itself, because it is the disclosure that the inventor makes that eventually gets into the pattern specification.

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Requirements of disclosure

- Fully and particularly describe the invention
- Fully and particularly describe its operation / use
- Fully and particularly describe method of performance
- Disclose the best method of performance – claim
- Claims
 - Clear and succinct
 - Fairly based on matter disclosed



Requirements of a disclosure. Now, this is the language that is there in the patents act. It should fully and particularly describe the invention, particularly means it should describe it in a with the details. It should also describe the operation or use; it should describe the method of performance and also the best method. Now, the best method is something which would be claimed, the best method of performing the invention will be claimed.

And the claims by itself should be clear and succinct, and it should be fairly based on what was disclosed. The claim offers pattern specification is the concluding part of the pattern specification, where a patented an invention is claimed. And the claim should itself be based on the matter disclosed. So, this disclosure is important because the claims are drafted or carved out of the disclosure.

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Confidential

Invention Disclosure Form

For Internal use:

IDF No: IDF- Request Date:

To be filled out by the inventor

*While filling out this format, please be guided by the (hypothetical) examples in *gray/italics*, of an 'Electric Bulb' - as an invention - under each heading, which are meant to help the inventor disclose the invention for the purposes of drafting a Patent specification.*

Note: Answer each question separately under the space provided in sufficient detail, regardless of whether or not the question/answer seems repetitive.

We have just mention that invention disclosure form is one way in which you can capture a disclosure from an inventor. Now, here in front of you there is a typical invention disclosure form. You can just have a look at this. And now this form has to be filled by the inventor.

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Note: Answer each question separately under the space provided in sufficient detail, regardless of whether or not the question/answer seems repetitive.

PART - A: CONTACT INFORMATION

1. *Name of the Main Inventor:*
2. *Nationality:*
3. *Official Designation:*
4. *Mobile Number(s):*
5. *Email id:*
6. *Address for Communication:*

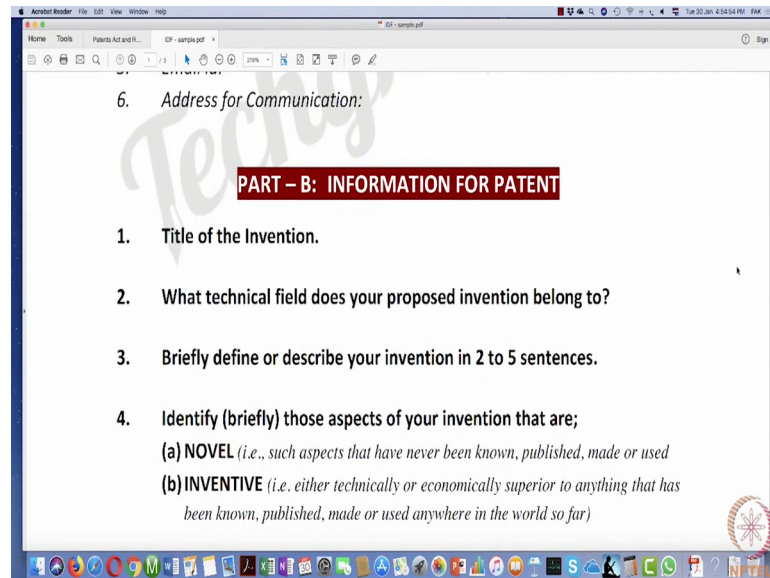
PART - B: INFORMATION FOR PATENT

1. **Title of the Invention.**

So, there is part-A, which has the contact information, name of the invention, main inventor, there are multiple inventors they have to be mentioned, nationality because

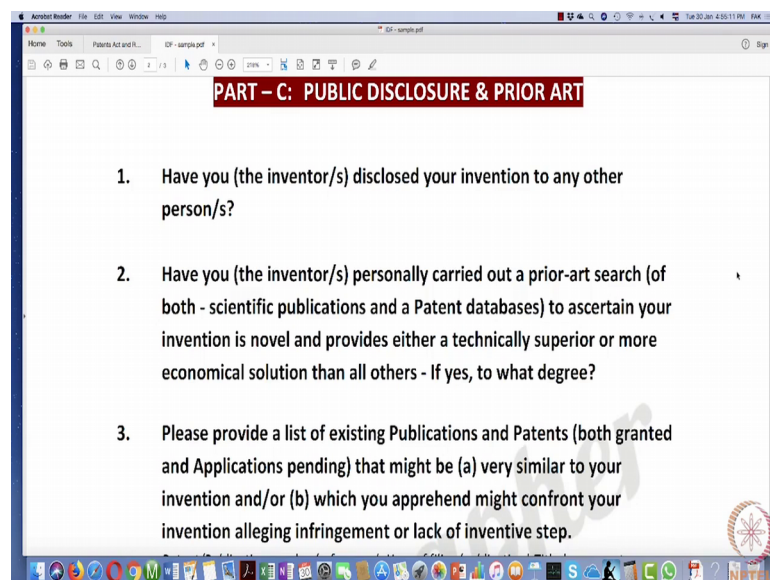
your residence can determine certain rules of filing official designation, contact information and address.

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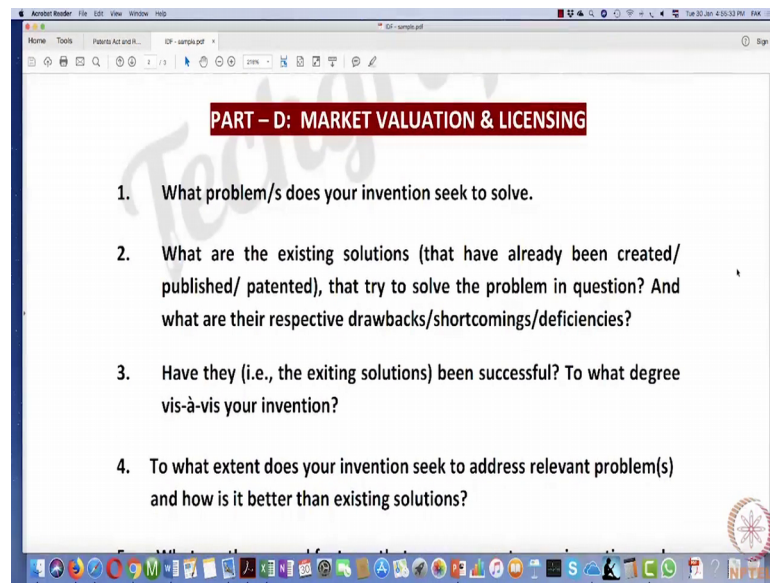
Now, information about the patent, title of the invention which technical field the invention belongs to, brief description, the novel feature, the inventor feature.

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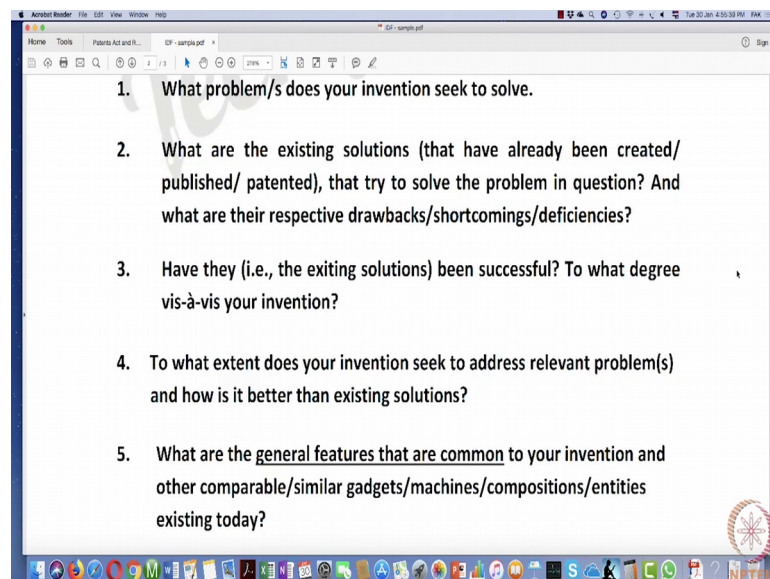
And part-C, public disclosure and prior art, whether the invention know some prior art, and you will find that whether there are scientific publications or patent databases, whether there are granted patterns on it.

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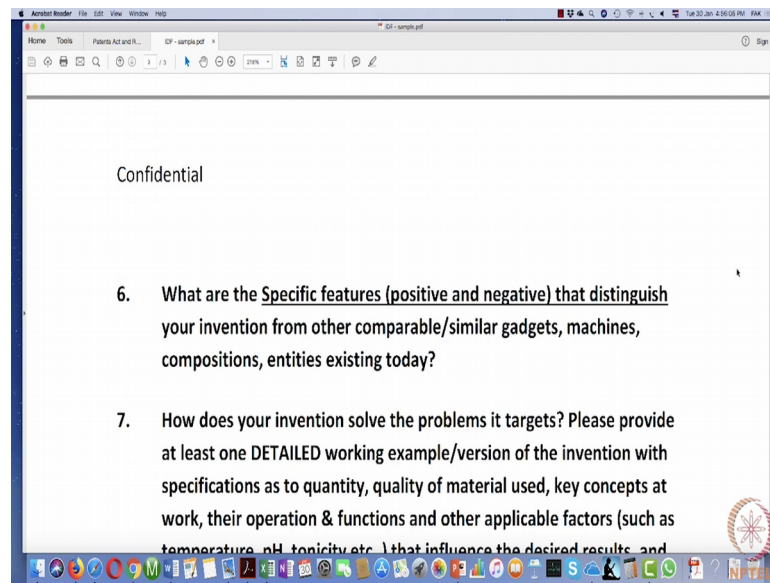
And part-D, you could ask for this is entirely an additional information which some disclosure forms may request from the inventor, market valuation and licensing. What was the problem that the invention solved? What are the existing solutions? Have the existing solutions been successful? What is the your invention seek to address in, at what extent it seeks to address and existing problem.

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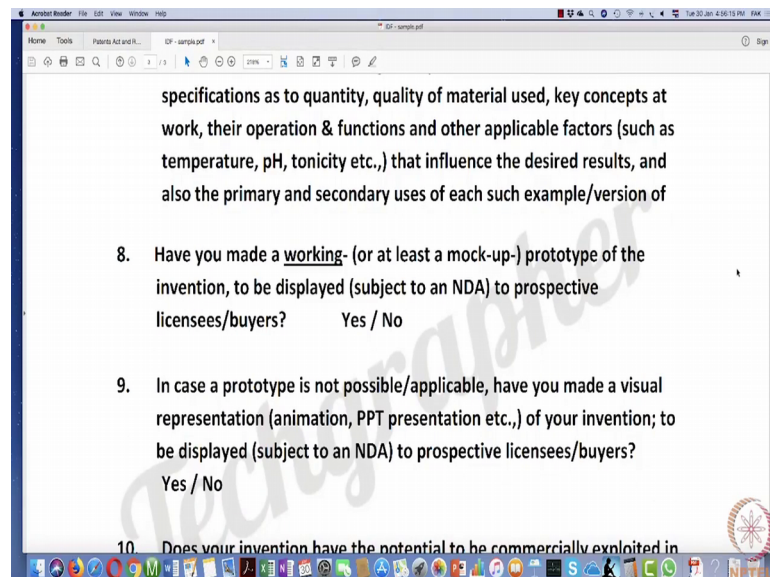
The general features that are common to your invention.

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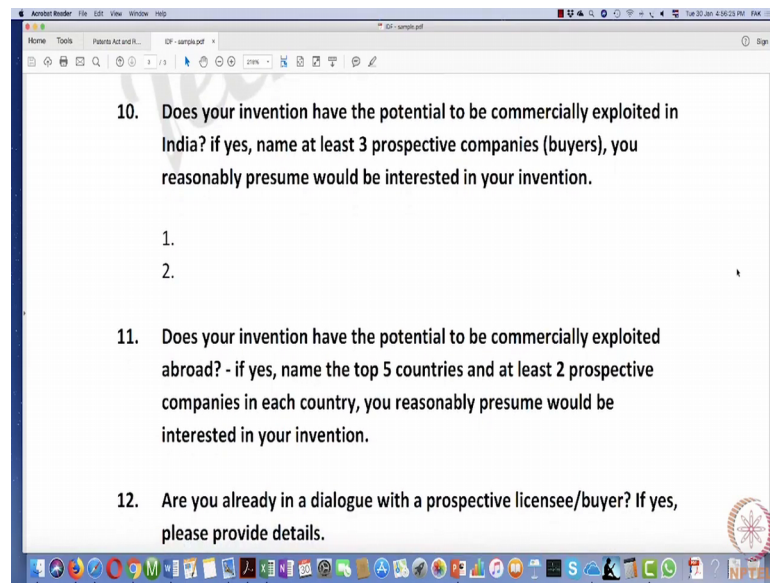
Specific features that distinguish your invention. Now, the specific feature is where we try to understand the inventor features, the ones that has to be patented that has to be claimed. So, understanding the general features and the specific features will be critical because based on that you will be using that input and drafting your claim.

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Working example of the invention, now is there a prototype of the invention.

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If it is not possible is there a visual representations say a drawing on and whether the invention has been commercially exploited, and whether it has been exploited abroad, and whether there are any dialogue or whether the inventor I mean in disclosure to prospective buyers and licensees.