



# PATENT LAW FOR ENGINEERS AND SCIENTISTS

## PROF. FEROS ALI

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**PRE-REQUISITES** : Background degree in Science or Technology is preferable. Students who enroll for this course may also benefit from the course "Patent Drafting for Beginners"

**INTENDED AUDIENCE** : Engineering and Science Graduates and Students

**INDUSTRIES APPLICABLE TO** : Would be beneficial for candidates preparing for the Patent Agent Examination

## COURSE OUTLINE :

The course shall give an in-depth understanding of patent law to engineers and scientists. This course will help person with a science background to understand the fundamentals of patent law, know the requirements of patentability, learn how to read and interpret patent specifications, analyze patent office procedures and court cases and develop the basic understanding for drafting a patent specification. This course will cover the syllabus of Paper 1 of the Patent Agent Examination conducted by the Intellectual Property Office, Government of India.

## ABOUT INSTRUCTOR :

Prof. Feroz Ali is the Chair Professor on Intellectual Property Rights (IPR) at the Indian Institute of Technology (IIT) Madras. He teaches intellectual property laws and business laws. He is the author of three books on patent law. He is a practicing advocate at the Madras High Court. He litigates and counsels in intellectual property law, corporate law and competition law but his primary focus has remained in patent law. He has appeared before the Supreme Court, the High Courts, Intellectual Property Appellate Board and the Patent Offices

## COURSE PLAN :

**Week 1:** Introduction to the Indian Patent System Patent Laws as Concepts; Understanding the Patents Act, 1970; Understanding the Patents Rules, 2003; Preliminary Sections; Preliminary Rules; What's New in the Patents (Amendment) Rules, 2016; Easy way to read the Patents Act and Rules

**Week 2:** Patentability of Inventions Statutory Exceptions to Patentability; Novelty and Anticipation; Inventive Step; Capable of Industrial Application; Person Skilled in the Art

**Week 3:** Patent Specification Provisional and Complete Specifications; Structure of a Patent Specification—Title, Abstract, Description, Claims, etc.; Reading a Patent Specification—Fair basis, Enabling Disclosure, Definiteness, Priority; Introduction to Patent Drafting

**Week 4:** Patent Prosecution: Patent Applications Patent Application—Who Can Apply, True and First Inventor, How to Make a Patent Application, What to include in a Patent Application, Types of Patent Applications, Patents of Addition, Dating of Application;

**Week 5:** Patent Prosecution: Publication and Examination - I Publication of Application; Request for Examination; Examination of Application—First Examination Report

**Week 6:** Patent Prosecution: Publication and Examination – II Expedited Examination of Application; Search for Anticipation—Procedure, withdrawal of Application; Consideration of Report of Examiner

**Week 7:** Patent Prosecution: Powers of Controller Powers of Controller—Examination Stage, Consideration of report by examiner, Refuse or Amend Applications, Division of Applications, Dating of Application, Anticipation, Potential Infringement; Putting Applications in Order; Amendments during Prosecution

**Week 8:** Patent Prosecution: Opposition Pre-grant opposition; Post-grant opposition; Wrongful obtaining of invention; Mention of Inventor; Opposition in General.

**Week 9:** Patent Prosecution: Practice at the Patent Office- I; Secrecy Provisions; Grant of Patents; Rights Conferred by Grant; Rights of Co-Owners; Term of Patent; Restoration of Lapsed Patents;

**Week 10:** Patent Office and Patent Prosecution, Surrender; Revocation—Grounds for Revocation; Register of Patents, Patent Office and its Establishment; Patent Agents; Use and Acquisition by Government; Penalties.

**Week 11:** Compulsory Licensing Compulsory Licensing—Working of Patents, Grounds for Grant of Compulsory License, Revocation; Patent Licensing;

**Week 12:** Patent Enforcement, International Arrangements and Other Miscellaneous Provisions Intellectual Property Appellate Board; Declaratory Suits, Infringement Suits; International Application—Convention Application, PCT Application, Application Designating India, Multiple Priorities; PCT Timeline; Fees—Application, In Relation to Grant of Patents; Timelines, Application, Examination, Publication etc