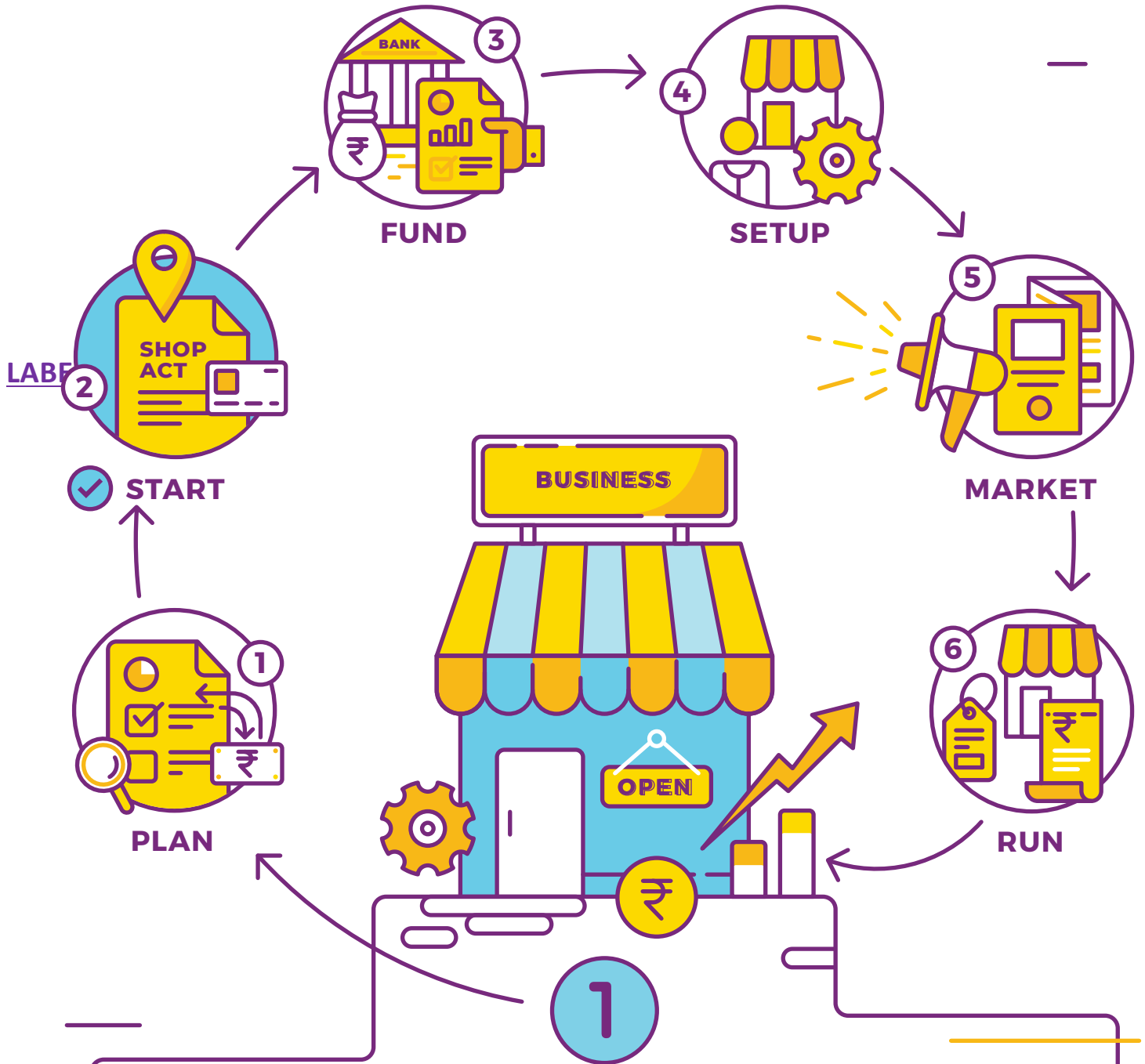


PATENT REGISTRATION CHECKLIST



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PATENT REGISTRATION

What is Patent?

A patent is a form of intellectual property. The owner gets the right to exclude others from making, using, selling, and importing an invention for a limited period of time, usually twenty years.

Advantages of Patents

1. A patent gives the right to stop others from copying, manufacturing, selling or importing his/her invention without permission and hence prevents theft of the invention
2. The entrepreneur gets the protection for a pre-determined period, allowing him to keep competitors at bay.
3. Entrepreneur, can also license his/her patent for others to use it, or sell it, as with any asset, which in turn can provide an important source of revenue for his business.

Advantages of Patents

Step 1: Write down the invention (idea or concept) with as much details as possible

Collect all the information about your invention such as:

- Area of invention
- Description of the invention what it does
- How does it work
- Advantages of the invention

Step 2: include drawings, diagrams or sketches explaining working of invention

Drawings and diagrams should be designed so as to explain the working of the invention as they play an important role in patent application.

Step 3: check whether the invention is patentable subject matter

All inventions may not be patentable, as per Indian patent act there are certain inventions that are not patentable.



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Step 4(a): Patentability search

This includes finding out whether your invention meets all patentability criteria as per Indian patent act such as:-

- Novelty
- Non-obviousness
- Industrial application
- Enabling

Step 4(b): Decide whether to go ahead with patent

The patentability report and opinion helps you decide whether to go ahead with the patent or not, chances are what you thought as novel might already been patented or know to public in some form of information. Hence this reports saves lots of time, efforts and cost of the inventor by helping him decide whether to go ahead with the patent filing process or not.

Step 5: Draft (write) and file patent application

- On filing provisional application, the inventor secures the filing date
- Inventor then gets 12 months of time to come up with the complete specification,
- And upon expiry of 12 months the patent application is abandoned.

Step 6: Publication of the application

- Up on filing the application along with complete specification for patent, it gets published after 18 months of first filing.
- An early publication request can be made along with prescribed fees if you do not wish to wait till the expiry of 18 months from the date of filing for publishing your patent application.
- Generally the patent application is published within a month form request form early publication.

Step 7: Request for examination

- The patent application is examined only after receiving request for examination that is RFE.
Up on receiving this request the controller gives your patent application to a patent examiner who examines the patent application with different patentability criteria like:
 - Patentable subject matter
 - Novelty
 - Non-obviousness
 - Inventive step
 - Industrial application
 - Enabling

Step 8: respond to objections

At this stage the inventor and the patent agent create and send a response to the examination that tries to prove to controller that his invention is indeed patentable and satisfies all patentability criteria's.

Step 9: clearing all objections

This communication takes place between the controller and the patent applicant to ensure that all objections raised in the patent application are resolved. (if not the patent will not be granted) and the inventor gets a fair chance to prove his point and establish novelty and inventive step over existing prior arts.

Step 10: Grant of patent

The application is placed in order for grant once it is found that all patentability requirements are being fulfilled.

The grant of patent is notified in the patent journal which is published from time to time.





Good Luck For Your Business.



deAsra Foundation

Address : C/o Persistent Systems Ltd. 402, Bhageerath,
Senapati Bapat Road, Near ICC Tech Park, Pune 411 016

Contact : +91 86699 85599

E-mail : team@deasra.co.in