

**Workshop on  
Research Methodology  
Writing Practices and Language Skills  
KSCSTE  
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**Patenting and IPR issues**

**VP Balagangadharan  
Vikram Sarabhai Space Centre**

# Introduction

- 1. Patents are for invention**
2. Invention is a solution to a technical problem
- 3. Bette Nesmith Graham invented liquid paper**
4. Mary Anderson invented windshield wipers
- 5. Stephanie Kwolek invented Inventor of Kevlar®**
6. Margaret Knight invented the paper bag machine
- 7. Hedy Lamarr - secret communication system**
8. Dr. Giuliana Tesoro obtained 125 patents in
- 9. Women have had many discoveries**

# Fields of IP Protection

- ❖ **Patents**
- ❖ Copyright and Related Rights
- ❖ **Trademarks**
- ❖ Industrial Designs
- ❖ **Integrated Circuits**
- ❖ Geographical Indications
- ❖ **Protection Against Unfair Competition**

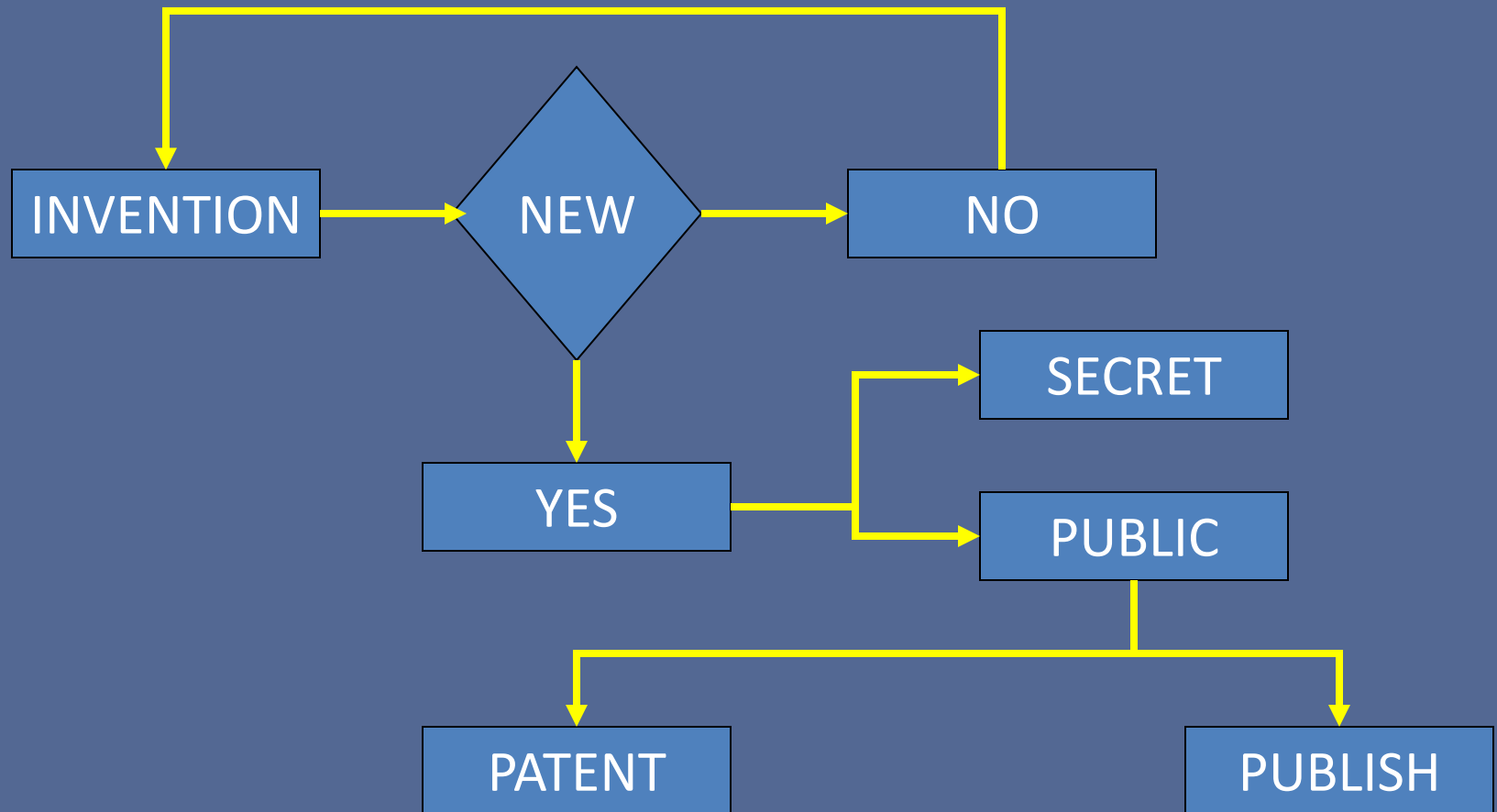
# The Emerging Importance of IPR

- **Growing Awareness in IPR**
- Eclipse of National Boundaries
- **Harmonization of Laws**
- **The Next Economy Of Ideas**

# What IP can do for you

- **Create wealth from intellectual excellence**
- Obtain legitimate ownership for intellectual wealth
- **Keep monopoly and derive market advantage**
- IP enables entry into the big league of business
- **IP provides bargaining power in the commercial world**
- IP rich companies attract more talents
- **IP wealthy organizations attract collaborators**
- Owns the image of technology and trustworthy organization
- **They stay in business and keep others out!**

# Inventors' Perspective



# Patents

- Patent Rights are the limited rights to the profit from excluding others
- They are territorial rights
- Patents provide exclusive right to prevent others from
  - Making, using, and selling a patented invention
  - For a fixed period of time
- In return for the inventor's disclosing the details of the invention to the public.
- Patent systems encourage the disclosure of information to the public by rewarding an inventor for his or her endeavors.

# Patents

- Inventor : Fully discloses invention for all the world to see
- Government: Limits competition by enforcement of right to exclude others from practicing the invention for a defined time period –
- Result: Super competitive profits because of limits to competition
- Result: At the end of patent life, everyone can use the invention freely



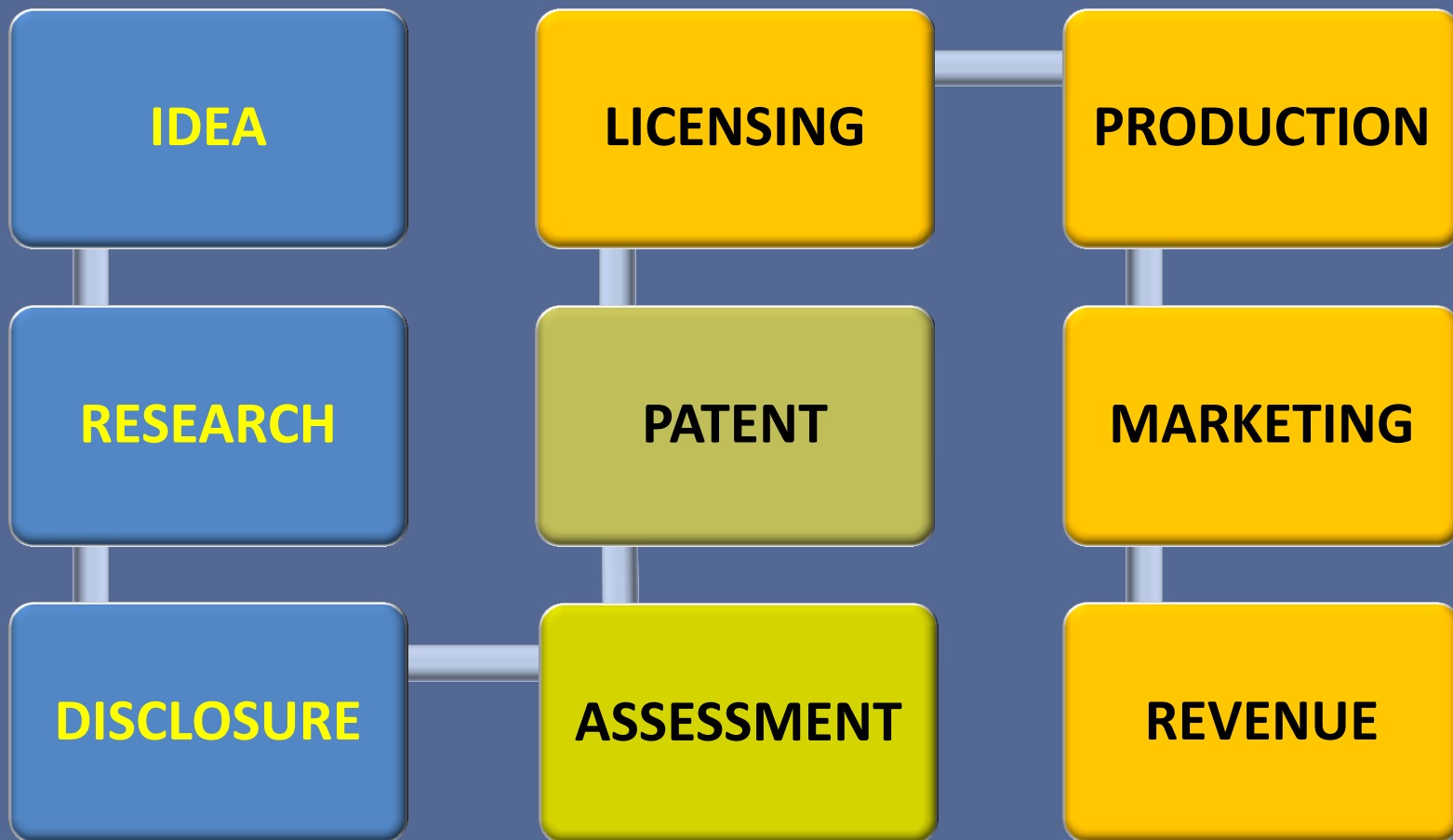
# Patents

- **Subject Matter: Anything under the sun made by man**
- **New/novelty** : Can't take something out of the public and get a patent on it
- **Useful: more than for further research**
- **Non-obvious**: May not be quite the same as what is known, but close
- **Full disclosure** : written description, best mode

# Patents

- Competitive profit encourages invention, R&D investment.
- Encourages early disclosure of information.
- Avoids duplicative R&D and costs associated with keeping secrets
- Encourages collaborations where information is transparent
- Stimulates markets by reward of premium pricing.
- Patent literature is a treasure house of knowledge

# 9 Steps from Idea to Market

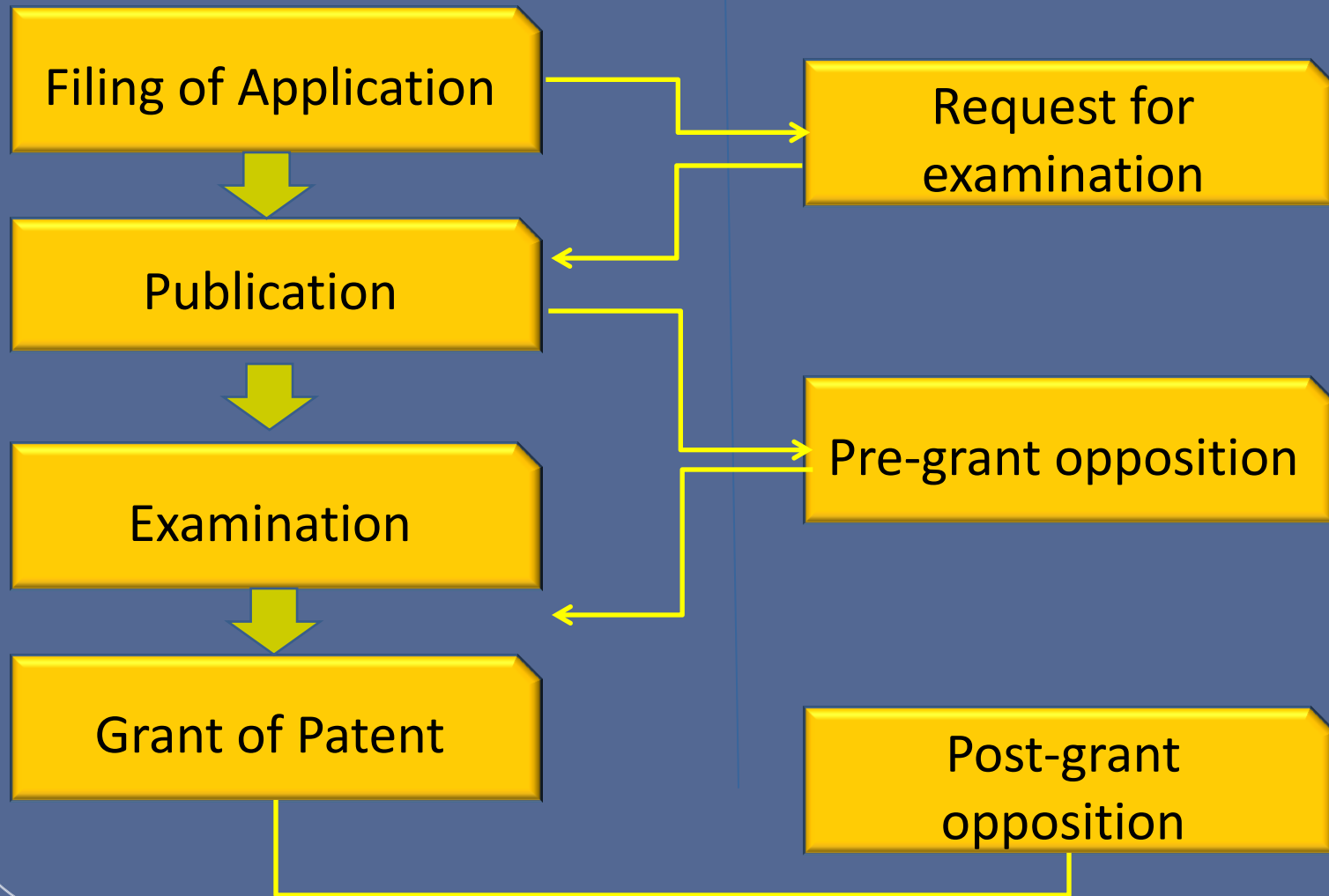




# Your Quiz

1. What is a patent?
2. What are the rights of a patent owner?
3. Why patents are necessary?
4. How are patents granted?
5. When should one apply for a patent?
6. Who grants patents?
7. What kinds of invention can be protected?
8. What are non patentable inventions?
9. What is the term and other relevant information ?
10. How much money is required to file a patent?

# How are Patents granted



## **Impediments for IPR**

- 1. Lack of respect for my research – disdain!**
- 2. Publishing is much easier than patenting**
- 3. How do I find out about patentability**
- 4. Is it useful in the marketplace**
- 5. How do I go about filing IPR**
- 6. What do I do once my patent is filed**
- 7. How expensive is the proposition**
- 8. Why should I, Lack of Financial Incentives**

# Trade Secret Protection

- **A secret is a method, device or formula that gives a manufacturer an advantage over the competition**
- **If the economic value of a piece of information relies on it being kept private, it could be a trade secret.**
- **Trade secrets require you to actively keep the information secret.**





1. A distinctive sign or indicator used by a business origination or individual to uniquely identify the source of their product
2. To distinguish their products or services from others
3. The trademark provides protection to the owner by ensuring exclusive right to use it to identify the product or services

# Industrial Designs

- 1. The protection offered for ornamental or aesthetic aspect of an article.**
- 2. Design should be new and original**
- 3. Not published or used in any country**
- 4. Have a real mental activity of creation**
- 5. Relate to features of shape configuration, pattern, ornamentation applicable to articles**

# Geographical Indications

- 1. The sign used on food that has a specific geographical origin**
- 2. Possesses qualities or reputation that are due to the place of origin**
- 3. Mostly it is the place of origin of goods**
- 4. Have qualities that derive from the place of production influenced by specific local factors such as soil and weather**

# Layout design of integrated circuits

1. Provides protection for semiconductor IC layout design
2. Only original designs can be registered.
3. What has been commercially exploited cannot be registered
4. Inherently not distinctive and distinguishable cannot be registered.

# Copyright

1. Everything is copyrightable –including speech
2. My ideas are copyrightable
3. You need to register your work to get a copyright
4. I used a copyrighted work without the knowledge it is copyrighted hence I have not infringed it
5. Fair use allows me to use any copyrighted work and is not an infringement
6. Copyright does not apply to internet materials
7. I need to copyright my work abroad to stop any infringement happening there
8. Once a copyright is created it is for ever
9. Once a copyright is sold the author loses all rights
10. Copyright violation is not a serious offense and one can compensate the loss monetarily

## Summary

1. Use protected IP for further invention
2. Understand the need of IP protection
3. Initiate protecting your IP
4. Seek help from IP facilitating agencies
5. Protect your IP and Police your IP
6. Commercialize your IP for your benefits
7. Do not get into trouble by using others IP
8. Enjoy the benefits of IP protection



# Thank You

[vp\\_balagangadharan@vssc.gov.in](mailto:vp_balagangadharan@vssc.gov.in)  
[vpbalagangadharan@gmail.com](mailto:vpbalagangadharan@gmail.com)