

“CLAIM DRAFTING AND PATENT FILING PROCEDURE”

6th SSIP IP Facilitation Centre webinar Organised by i-Hub dated - 15th April, 2020

Speaker: Dr. Prachi Pandey, Associate Prof. at GTU and
Registered Indian Patent Agent

About seminar:

The main objective to organize the webinar is to help start-ups and Innivators can learn about how to draft a claim and Patent filing procedure.

Topics of discussion:

□ **What are the documents required to file a provisional patent specification?**

The Patents Act 1970(39 of 1970) & The Patents Rules, 2003:

- ~• Form 1 (Application for grant of patent)
 - ~• Form 2 (Provisional Specifications)
 - ~• Form 5 (Declaration of Inventorship)
 - ~• Form 26 (Power of Attorney)
 - ~• E-filing fees (Patent statutory fees) : Rs. 1600/-
 - ~• Form 3 (Corresponding foreign patent application statement and undertaking)
 - ~• Illustration/Drawing of the invention.
- It has to be kept in mind that If the time period of 12 months within which the applicant has to file complete patent specification, otherwise it will be deemed to be 'ABANDONED'.

□ **Steps :**

Step 1 : Idea Incubation Phase

Step 2 : Patentability Search

Step 3 : Patent Drafting

Step 4 : Filing Patent Application

Step 5 : Publication of Application

Step 6 : Request for Examination (RFE)

Step 7 : Response to Objections

Step 8: Grant of Patent : If the controller satisfied with the response to the objections amended patent application, the patent application is put in order of grant.

□ **Content of Patent Application Includes :**

~ • **Title of Invention** : It should reflect the main art of the invention, should be precise, meaningful And should be normally within 15 words.

~ • **Background of invention** : Should describe what others have done in the field and what problems have not been solved by this prior work.

~ • Summary of Invention

~ • Brief Description of Drawings

~ • Object of Invention

~ • Statement of Invention

~ • Detailed description of the invention

• □ • **Claims**

-- Claims are the essence of a patent.

-- The first claim would be the Independent claim and
Subsequent claim would be dependent claims.

-- **Parts of a Claim :**

(A) The Preamble **(B)** Transitional Phrase **(C)** The Body

Facebook video link:

<https://www.facebook.com/ssipguj/videos/224306318888439/>

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