

Factsheet

- 1) Title of the invention
(Choose a title which clearly describes the work with minimum number of words)
- 2) Field of Invention (if available)
- 3) Abstract (up to 100 words)
(Write a brief abstract about the invention of the work. Include important keywords (subject specific), so that the patent title is found in Web search)
- 4) Background of the Invention (Prior art) (up to 250-300 words)
(This is the introduction part. Here, the known literature about the present disclosure will be mentioned briefly. Provide references, preferably patents. You have to pitch for the gap here and make a strong case for your patent).
- 5) Novelty (3-5 bullet points)
(With minimum words explain the novelty of the present invention)
- 6) Non-obviousness (50 – 100 words)
(With minimum words describe, the present invention is not an incremental step with respect to the known literature (prior art) and to people who practice in this field)
- 7) Industrial application (2-4 bullet points)
(With minimum words provide the usefulness or industrial application of the present invention. Be precise and be as specific as possible. Points to ponder include market potential, emerging technology, sustainability, societal contribution, import/export data)
- 8) Description (up to 300-400 words)
(Provide clear description about the present invention. Include drawings, schemes, figures etc. to give a brief overview of the invention)
- 9) Advantages (3-5 bullet points)
(Provide briefly the salient features of this patent, unique selling points (USP))
- 10) Claims
(This is the most important part of your patent. Cover as many points as possible for a better protection with minimum claims)
- 11) National phase application / Particulars of International application field

General Information about Patent rules

- i. **Not all inventions are patentable** subject matter. Section 3 of the Patents Act provides that subject matter which is not patentable. Therefore, while conceiving, the inventor must be clear that the invention does not fall under any of such categories which are not patentable.
- ii. All inventions must meet the **novelty criteria under the Patents Act**. The patentability opinion can be examined upon conducting an extensive search and forming a patentability report.
- iii. The **application** consists of various parts such as Claims, Background, Description, Drawing (if any), Abstract, and Summary. All such parts must be carefully drafted to provide effective disclosure of the invention. It is advised that utmost care and precision must be taken while drafting the application.
- iv. **Filing the Patent Application**
- v. The application is published after 18 months from the date of filing. There is no need for any special requirement from the applicant for publication. In case, the applicant does not want to wait till the expiry of 18 months, an **early publication request** can be made along with prescribed fees by filing Form 9. Generally, the patent application is published within one month from the request of early publication.
- vi. Unlike the publication, the examination is not an automatic process and the applicant is required to **request the patent office to examine the patent application**. The normal request must be filed within 48 months from the date of filing of an application.
- vii. The applicant needs to **respond to the objection received** from the patent office by way of the First Examination Report. The applicant is expected to file a written response to the objection raised in the examination report.
- viii. After addressing all objections, the application would be placed for a grant once it is found to be meeting all patentability requirements, and finally, the patent will be granted to the applicant. The **grant of a patent** is notified in the patent journal which is published from time to time.
- ix. Any person interested may file a **post-grant opposition** within 12 months from the date of publication of the grant of patents, by providing a notice of opposition to the controller.

Related Links

Indian Patent Office	http://www.patentoffice.nic.in/
Manual of Patent Practice in India	http://ipindia.nic.in/ipr/patent/manual.htm
Indian Bi-lateral agreements	http://ipindia.nic.in/ipr_bilaterals/dipp_bilaterals.htm
Government of India Patent site	http://patinfo.nic.in/main.php
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