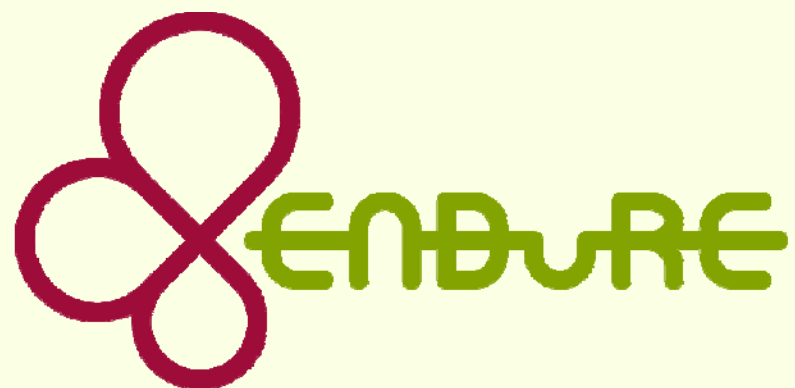




Intellectual Property



UNIVERSITY OF
SURREY



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INTELLIGENT INNOVATION



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Definition

**“A patent for an invention
is the grant of a property right
to the inventor”**

(Pinson, L. 2006)

Protection

- You can use a patent to protect your invention.
- It gives you the right to take legal action against anyone who makes, uses, sells or imports it without your permission.

However...

Patents are expensive and difficult to get.

Terminology

Much criticism:

- Vague & abstract
- “Property” and “Rights” contradict practice and law

What Can You Patent?

To be granted a patent, your invention **must be all** of the following:

- Something that can be made or used
- New
- Inventive - not just a simple modification to something that already exists

What Can't You Patent?

- Literary, dramatic, musical or artistic works
- A way of doing business, playing a game or thinking
- A method of medical treatment or diagnosis
- A discovery, scientific theory or mathematical method
- New types of plants, seeds or animals
- The way information is presented
- Some computer programs

Common Types

- Trademarks
- Copyright
- Patents
- Industrial design rights
- Trade secrets
- Database rights

Objective of IP

Prohibits others from:

- Making
- Using
- Selling
- Offering for sale
- Importing the invention

Objective of IP – “Promote Progress”

- Incentive for inventors & authors to disclose their work
- Financial incentive
- Economic growth
- Morality

Do Your Homework

- To be certain your idea satisfies these conditions conduct a patent search
- PTO website
- Patent and Trademark Depository Libraries

Requirements

- Thorough knowledge of the scientific and/or technical matters involved
- Knowledge of legal aspects of patent application process



Application Process

- Complicated - only 1 in 20 applicants get a patent without professional help
- Expensive - with professional help, applications typically cost £4,000
- Long - it can take up to 5 years
- If you get a patent, you'll also have to pay to renew it each year and the costs of legal action if you need to defend it.



Process

- File patent application with PTO
- Rigorous examination process
- Assigned to patent examiner
 - Verify invention meets requirements
 - Application follows required format
- Filing fee
- Tedious, complicated and lengthy
- Most inventors employ the services of a registered patent attorney or patent agent

Patent Application

PART 1

- Specifications
 - Written description

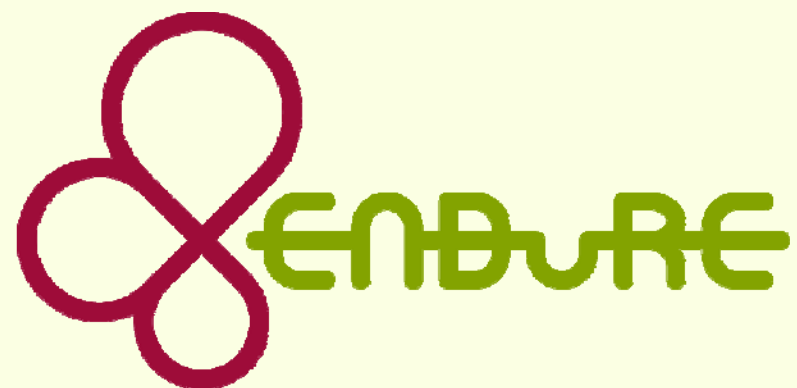
PART 2

- Drawings
 - Visual representation

Patent Infringement

- Using or selling a patented invention without permission from the patent holder.
- The scope of the patented invention or the extent of protection is defined in the claims of the granted patent.

Discussion



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