



**Proceedings of National Seminar  
on  
CONVERSION OF RESEARCH  
INTO PATENT**

*NAAC Sponsored Two - Day National Seminar  
24th & 25th April, 2023*



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**Internal Quality Assurance Cell (IQAC)  
S.K.S.D. Mahila Kalasala Degree & PG (A)  
(Re-Accredited by NAAC with "B++" Grade)  
TANUKU, W.G. Dist., Andhra Pradesh**



## About the Editor



**Dr. M. Sri Devi** presently working as a Lecturer in chemistry (PG), Department of Chemistry HOD, IQAC Co-Ordinator in S.K.S.D. Mahila Kalasala, UG & PG(A), Tanuku. She Has More than 14 Years of teaching and research experience in chemistry. She obtained M.Sc, M.Phil, Ph.D from Andhra University, Visakhapatnam. She also qualified APSET in 2016. Her Specialization is Inorganic &

Analytical Chemistry. She has published 13 Research Articles in various peer reviewed journals, having 5 Scopus indexed articles, published a text book of inorganic chemistry by Bharathi Publications, New Delhi, organized one national seminar with funding from ONGC, one International webinar with Guest speaker from Penisylvania state University, U.S.A and also organized two national workshops and one state level quiz competition. She was carrying active research in multidisciplinary topics like Kinetics of oxidation of amino acids, micellar catalysis, water analysis, milk adulteration, Detection of nitrate poisoning in farms and soil analysis etc. She received a Patent and registered for one more patent. She was a member of board of studies, in Department of analytical chemistry of Adikavi Namaya university, Rajamahendravaram. She also participated/presented in various national & International seminars. She received best teacher award from Lion's Club, Tanuku. She acted as a resource person for National Training Program on Eco Air: Developing Eco Educators at Malikipuram, East Godavari District, Organized by Department of Science & Technology, New Delhi & Science City of Andhrapradesh. In addition to these academic activities she also participated in various extension activities like oldage home visits with students every year on August 26th, Swachbharat through plantation etc.

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## Summary on Patent Rights

*Dr. K.V.R.B Varalakshmi\**

An invention is a new product or process that offers a new way of doing something, or offers a new technical solution to a problem. Inventions can be patented.

We need to know some points about an invention, many people think invention is a flash of inspiration or genius is necessary to spark the creativity or inventions but it must be noted that most of the patented inventions are not major breakthroughs but incremental though non-obvious technical improvements over the relevant prior art.

A patent Is a government-granted right for an inventor to exclude others from making, using, offering to sell, or selling the invention for a limited period of time in exchange for the public disclosure of the invention.

Reasons for patenting an invention it gives competitive edge , market power and earning money.

A patent is a type of intellectual property protection (IP).So first we will know what a intellectual property in detail (IP), is defined as the property resulting from creations of human mind ,the intellect. In this regard, it is fair the person making efforts for an intellectual creation has some benefit as a result of this endeavor. Probably, the most important thing among

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intellectual properties is Patent. Others IP protection include copyrights, trademark and trade secrets.

To be patentable, an invention must meet the following criteria:

It must be new. This means that it must not have been previously known or used by others. It must be useful. This means that it must have a practical application.

The process of patenting an invention can be complex and time-consuming. It is important to consult with an lawyer who specializes in patent law to ensure that invention is properly protected.

Once an invention has been patented, the inventor has the exclusive right to make, use, sell, and offer for sale the invention for a period of 20 years from the filing date of the patent application.

A patent provides its owner a right to exclude others and not a right or freedom to use or to make or offering to sale or importing a product or process.

The process of obtaining a patent can be long and expensive. It typically takes several years and costs thousands of dollars.

Patents may be bought, sold or licensed. Patents may also serve as a collateral for bank loans.

Most venture capitalists, investment bankers, financial analyst And other investors favorable recognize the value of patent.

Products use Patents to signal higher technological capabilities, superior performance in your advertisements and marketing.

Preparing a patent application requires

Detailed technical information about the features of the claimed invention, how the invention can be made or carries out and it's application in industry or commerce.

It should contain title, bibliography and an abstract also.

The owner of the patent must be careful of patent infringement, if careful and perfect patent is not done.

So technically speaking, patent infringement means others have entered a prohibited space defined by one of the claims in your patent.

You may face competitors And they may stalemate you during their negotiations and competition, so you need strategic partnership, Mergers and Acquisitions, IPO, and Higher sale



price this allows you to make, sell, use or distribute your new or improved product without your express approval this can eliminate your competition, so here we need to stay alert and checkout for the competition otherwise, he or she may take legal action and may stake you in infringement.

Convoyed sales are present in patents when a customer is attracted by a patented improvement of a product, increased sales of non-patented articles this follows when a patented product is a component of a more complex product or sold in association with the other products. Such type of sales are called as convoyed sales.

Patents can be done by free online and non-patent database and other paper-based sources of prior art, or if you can afford it you may use the services of a fee based value added patent search provider.

Another important thing about patent is the territorial principle where a patent is a territorial right, this limited to the geographical boundary of the relevant country or region for which it has been granted.

In some countries, utility models is another option that you may able to consider before applying for a patent.

Formality examination, first a patent office examines the application to check if it has compiled with all administrative requirements or formalities. If not, then you are notified that efficiencies which must be addressed adequately in the time indicated by the Patent Office.

Next you may undergo A substantive examination with Patent examiner checks to see if the national or regional patent law does not exclude from its purview the subject matter of application or considers the patent, if granted the contrary to the public order or morality.

Some officers do not do any further examination but most of the patent offices of regional and national especially the big also do a fairly complete substantive examination to check if the nation meets all three basic conditions of a patentability namely nobility in inventive step or non obviousness, and industrial applicability.

When a patent application is accepted for grant then depending on the applicable patent law it published in the Official Journal of the Patent Office for inventing objections from the public



which is called as pre grant opposition .Objections to grant of the patent must be filed by any aggrieved party during this period of time.Or it may be published as a granted or without any pre grant opposition depending upon the applicable patent law and then allow the post opposition by agreed third parties.

If the opposition succeeds partially then the patent may still be granted if it fails then you would be granted a patent and a certificate of grant would be issued and the granted patent published in the Official Journal of the of the Patent Office.

### **Some characteristics of utility models are:**

The conditions for granting utility models are less stringent, as the inventive step requirement may be lower or absent altogether.

Procedures for granting utility models are generally faster and simpler than for patents.

Acquisition and maintenance fees are generally lower than those applicable to patents.

For obtaining patent protection in other countries or regions ,many patent applications may have to be filled at the relevant national or regional patent office in the legally prescribed time limit.

To keep an invention secret or confidential, take all the practical measures that are considerably reasonable under the circumstances to ensure the invention is given only to those employees who may need to deal with it and who are under a duty to keep it confidential.

Keeping secrecy is crucial as once a trade secret is lost it cannot be retrieved in most countries.

Here are some of the benefits of patenting an invention:

Patents can help to protect in research and development.

Patents give you a competitive advantage in the marketplace.

Patents can help you to generate revenue from your invention.

Granting a patent also has opposition it is of two types Pre- grand opposition and post grand opposition. This type of opposition depends on the country.

Patents can help you to attract investors and partners.

Patents can help you to build your reputation as an innovator.

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If you have an invention that you believe is patentable, it is important to consult with an attorney who specializes in patent law to discuss your options.

The exclusive rights granted to inventors and assignees for a limited period of time in exchange for the public disclosure of their invention have been instrumental in encouraging new inventions, promoting innovation, and driving economic growth. In this essay, we will explore the concept of patent rights, the history of patents, their importance, and some of the controversies and challenges associated with them.

First, they provide inventors with exclusive rights to their inventions, which can encourage innovation by allowing inventors to recoup their investment in developing new products or processes.

patents promote disclosure and dissemination of new inventions, which can benefit society as a whole by allowing others to build on existing knowledge and develop new products and processes. This can lead to further innovation and economic growth.

## CONCLUSION

In conclusion, patent rights are an essential aspect of modern innovation and technology. They provide inventors with exclusive rights to their inventions, promote innovation and economic growth, and encourage the dissemination of new knowledge. As such, it is important to continue to evaluate and improve the patent system to ensure that it continues to promote innovation and benefit society as a whole.