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19 (IV) PDSW (H)

2018

**PATENT DRAFTING AND
SPECIFICATION WRITING**

Paper : 4.6 H₅ (IPL Group)

Full Marks : 80

Time : Three hours

***The figures in the margin indicate
full marks for the questions.***

1. Fill in the blanks with appropriate answer :
10×1=10

(a) Ideas and concepts for inventions are _____ patentable.

(industrially/not/partially)

(b) If the owner of a patent discovers that someone is infringing their rights, it is upto the patent _____ to take appropriate action.

(government concerned/court/owner)

(c) The main object to encourage patent system is to _____.

(discovery/invention/creation)

(d) A film _____ be granted patent.

(may/can't/can)

Contd.

X

(e) The Patents are granted in respect of chemicals, medicines and drugs are _____.

(Process Patent/Product Patent)

(f) One of the salient features of the Patents Act, 1970 is prevention of abuse of patent rights by making _____ conditions in license agreements/contract as void.

(valid/distinctive/restrictive)

(g) The contents of a patent specification, also called as the _____, are the 'written description' of an invention.

(invention/disclosure/discovery)

(h) 'Patented article' and 'Patented process' mean respectively _____ in respect of which a patent is in force.

(an invention or finished goods/an article or process)

(i) 'True and first inventor' does not include either the first importer of an invention into India, or a person to whom an invention is first communicated _____ India.

(from outside/from within/from India)

(j) The object of the patent law is to pass invention into _____ after the expiry of the fixed period of the monopoly.

(private domain/public domain/inventor domain)

2. Write short answers : 2×5=10

(a) Nature of Patent Rights

(b) Opposition in grant of Patent

(c) Assignment of Patent

(d) Distinction between a patented invention and know how

(e) Provisional Specification.

3. Define the term Patent and analyse the purpose and policy behind the Patent Law.

12

Or

When should an application for a patent be filed ? Can a published or disclosed invention be patented ? What is the term of a patent in the Indian system ?

4. What do you mean by 'Patent Specification' under the Indian Patent Act, 1970 ? Discuss the differences between Provisional Specification and Complete Specification.

12

Or

"After the grant of patent but before the expiry of a period of one year from the date of publication of grant of a patent, any person interested may give notice of opposition" — Comment on the above statement and state the grounds of opposition to grant a patent.

5. Briefly discuss the contents of Patent drafting. What are the pre-requisites and important factors considered most in Patent drafting ? 12

Or

Discuss briefly the procedure applicable to obtain patent. What constitutes a patentable inventions ?

6. What are the criteria for naming inventors in an application for patent ? Are there any differences in the filing of patent applications in respect of microbiological inventions and other inventions ? 12

Or

Discuss in details the principles of construction of specification. Explain critically when an amendment of specification is necessary.

7. What is the meaning of "Priority Date" and "State of the Art" ? What are the essential requirements in Drafting of Patent Specification ? 12

Or

What is disclaimer and references ? What are the discretion of the Controller in deciding in opposition ?