

Training Manual

IPR is concerned with ownership and control of ideas - ?intellectual output?. It is an important issue in research both because you must avoid infringing others' IPRs and know your own rights.

?Intellectual Property Rights (IPR) or intellectual property (IP) are the rights given to a person over the creation of their minds?

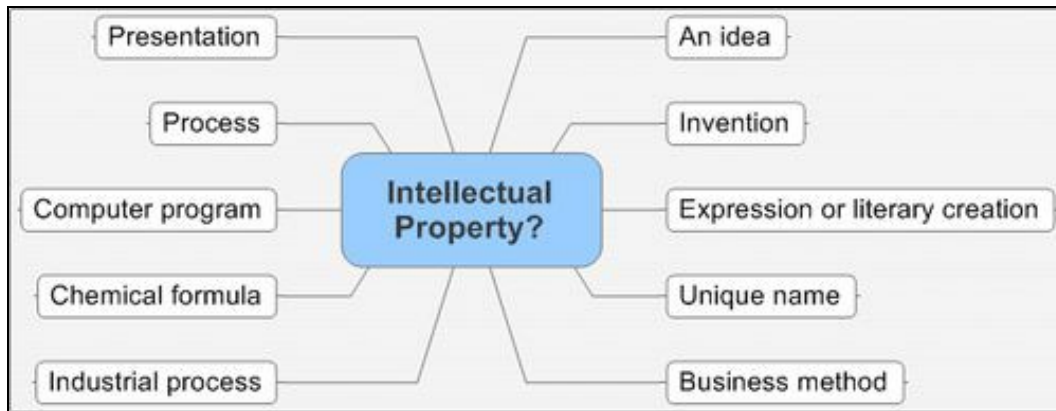
?They usually give the creator an exclusive rights over the use of his/her creation for a certain period of time?

Contents

- 1 What is Intellectual Property?
- 2 IPR legislation
- 3 Patent
 - ◆ 3.1 What is an invention?
 - ◆ 3.2 Types of Patents
 - ◆ 3.3 Why Patent?
 - ◆ 3.4 Patentability requirement
 - ◆ 3.5 How do I get a patent?
 - ◆ 3.6 What can I patent
- 4 Patent Searching
 - ◆ 4.1 Why Search Patents?
 - ◆ 4.2 Types of Search
 - ◆ 4.3 Where to Search?
 - ◆ 4.4 How to Search?
 - ◆ 4.5 Example of Quick Search in USPTO
 - ◆ 4.6 Example - Advance Search In USPTO
 - ◆ 4.7 Example - Number Search In USPTO

What is Intellectual Property?

An intellectual property is any product of the human intellect that is unique, novel, and unobvious (and has some value in the marketplace).



IPR legislation

The idea of IPR legislation is to protect all owners of Intellectual Property Covered by international and national law:

- International: Berne Convention for the Protection of Literary and Artistic Works (1886 onwards)
- European Union legislation UK: Copyright, Designs and Patents Act(1988)

Patent

A patent is a contract between the government and the inventor, in other words it is a legal protection granted by the government.

The government gives the inventor the right to exclude others from making, using or selling the invention for a term of years. The exclusive right does not give the inventor the right to make, use or sell his invention.

The inventor gives the public a full and complete disclosure of the invention with a teaching of how it works.

- The right created by a patent is a monopoly right
- The right to take action against any person exploiting the patented invention in the country without the agreement of the patent owner
- Patent are given only for inventions
- Once issued, patentee must enforce the rights

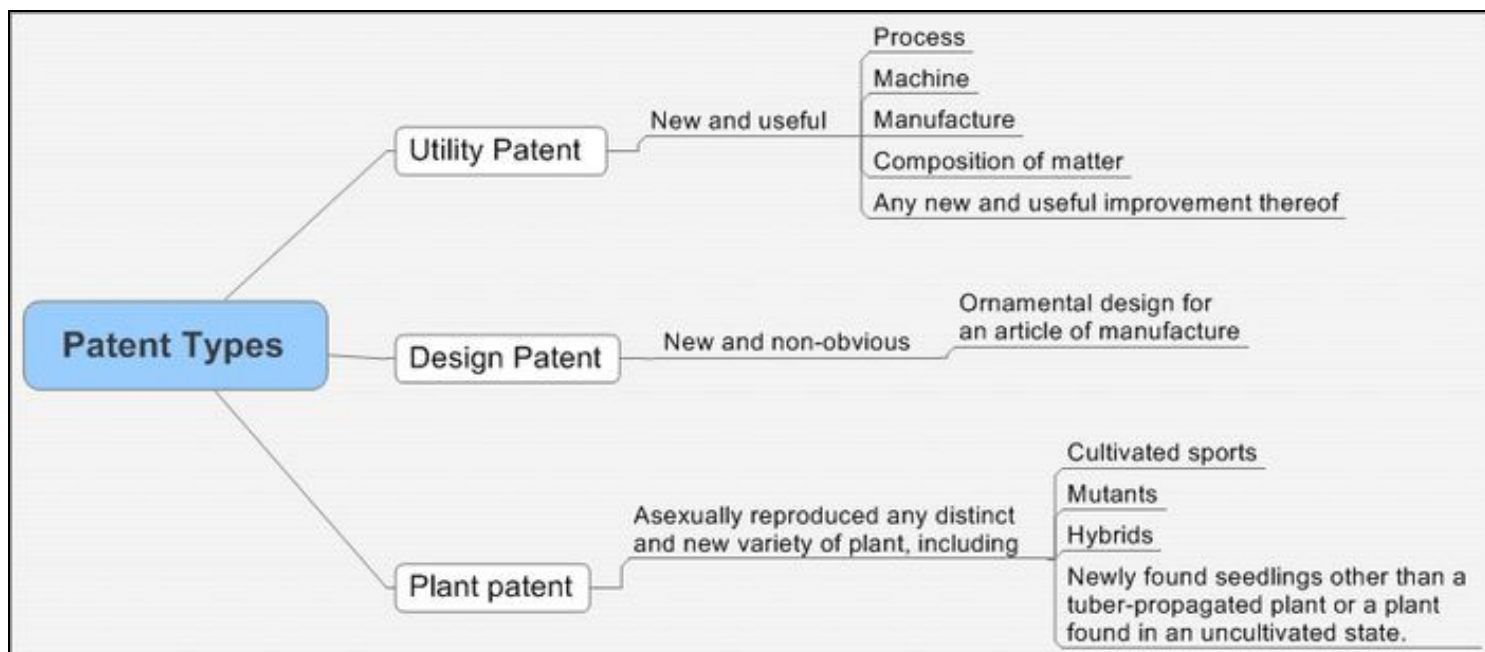
What is an invention?

Inventions are solutions to specific problems in the field of technology.

- An invention may be related to product or process
- Unity of invention
 - ◆ Only one patent is granted to one invention

Types of Patents

There are **three different types of patents** for which an inventor may apply:



Why Patent?

Patents are most important of IP because of:

- Patents are a way to make more money from those who obtain a patent
- Patent policies can be tailored by a country based on its need to foster and promote industrial development
- Patents enable Research and Development
- Most importantly, patent provides the most fool proof form of IP rights

Patentability requirement

Must meet the following three criteria

- **Utility** - The invention must perform some useful function for society, i.e. it must have
 - ♦ useful purpose
 - ♦ operativeness (invention must serve purpose)
- **Novelty** - It must be new, i.e. it must
 - ♦ Not known or used by others
 - ♦ Different from prior art
 - ♦ Not patented or publicly disclosed previously

Note: 1 year grace period in US and Canada most other jurisdictions have absolute novelty requirement

- **Non-Obvious** ? It should not be obvious to a person ordinary skilled in the art, i.e.

?sufficiently different from what has been used or described before that it may be said to be nonobvious to a person having ordinary skill in the area of technology related to the invention?

How do I get a patent?

To get a patent on an INVENTION,

- You must have an invention that is patentable
- You must describe the invention and apply for a patent
- The patent office must examine the patent (and criticize it) and hopefully grant/issue the patent
- ? and you must pay fees and argue/justify/clarify your invention through the prosecution process

What can I patent

The list of inventions which are/and not patentable

- **Inventions patentable**
 - ♦ Art, Process, Method or Manner of manufacture;
 - ♦ Machine, Apparatus or other Articles;
 - ♦ Substances produced by Manufacturing
 - ♦ Computer Software which has Technical application to Industry or is used with Hardware
 - ♦ Product Patent for Food / Chemical / Medicines or Drugs
- **Inventions not patentable**
 - ♦ Frivolous or obvious inventions.
 - ♦ Inventions which could be contrary to law or morality or injurious to human, animal or plant life and health or to the environment.
 - ♦ Mere discovery of the scientific principle or the formulation of an abstract theory or discovery of any living thing or non-living substances occurring in nature
 - ♦ Mere discovery of any new property or mere new use for known substance or the mere use of a known process, machine or apparatus- unless results to new products or employs one new reactant.
 - ♦ Producing a new substance by mere admixtures of substances.
 - ♦ Mere arrangement / rearrangement or duplication of known devices functioning independently.
 - ♦ Method of agriculture and horticulture

- ♦ Any process for the medicinal or surgical, curative prophylactic, diagnostic, therapeutic or other treatment of human beings, animals to render them free of disease or to increase their economic value or that of their products.
- ♦ The biological processes for production or propagation of plants and animals in whole or any part thereof other than micro-organisms but including seeds, varieties and species (new plant varieties can be protected by the protection of plant varieties and farmers act 2001).
- ♦ A mathematical or business method or algorithms.
- ♦ A Computer Programme per se other than its technical application to industry or a combination with hardware.
- ♦ Aesthetic creation including cinematography and television production.
- ♦ Method for performing mental act or playing game.
- ♦ Presentation of information.
- ♦ Topography of Integrated Circuits.
- ♦ Invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known components.
- ♦ Inventions relating to Atomic Energy.

Patent Searching

Patent searching is a challenging task many searchers choose to do in order to decide on a course of action that will ultimately determine their legal rights. Conducting the searches is challenging precisely because the process involves multiple steps using resources with which many searchers are not familiar. By comparison, patent experts spend many hours in training and many hours searching inventions in their daily work.

For example, patent examiners at the United States Patent & Trademark Office (USPTO) spend about twelve hours investigating each patent application to determine whether the invention it describes is patentable. During that time, the examiner consults an average of thirty-eight databases containing patent and non-patent literature to determine whether the invention has ever before been described. Although a novice searcher may miss important patent information when searching, the best defense against these mistakes is practice, patience and the development of one's search skills.

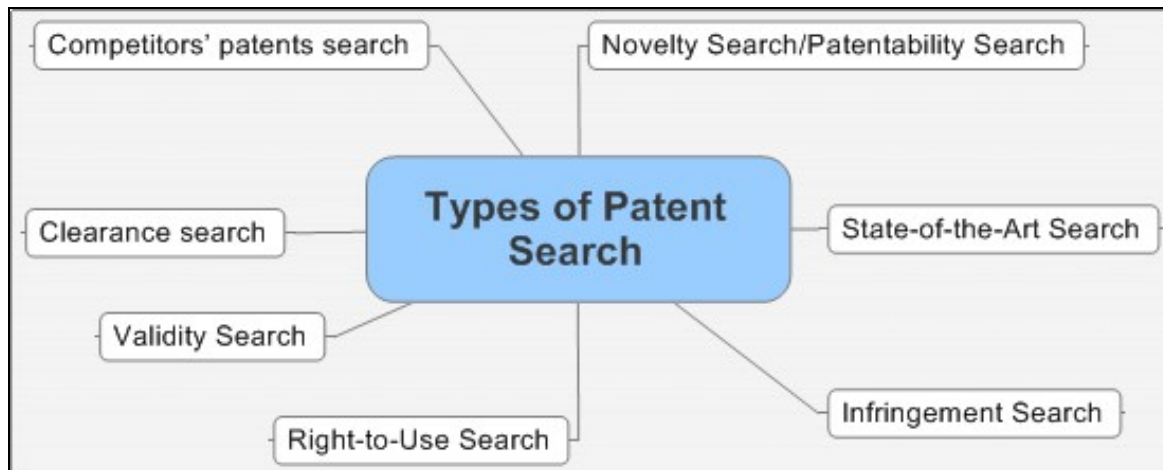
Why Search Patents?

People search patents for many reasons, most often because they have an invention they hope to patent. A search will determine whether an invention has patenting potential. Others search patents to find alternative approaches and suggestions to help resolve technological problems. Studies have shown that 80% of all patents hold information that is not published anywhere else in the world. By tapping into this tremendous resource, the searcher avoids "reinventing the wheel".

- Getting a general idea of how an application and patent is structured to help in the preparation of your own application
- Learning more about a new field
- For market information
- Competitor tracking
- Technology tracking
- For R & D direction
- For identifying new patenting and research opportunities

Types of Search

Details on various [search types](#)



Where to Search?

Resources for patent searching are

- Patent Databases
 - ♦ Free databases
 - ◊ [List of all free databases](#)
 - ◊ [Patent Coverage](#)
 - ♦ [Vendor databases](#)
- Complete collection of patents on DVD-ROM
- Library

How to Search?

Patent searching in USPTO

- Click here to visit [USTPO](#)
- Follow pasted slides to learn how to search on USPTO issued patents
- Search techniques and interface is same for both Issued Patents and Published Applications in USPTO

Example of Quick Search in USPTO

Welcome to the only official Website of the

UNITED STATES PATENT AND TRADEMARK OFFICE
An Agency Of The United States Department Of Commerce

Text Only | Site Index | FAQ | Glossary | How To Guides | eBusiness | eBiz Alerts | News | Help | How To Search | Resources

About USPTO
Under Secretary & Director
Patents
Trademarks
Copyrights
Policy & Law
Products & Services
Strategic Planning
How To
Inventor Support
Emergency Notices
Contact Us

TOP NEWS

USPTO Report Finds That Inadvertent Filesharing Threatens Personal, Government and Corporate Data
Users May Be Unaware of Threats from Filesharing Programs

The Department of Commerce's United States Patent and Trademark Office (USPTO) has released a report that concludes that the distributors of five popular filesharing programs repeatedly deployed features that they knew or should have known could cause users to share files inadvertently. The report, *Filesharing Programs and "Technological Features to Induce Users to Share,"* identifies five features in recent versions of five popular filesharing programs that could cause users to inadvertently distribute to others downloaded files or their own proprietary or sensitive files.

"Computer programs that can cause unintended filesharing contribute to copyright infringement, and they threaten the security of personal, corporate, and governmental data," noted Jon Dudas, under secretary of commerce for intellectual property—the Bush Administration's point person on copyright policy.

Click for search menu

HIRING NOW
Great Opportunities available for Patent Examiners
USPTO JOBS

2006 Performance & Accountability Report

Strategic Plan
2007-2012

STOP FAKES .GOV
SMALL BUSINESS Intellectual Property Help from the United States Patent and Trademark Office

ACCELERATED EXAMINATION

Main page of USPTO
www.uspto.gov



UNITED STATES PATENT AND TRADEMARK OFFICE
An Agency Of The United States Department Of Commerce

Text Only | Site Index | FAQ | Glossary | How To Guides | eBusiness | eBiz Alerts | News | Help | How To Search | Resources

About USPTO
Under Secretary & Director
Patents
Patents main page
JUMP TO:
About Patents
Proposed Rule Changes
eBusiness
View in PAIR
Search
File on EFS-Web
EFS-Web Help & Tutorial
Fees
Forms
Guides & Manuals
Help
Search Aids
Resources
Board of Patent Appeals & Interferences
Laws & Regulations
International Protection

TOP NEWS

USPTO Report Finds That Inadvertent Filesharing Threatens Personal, Government and Corporate Data
Users May Be Unaware of Threats from Filesharing Programs

The Department of Commerce's United States Patent and Trademark Office (USPTO) has released a report that concludes that the distributors of five popular filesharing programs repeatedly deployed features that they knew or should have known could cause users to share files inadvertently. The report, *Filesharing Programs and "Technological Features to Induce Users to Share,"* identifies five features in recent versions of five popular filesharing programs that could cause users to inadvertently distribute to others downloaded files or their own proprietary or sensitive files.

"Computer programs that can cause unintended filesharing contribute to copyright infringement, and they threaten the security of personal, corporate, and governmental data," noted Jon Dudas, under secretary of commerce for intellectual property—the Bush Administration's point person on copyright policy.

[Read more](#)

Click for Patent/Publication search

HIRING NOW
Great Opportunities available for Patent Examiners
USPTO JOBS


2006 Performance & Accountability Report

Strategic Plan
2007-2012

STOP FAKES .GOV
SMALL BUSINESS Intellectual Property Help from the United States Patent and Trademark Office

ACCELERATED EXAMINATION
of patent applications
FINAL DISPOSITION WITHIN 12 MONTHS




United States Patent and Trademark Office
PATENTS

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Patent Electronic Business Center > Patent Full-Text and Full-Page Image Databases

Issued Patents (PatFT)

(full-text since 1976, full-page images since 1790)

- Quick Search
- Advanced Search
- Patent Number Search
- View Patent Full-Page Images
How to View Patent Images
- Status & Event History
- Database Contents
- Help Files

Published Applications (AppFT)

(published since 15 March 2001)

- Quick Search
- Advanced Search
- Publication Number Search
- View Publication Full-Page Images
How to View Published Application Images
- Status & Event History
- Help Files

Method of searching in Issued Patent database & Published Application database is same



USPTO PATENT FULL-TEXT AND IMAGE DATABASE

[Home](#) | [Quick](#) | [Advanced](#) | [Pat Num](#) | [Help](#)
[View Cart](#)

Data current through March 6, 2007.

Search term option

Query [\[Help\]](#)
Term 1:
Term 2:
Select years [\[Help\]](#)
1976 to present [full-text]
1976 to present [full-text]
1979 to present [entire database]

Logical operator - Combines search terms
AND
OR
ANDNOT

Search field options
in Field 1: All Fields
All Fields
Title
Abstract
Issue Date
Patent Number
Application Date
Application Serial Number
Application Type
Assignee Name
Assignee City
Assignee State
Assignee Country
International Classification
Current US Classification
Primary Examiner
Assistant Examiner
Inventor Name
Inventor City
Inventor State
Inventor Country

Search duration option
When searching for specific number in the Patent

The Date, Patent Number, and Current US Classification must be seven characters in length, excluding commas, which are optional



USPTO PATENT FULL-TEXT AND IMAGE DATABASE

[Home](#)
[Quick](#)
[Advanced](#)
[Pat Num](#)
[Help](#)
[View Cart](#)

Data current through March 6, 2007.

Step 1: Search term input
Step 2: Field of search
Step 3: Click Search button

Query [\[Help\]](#)

Term 1: in Field 1:

AND

Term 2: in Field 2:

Select years [\[Help\]](#)
1976 to present [full-text]

Patents from 1790 through 1975 are searchable only by Issue Date, Patent Number, and Current US Classification. When searching for specific numbers in the Patent Number field, patent numbers must be seven characters in length, excluding commas, which are optional.

Logic
(Term1 AND Term2) = Mobile AND Antenna
Search Scope - Title

Searching US Patent Collection...

Results of Search in US Patent Collection db for: Total # of hits
TTL/Mobile AND TTL/Antenna: 346 patents.

Hits 1 through 50 out of 346 Display limit

Next display
list option

Jump to specific
option

Logic refine
option

TTL/Mobile AND TTL/Antenna

TTL = Search field option
selected previously

Mobile, Antenna = Search
terms

AND = Logical operator

PAT. NO.	Title
1 7,187,332 T	Mobile wireless communications device with human interface diversity antenna and related methods
2 7,183,986 T	Device and method for improving a radiation pattern of a mobile wireless terminal with a built-in antenna
3 7,177,667 T	Antenna remote control apparatus of mobile communication base station system
4 7,177,342 T	Apparatus and method for transmission beam forming of antenna array in a mobile communication system
5 7,170,464 T	Integrated mobile communication antenna
6 7,167,130 T	Internal antenna and flat panel antenna assemblies and mobile terminals including the same

Search results display – Display limit is 50 patents/page

Click to see full text
including images

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

Home
Quick
Advanced
Pat Num
Help

Hit List
Next List
Next
Bottom

View Cart
Add to Cart

Images

Displaying

- Title
- Abstract

Displaying

- Patent number
- Publication date

United States Patent
Kozys, et al.

7,187,332
March 6, 2007

Mobile wireless communications device with human interface diversity antenna and related methods

Abstract

A mobile wireless communications device may include a portable handheld housing, and a wireless transceiver carried by the housing. A pair of antennas are positioned in side-by-side relation preferably in the upper portion of the portable handheld housing. A human interface diversity controller is connected to the wireless transceiver to preferentially operate with the plurality of antennas based upon a relative position of the portable handheld housing with respect to a hand of a human user. The device can select or weight the antennas based upon the position of the device when being held by a user.

Inventors: Kozys; Vyatas (Ancaster, CA); Qi; Yihong (Waterloo, CA)

Assignee: Research in Motion Limited (Ontario, CA)

Appl. No.: 11/067,935

Filed: February 28, 2005

Displaying

- Inventor name
- Assignee name
- Application number
- Date of filing

Note: This is a partial view of full text patent, only bibliographic data selected for displayed

Example - Advance Search In USPTO

United States Patent and Trademark Office
PATENTS

Home
Site Index
Search
FAQ
Glossary
Guides
Contacts
eBusiness
eBiz alerts
News
Help

Patent Electronic Business Center > Patent Full-Text and Full-Page Image Databases

Issued Patents (PatFT)
(full-text since 1976, full-page images since 1970)

- Quick Search
- Advanced Search
- Patent Number Search
- View Patent Full-Page Images
How to View Patent Images
- Status & Event History
- Database Contents
- Help Files

Published Applications (AppFT)
(published since 15 March 2001)

- Quick Search
- Advanced Search
- Publication Number Search
- View Publication Full-Page Images
How to View Published Application Images
- Status & Event History
- Help Files

**Method of searching in
Issued Patent database &
Published Application
database is same**

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

Text box for multiple term search, multiple logical operator search strategy

[Home](#)
[Quick](#)
[Advanced](#)
[Pat Num](#)
[Help](#)
[View Cart](#)

Data current through March 6, 2007.

Query [\[Help\]](#)

Examples:

ttd/tennis and (racquet or racket))

isd/1/8/2002 and motorcycle

in/newmar-julie

Select Years [\[Help\]](#)

1976 to present [full-text] ▼

Patents from 1790 through 1975 are searchable only by Issue Date, Patent Number, and Current US Classification.

When searching for specific numbers in the Patent Number field, patent numbers must be seven characters in length, excluding commas, which are optional.

Field Code	Field Name	Field Code	Field Name
PN	Patent Number	IN	Inventor Name
ISD	Issue Date	IC	Inventor City
TTL	Title	IS	Inventor State
ABST	Abstract	ICN	Inventor Country

Table of abbreviations that can be used during search, partially displayed here

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

[Home](#)
[Quick](#)
[Advanced](#)
[Pat Num](#)
[Help](#)
[View Cart](#)

Data current through March 6, 2007.

Query [\[Help\]](#)

((Mobile OR Cellular OR Cell) AND (Phone) AND (Multi-band OR Dual-band OR Two-Band Or 2-band) AND (Antenna OR Aerial) AND (band))

1 1976 to present [full-text] ▼

Example of search with AND OR operator in multiple field simultaneously with filed restriction by issue date (isd/) & inventor name (in/)

Examples:

ttd/tennis and (racquet or racket))

isd/1/8/2002 and motorcycle

in/newmar-julie

Patents from 1790 through 1975 are searchable only by Issue Date, Patent Number, and Current US Classification.

When searching for specific numbers in the Patent Number field, patent numbers must be seven characters in length, excluding commas, which are optional.

Field Code	Field Name	Field Code	Field Name
PN	Patent Number	IN	Inventor Name
ISD	Issue Date	IC	Inventor City
TTL	Title	IS	Inventor State
ABST	Abstract	ICN	Inventor Country

Logic

1. Term 1 with synonyms connected with OR operator
2. Further Term 2 Term 3 Term 4 connect with each other through AND operator
3. This is a example of full text patent search not restricted by any field

Searching US Patent Collection...

Results of Search in US Patent Collection db for:
 (((((Mobile OR Cellular) OR Cell) AND Phone) AND (((Multi-band OR Dual-band) OR Two-Band) OR 2-band)) AND (Antenna OR Aerial)) AND band): 562 patents.
 Hits 1 through 50 out of 562

Hit count display

System generated logic display

Next 50 Hits

Jump To

Logic refine option

Refine Search

PAT. NO.	Title
1 7,188,185	Federated multiprotocol communication
2 7,187,959	Antenna structure for devices with conductive chassis
3 7,187,945	Versatile antenna switch architecture
4 7,187,910	Directional coupler and dual-band transmitter using the same
5 7,187,663	Flexible processing system
6 7,187,338	Antenna arrangement and module including the arrangement
7 7,187,331	Embedded multiband antennas

Hit display with title and patent number

Example - Number Search In USPTO

United States Patent and Trademark Office

PATENTS

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

Patent Electronic Business Center > Patent Full-Text and Full-Page Image Databases

Issued Patents (PatFT) (full-text since 1976, full-page images since 1790)	Published Applications (AppFT) (published since 15 March 2001)
<ul style="list-style-type: none"> Quick Search Advanced Search Patent Number Search View Patent Full-Page Images How to View Patent Images Status & Event History Database Contents Help Files 	<ul style="list-style-type: none"> Quick Search Advanced Search Publication Number Search View Publication Full-Page Images How to View Published Application Images Status & Event History Help Files

Method of searching in Issued Patent database & Published Application database is same

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

[Home](#)[Quick](#)[Advanced](#)[Pat Num](#)[Help](#)[View Cart](#)

Data current through March 6, 2007.

Enter the patent numbers you are searching for in the box below.

Patent number insert option

Query [\[Help\]](#)

All patent numbers must be seven characters in length, excluding commas, which are optional. Examples:

Utility -- 5,146,634 6923014 0000001

Design -- D339,456 D321987 D000152

Plant -- PP08,901 PP07514 PP00003

Reissue -- RE35,312 RE12345 RE00007

Defensive Publication -- T109,201 T855019 T100001

Statutory Invention Registration -- H001,523 H001234 H000001

Re-examination -- RX29,194 RE29183 RE00125

Additional Improvement -- AI00,002 AI000318 AI00007

Example of
various patent
number input
format

Note:

1. Do not include US before patent #
2. Only US patents searchable here

