

- The mere arrangement or re-arrangement or duplication of known devices each functioning independently of one another in a known way.
- A method of agriculture or horticulture .
- Any method of performing a mental task or playing a game.
- Inventions pertaining to Atomic energy
- Computer programs
- Plants and animals in whole or any part thereof other than microorganisms but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals.
- A literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever including cinematographic works and television productions.
- A presentation of information.

APPLICATIONS FOR PATENTS

An application for a patent may be submitted by:

1. Any person claiming to be the **true and first** inventor of the invention.
2. Any person being the **assignee** of the person claiming to be the true and first inventor in respect of the right to make such an application.
3. By the **legal representative of any deceased** person who immediately before his death was entitled to make such an application.

Documents to be submitted along with patent application

- Application Form in duplicate (Form 1)
- Provisional or Complete Specification (Form 2) In case of provisional specification the complete specification must be filed within 12 months.
- Drawing in duplicate if necessary
- Abstract of invention in duplicate
- Information of Undertaking listing the no., filing date & current status of each foreign patent application. (form 3) in duplicate
- Priority Document
- Declaration of Inventorship (form 5)

The registrar then informs all concerned persons and on hearing the patentee and any opposition, if he feels he may allow the surrender of the patent

REVOCATION OF A PATENT

A patent may be revoked by the High Court or an Appellate Board on any of the following grounds:

- ❖ The specifications claimed in the application have already been given in a prior application.
- ❖ The patent was granted to a person who is not entitled to apply for it.
- ❖ The patent was granted wrongfully.
- ❖ The patent was obtained by false representation.

How does a patent expire

A patent can expire in the following ways:

A) The patent has lived its full term.

B) The patentee has failed to pay the renewal fee.

C) The validity of the patent has been successfully challenged by an opponent by filing an opposition either with the patent office or with the courts.

As soon as the patent expires anybody can use it without the permission of the original inventor .

FEES

- 1) The fees payable under section 142 in respect of the grant of patents and applications therefore, and in respect of other matters for which fees are required to be payable under the act shall be as specified in the first schedule.
- 2) The amount of the fees varies from 1000-4000.
- 3) The fees, payable under the act may either be paid in cash or may be sent by bank draft or cheque payable to the controller of patents.

Renewal

Renewal fee is to be paid only from the third year onwards and is to be paid before the expiry of the second year from the date of