



FACULTY OF JURIDICAL SCIENCES

COURSE: BALLB/BBALLB/LLB

SEMESTER SUBJECT:

INTELLECTUAL PROPERTY RIGHTS

SUBJECT CODE:

BALLB808/BBALLB808/LLB 604

NAME OF FACULTY: PANKHURI SRIVASTAVA

Lecture- 14



LECTURE 14: PATENT LAW: APPLICATION PROCEDURE

- Section 6 to 11 of the Act lists the conditions to be satisfied by applicant for grant of Patent.
 - Section 6 stipulates who can apply for Patents.
 - Section 7 provides forms for Patent application.
 - Persons entitled to apply for Patents
 - Meaning of true and first inventor
 - A person who converts an idea or scientific principles into an working invention is the first or true inventor.
 - He should also be the first applicant for Patent.
 - Assignee of an inventor.
- ▣ Form of application for Patent.
 - ▣ The Patent application has to be filed by
1. True and first inventor himself.
 2. Assignee of true and first inventor.
 3. Legal representative of true and first inventor, in case of death of true and first inventor prior filing the application.
 - The application has to be filed in triplicate in appropriate Patent office.
 - Application for grant of Patent must contain.
 1. A request for Patent.
 2. Identification of applicant.
 3. A description of an invention.
 4. The filing fee.
 - Necessary documents.

1. Provisional complete specification (3 copies).
 2. Drawings (if necessary, 3 copies)
 3. Statement or undertaking in form 3.
 4. Power of authority.
 5. Prescribed fee.
- From the date of application till the date of grant of Patent the Patent holder can enjoy the privileges of Patent, except suing for infringement.