



GUJARAT TECHNOLOGICAL UNIVERSITY

Program Name: Post Graduate Diploma In IPR

Level: Post Graduate Diploma

Course / Subject Code : PR01095021

Course / Subject Name : Patent Prosecution in India

W.e.f. Academic Year:	2024-25
Semester:	1
Category of the Course:	Core Course

Prerequisite: A bachelor's degree in law, business, pharmacy, science, engineering or a related field would provide a solid foundation for understanding the legal and commercial aspects of intellectual property.

Rationale: The course aims to provide students with a thorough understanding of patent searching using free and paid databases, types of patent applications for filing, drafting of different patent applications, application filing procedure in India.

Course Scheme:

Teaching Scheme (in Hours)			Total Credits L+T+ (PR/2)	Assessment Pattern and Marks				Total Marks
L	T	PR	C	Theory		Tutorial / Practical		
				ESE (E)	PA / CA (M)	PA/CA (I)	ESE (V)	
4	1	-	5	100	50	-	-	150

Course Content:

Sr. No.	Course Content	No. of Hours (L)	% of Weightage
1	Overview of Patent Search: Overview of Patent Search: Advantages & Objectives of Patent Search; Types of Patent Search: Novelty Searches/Patentability Search, Validity Search, Infringement Searches, Clearance Search, State-of-the-art searches, Patent Landscape Search; Patent Search Methodology: Problem-Solution Approach, Selection of Patent Search-database, Conducting The Patent Search, Text Search, Classification Search, Citation Search; Open Source and Paid Databases for Patent Search: Open Source/Free Databases, Advantages, Disadvantages, Important open source/free databases, Paid/Commercial Databases, PatSeer, LexisNexis, Questel Orbit, Thomson innovation, STN; Tools for Patent Analysis & Data Mining: Objectives of 'Patent Analysis, Patent mining for the enduring company, Software for	15	25



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	Patent Analysis and Patent Mining; International Patent Classification: Objectives of the IPC, History of the IPC, Reform of the IPC, Cooperative Patent Classification (CPC) System. Case Studies/ Practice		
2	Pre-Drafting Requirements Pre-Drafting Requirements: Types of Patent Application: Provisional application, Complete patent application or Non-provisional application, Convention application, PCT International application, PCT National phase application, Patent of addition, Divisional application, Anatomy/Typical Parts of Patent Specification, Drafting of Complete Patent Specification: Title, Field of the Invention and use of Invention, Prior Art and problem to be solved, Summary of the Invention, Detailed Description of the Invention, Drawings, Abstract, Best Method, Claims; Drafting of Claims: Unity of invention and clarity of claims, Significance of Claims, Scope of claims, Types of Claims. Case Study/ Practice	15	25
3	Patent Filing Procedure In India Patent Filing Procedure in India: Basics and Applicant Details, Types of Patent Applications, Ordinary, Convention, PCT, Divisional, Patent of Addition, Filing Procedure and Fees, Overview of the PCT Process, International Phase: Receiving Office, International Search Report, Written Opinion, International Preliminary Examination, Entry into the National Phase, Requirements and Costs, Patent of Addition: Term, Divisional Application: Priority, Forms and E-Filing,	15	25
4	Patent Prosecution In India Publication of Patent Application (Section 11a, Rule 24), Early Publication (Section 11A (2), Rule 24A), Particulars of Publication (Section 11A), Effects of Publication (Section 11A (6); Rule 27, 55(1A)), Request for Examination (Section 11B, 35; Rule 24B), Reference for Examination (Section 11A, 12; Rule 24B(2)(i)), First Examination Report (FER) of Examiner (Section 3, 4, 12, 13), Consideration of the Report by Controller and issuance of FER (Section 3, 4, 14, 15, 18, 21), Time Limit for Different Phases of Prosecution, Pre-Grant Opposition (Section 25(1); Rule 55), Grounds for Pre-grant opposition (Section 25(1)), Post-Grant Opposition (Section 25(2); Rule 55a, 60, 126, 127), Grounds for Post-Grant Opposition (SECTION 25(2))	15	25



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Reference Books:

- Adarsh Ramanujan, Patent Law Cases and Materials: A Synthesis for India, Wolters Kluwer India Pvt.
- N.R. Subbaram, Patent Law Practices & Procedures, Lexis Nexis
- Dr. Sheetal Chopra, A Book on Indian Patenting System and Patent Agent, Notion Press
- Ananth Padmanabhan, Intellectual Property Rights-Infringement And Remedies, Lexis Nexis.
- D Hunt, Patent Searching - Tools and Techniques: Tools & Techniques, John Wiley & Sons Inc
- WIPO Patent Drafting Manual

Course Outcome:

After Completion of the Course, Student will able to:

No	Course Outcomes	RBT Level
1	Understanding Patent Search: Students will be able to conduct effective patent searches using various methodologies and databases.	UN, AN, AP
2	Patent Drafting Essentials: Students will draft patent applications, including specifications and claims, adhering to legal standards.	UN, AN, AP
3	Patent Filing Process in India: Students will navigate the Indian patent filing process, understanding application types, associated fees, and requirements.	RM, UN, AP
4	Patent Prosecution Overview: Students will grasp the stages of patent prosecution in India, including publication, examination, and opposition procedures.	RM, UN, AP

*RM: Remember, UN: Understand, AP: Apply, AN: Analyze, EL: Evaluate, CR: Create
