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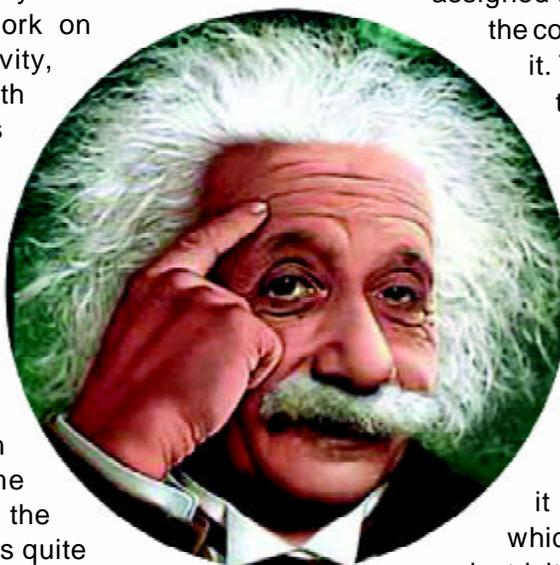
INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 11, NO. 4, April, 2005

A tribute to Albert Einstein – a case study of a patent granted to Einstein and his student

Albert Einstein, a role model for scientists and budding scientists, has become almost a household name all over the globe and the centenary year 2005, of the year 1905 when he published his work on structure of light and relativity, will bring more familiarity with his name and works. He is known for his "Theory of Relativity". Many of us also know that he received his Nobel Prize for his work on 'Photoelectric Effect' and contributions to theoretical physics. Very little is known about his work on refrigeration, especially home refrigerators even among the scientific community. This is quite similar to works of Galileo who is little known for his invention of a water raising machine; most people know him for his laws of gravitation. Interestingly, Galileo had requested the King to award him exclusive rights for the use of his invention and prohibiting others from using it.

An accident took place in Berlin sometime in the 1920s when a family died due to rupture of a seal in a refrigerator leading to leakage of toxic fumes. Einstein being a good and super sensitive human being, thought that by removing all the moving parts from a refrigerator the chances of such accidents will be minimized. Thus evolved



the idea of an invention which brought US patent 1,781,541 to Einstein and his student, Leo Szilard on November 11, 1930. The patent was assigned to Electrolux, USA. However,

the company never commercialized it. The PFC brings to its readers the analysis of this patent as a tribute to the great scientist and a humanist. There are other reasons as well to discuss this patent. Firstly, the refrigeration system does not have any moving part; all refrigeration systems in use have moving parts like motors, compressors, etc. Secondly, it requires only a heat source, which could be a small gas burner, electricity or even solar energy. Thirdly,

this patent may open a new research thought process as it gives lead to alternative refrigeration systems. It is reported that very little work has been done around this patent even 70 years after it was granted. This team obtained many other patents on refrigeration, mostly in Germany; the number is reported to be 45 (gtalumni.org).

Prior art

The invention relates to the art of refrigeration including an apparatus and method, wherein the refrigerant evaporates in the presence of an inert gas. Such a concept was used in the US patent

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A Tribute to

1,685,764, granted in September 1928. The difference was mainly in the choice of refrigerant.

Description

Figure 1 describes the complete apparatus. Evaporator 1 is kept within a chamber to be cooled. Conduit 5 connects the upper part of the evaporator to the middle of condenser 6. Conduit 11 is meant to bring condensed refrigerant from condenser 6 to the evaporator 1 and is connected to 6 at a level lower than that of 5. Condenser 6 is surrounded by a cooling water jacket 12.

Conduit 27 from the bottom of condenser 6 is connected to a heat exchanger 28. The upper part of 28 is connected to the lower part of generator 29 which can be heated in any manner. Conduit 30 communicates with the upper part of generator 29 and extends within the evaporator and terminates into distributor 31. Conduit 32 extends upwardly from within the lower part of 29 and communicates with another container 33 placed at a level above that of condenser 6. A source of heat 36 is provided for heating conduit 32 at a point above 29. The conduit 37 extends downwardly and passes through 28 and then opens into condenser 6 through a distributor 35. The conduit 37 passes through a water jacket 12. A vent conduit 34 is connected to the upper part of condenser 6 and connected to 33.

The pressure existing in generator 29 must be sufficiently greater than that existing in the upper part of the evaporator to cause the flow of vapour to take place from the distributor head 31 or in other words, to overcome liquid head designated as h_2 . The excess in the generator is balanced by the column of liquid equal to the differences in levels between the liquid in condenser 6 and

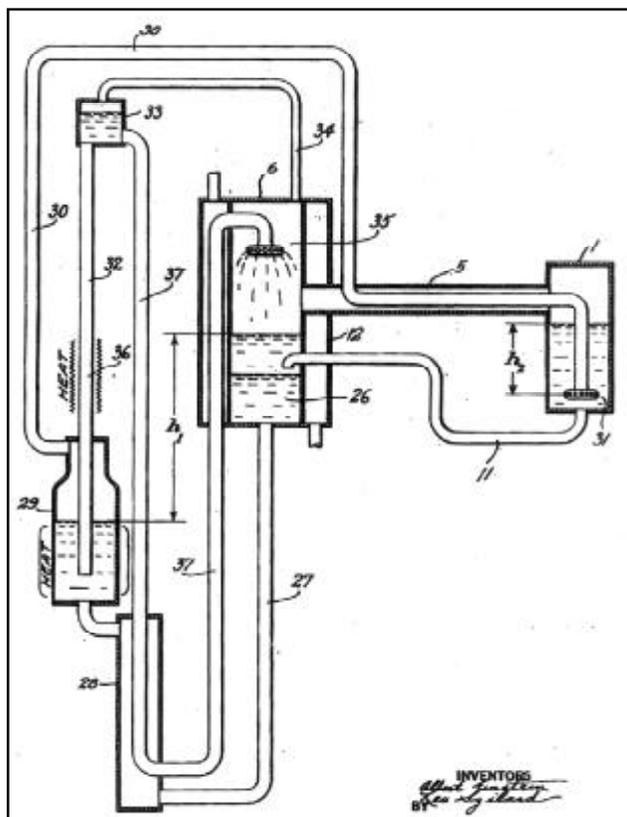
generator 29, indicated by h_1 . It is necessary that h_2 is lower than h_1 for flow to take place.

Operation

A suitable refrigerant, such as butane, in liquid form is introduced in the evaporator 1. An inert gas, for instance ammonia, is introduced into 1 through the conduit 30 and distributor 31. The refrigerant evaporates in the evaporator in the presence of the inert gas due to the fact that the partial pressure of the refrigerant is reduced thereby and the resulting gaseous mixture passes through 5 to the condenser 6. Here the mixture comes into contact with an absorption liquid, say

water, which is introduced into 6 through the conduit 37 and distributor head 35. Ammonia gas is highly soluble in water but the butane is not. Thus ammonia gets dissolved in water leaving the butane gas free. The butane gas assumes the complete pressure and this pressure is sufficient to liquefy the butane gas at the temperature maintained therein by the cooling water. Butane being lighter than ammonia solution in water, collects over the ammonia solution. The liquid butane passes from the condenser 6 to the evaporator 1 through the conduit 11, where it is again evaporated.

The ammonia solution flows by gravity from 6 to the heat exchanger 28 through the conduit 27 and enters into the generator 29. The solution is heated in 29 and ammonia gas is expelled from the solution and it escapes through the conduit 30 and distributor head 31 into the evaporator 1. Water containing little ammonia passes through the conduit 32, where it is further heated by the heat source 36. This heating causes the formation of vapour in conduit 32, which lifts the liquid to the container 33. The liquid thus supplied to 33 can flow by gravity through the conduit 37 to the condenser 6. The liquid loses heat as it passes



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A Tribute to

through 28 and the water jacket 12. This liquid is then ready to absorb ammonia coming from the evaporator.

Claims

The patent has five claims, some of them are produced below:

1. Refrigerating apparatus comprising a generator, a condenser arranged at a higher level than the generator, an evaporator, a container arranged at a higher level than the condenser, said generator containing an inert gas dissolved in absorption liquid and adapted to expel the inert gas from solution, a conduit for conducting the inert gas from the generator to the evaporator, a conduit for conducting liquid refrigerant from the condenser to the evaporator, a conduit for conducting mixed vapour of refrigerant and inert gas from the evaporator to the condenser in heat exchange relation with inert gas passing into the evaporator, a conduit for conducting rich absorption liquid from the condenser to the generator by gravity, a conduit for conducting weak absorption liquid from said container to said condenser by gravity, a conduit extending upwardly from said generator to said container and means to heat the last mentioned conduit to lift liquid from the generator to the container and a vent conduit connecting the upper part of the said container with said condenser.

2. Refrigerating apparatus comprising a generator, a condenser arranged at a higher level than the generator, an evaporator, a container arranged at a higher level than the condenser, said generator containing ammonia dissolved in water and adapted to expel ammonia from solution, a conduit for conducting the ammonia gas from the generator to the evaporator, a conduit for conducting liquid butane from condenser to the evaporator, a conduit for conducting mixed vapour of butane and ammonia from the evaporator to the condenser in heat exchange relation with ammonia gas passing into the evaporator, a conduit for conducting strong solution of ammonia in water from the condenser to the generator by gravity, a conduit for conducting weak solution of ammonia in water from the said container to said condenser by gravity, a conduit extending upwardly from said generator to said container and means to

heat the last mentioned conduit to lift liquid from the generator to the container.

3. Refrigerating apparatus comprising a generator, a condenser arranged at a higher level than the generator, an evaporator, a container arranged at a higher level than the condenser, said generator containing ammonia dissolved in water and adapted to expel ammonia from solution, a conduit for conducting the ammonia gas from the generator to the evaporator, a conduit for conducting liquid butane from condenser to the evaporator, a conduit for conducting mixed vapour of butane and ammonia from the evaporator to the condenser in heat exchange relation with ammonia gas passing into the evaporator, a conduit for conducting strong solution of ammonia in water from the condenser to the generator by gravity, a conduit for conducting weak solution of ammonia in water from the said container to said condenser by gravity, a conduit extending upwardly from said generator to said container, means to heat the last mentioned conduit to lift liquid from the generator to the container and a vent conduit connecting the upper part of said container with said condenser.

4. Method of refrigerating, which comprises evaporating a liquid cooling agent in the presence of an inert gas to absorb heat and thus forming a gaseous mixture of cooling agent and inert gas, conveying the gaseous mixture into the presence of an absorption liquid at such condition that the cooling agent condenses on being deprived of inert gas in gaseous mixture therewith due to the introduction of absorption liquid into the presence of inert gas, separating the solution of inert gas in absorption medium from the condensed cooling agent, returning the condensed cooling agent to the presence of the inert gas, separating the inert gas and absorption liquid by heat, circulating the absorption liquid by means of a separate source of heat to the presence of the gaseous mixture of cooling agent and inert gas and returning the inert gas to the presence of the liquid cooling agent.

Einstein had worked in the Swiss Patent Office as an examiner. His expertise is reflected in drafting when the word conduit is mentioned. It does not say 'pipe' or 'tube' or 'channel' or 'duct' but uses the word conduit instead making the choice very broad and in turn making the claims broad.

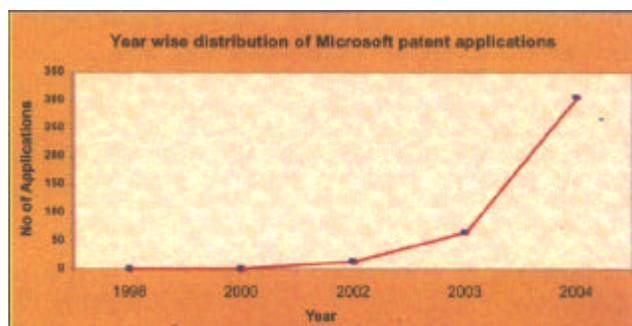
Further, who says that Noble Prize winners do not obtain patents !

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Quick response patenting: Microsoft increases its filing in India by 5 times

Microsoft is known for its innovative accumen and expertise of converting its innovations into commercial products. It has had its operations in India for more than 10 years but it never took keen interest in protecting its innovations through patents in India. One important reason for keeping away from filing in India could be that the Indian Patent Act was silent on patenting of software. However, the practice was to avoid grant of software patents. The amendment of May 2003, specifically mentioned that patents for software *per se* would not be granted and the same provision is being incidentally maintained in the latest amendments. The stipulation however, opens a new area, that a software will be patentable if it is not a software *per se*. This would lead to opportunities and scope for many different interpretations to specific situations. Microsoft appears to be fully aware of such legal openings. Hence, we observe a distinct behavior in respect of Indian filing. The table shows the number of applications filed by Microsoft and the graph gives the patenting trend followed by Microsoft in India.

Year	No of Applications
1998	1
1999	0
2000	1
2001	0
2002	14
2003	67
2004	306

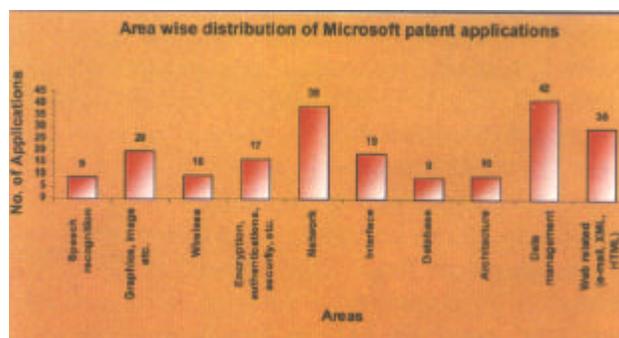


The jump in filing is steep and noteworthy. Some of the major findings of the study of Microsoft patent applications based on the Ekaswa patent database from 1995 to 2004 are:

Total Applications filed (1995-2004)	389
No of Convention Applications	309
No of PCT Applications filed in India	12
No of PCT Applications which have come in the National Phase in India	18

Areas

Broad areas in which the company has filed applications relate to speech recognition, graphics & images, wireless computations, security related software, network operations, interface systems, database, computer architecture, web based applications and data management. Applications filed in various areas are:



Area	No. of Applications
Data management	42
Network	39
Web related (e-mail, XML, HTML)	30
Graphics, image etc.	20
Interface	19
Encryption, authentication, security etc.	17
Wireless	10
Architecture	10
Speech recognition	9
Database	9

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Quick Response

Data management

Microsoft has filed maximum number patent applications for data management. These applications include compressing and decompressing EPG data, system and method for message based scalable data, reliable delivery of multi cast conferencing data, data stream header object protection, exposing a report as a schematized queryable data source, efficient access to variable length data on a sequential access storage medium, dynamic substitution of USB data for on the fly encryption decryption, system and method for intra package delta compression of data, presentation of data based on user input, method and system for encoding and decoding video data to enable random access and splicing, etc.

Network

Microsoft's 39 patent applications on network include providing information links via a network, network zones, network load balancing with host status information, network based software, automatic discovery and configuration of external network device, method for managing network filter based policies, multi layer based method for implementing network firewalls, providing SCSI device access over a network, secure hierarchical name spaces in peer to peer networks, method and framework for integrating a plurality of network policies and others.

Web related applications

Web related patent applications include web pagerendering mechanism using external programmatic themes, transport system for instant messaging, system and method for issuing a message to a program, instant messaging object store, framework for creating modular web application, method and system for web based event notification, system and method for issuing a message to a program, systems and method for client based web crawling, WAP XML extension to define VPN connections, etc.

Graphics, Image, etc

Applications in this area include time references of multimedia objects, hardware enhanced graphics acceleration of pixel sub-component oriented images, systems and methods for providing intermediate targets in a graphics system, image file container, multithreaded kernel for graphics processing unit, software image creation in a distributed build environment, methods and systems for authentication of components in a graphics systems, full scale video with overlaid graphical user interface and scaled image, etc.

Interface

Applications on interface include programming interface for a computer platform, dynamic wizard interface system and method, semantic object synchronous understanding for highly interactive interface, interface for presenting data representations in a screen area inset, common query runtime system and application programming interface, providing remote driver interface over a wireless radio frequency medium.

Encryption, authentication, security etc.

Under this area the applications have been filed for security link management in dynamic networks, system and method for automatic negotiation of a security protocol, selective pre authentication to anticipated primary wireless access points, dynamic substitution of USB data for on the fly encryption decryption, fully scalable encryption for scalable multimedia, coordinated network initiator management that avoids security conflicts, etc.

Wireless, architecture, speech recognition, database

For these areas, Microsoft has filed applications like providing remote driver interface over a wireless radio frequency medium, using directional antennas to enhance through put in wireless networks, multi layer firewall architecture, modular object serialization architecture, speech recognition enhanced caller identification, distributed speech recognition for mobile communication devices, micro monitor to monitor database environments, database objectscript generation method and system and others.

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Case Law

Know your new enemy: Phishing

Internet has revolutionized the information flow in the world. Any kind of information from any part of the world can be accessed by just sitting in one's room on a PC with the internet connected. But as every rose has a thorn, internet has also given birth to new kind of crimes, specific to internet only; which had no existence prior to the launch of the internet. Phishing is one such act done through internet which gives birth to e-mail scams. According to a definition of Webopedia Computer: "Phishing (pronounced as fish'ing) is an act of sending an e-mail to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft. The e-mail directs the user to visit a website where they are asked to update personal information, such as passwords and credit card, social security, and bank account numbers, that the legitimate organization already has. The website, however, is bogus and set up only to steal the user's information."

Phishing, also referred to as brand spoofing or carding, is a variation on "fishing," the idea being that bait is thrown out with the hopes that while most will ignore the bait, some will be tempted into biting.

The word phishing comes from the analogy that internet scammers are using e-mail lures to fish

for passwords and financial data from the sea of internet users. The term was coined in 1996 by hackers who were stealing AOL internet accounts by scamming passwords from unsuspecting AOL users. Since hackers have a tendency to replacing "f" with "ph" the term phishing was derived.

Very recently a case on phishing was decided by the Delhi High Court, wherein an Indian judge awarded Rs. 16 lakhs as damages. This is the first phishing case that the country's courts have dealt with. The defendants, a member of staff at the recruitment company and his employers, had used NASSCOM's trademark in e-mails they sent to IT companies to get hold of personal data and CVs that they then used in their head-hunting business.

Case History

The present case was fought between National Association of Software and Service Companies (NASSCOM) and employees of a recruitment agency. NASSCOM is a premier trade body and the chamber of commerce of the IT software and services industry in India. NASSCOM is a truly global trade body with around 850 members, of which nearly 150 are global companies from the US, UK, EU, Japan and China.

NASSCOM filed the present suit for a decree of permanent injunction restraining the defendants or any person acting under their authority from circulating fraudulent e-mails purportedly originating from the plaintiff of using the

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Domestic News

After software, financial services and clinical research, outsourcing IPR could soon emerge as the new KPO (Knowledge process outsourcing), in which India can become a global player. More than half a dozen companies in India have also set up facilities to provide IPR related services from search to document writing, global filing, legal advice on infringement etc. These include IP Matrix, Patent Matrix, Evaluate Serve, Intelvet, SciTech Patent Art Services, which are trying to make a mark in this niche market.

(Business Line, April 26, 2005)

Fashion designer Sumeet Verma has accused fellow designer Aki Narula for allegedly using a design from his Fall 2003 collection to dress Rani Mukerjee in the yet to be released film Bunti aur Babli. The dress is a blue layered chiffon poncho with silk tassels paired with black bootleg trousers with ethnic border art work embroidery. Narula, who is the film's costume designer, denied the copycat allegations, saying that his team bought the outfit from Options, a designer store in Mumbai. The Fashion Design Council of India is to take appropriate action once investigations are completed.

(Hindustan Times, April 26, 2005)

With the changing patent environment in India, the world's largest drug maker-Pfizer, has started introducing new patented products in the country. The

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Case Law

trademark NASSCOM or any other mark confusingly similar in relation to goods or services. NASSCOM also made a prayer for rendition of accounts as well as damages.

There were four defendants to the suit. Defendants 2 and 3 were Ms. Shweta Ganguli and Ms. Preeti Malhotra. As per the averments made in the plaint, said two defendants were the authors of the offending e-mails which came to the notice of the plaintiff. It was informed to the court that defendants 1 and 4, through the medium of the present suit learnt about the offending acts and identified one Ms. Tithypoorna Ganguli as the person who was responsible for the offending acts. It was stated that defendants 2 and 3 were fictitious identities created by said Ms. Tithypoorna Ganguli.

The defendants, masqueraded as NASSCOM in order to obtain personal data from various addresses, which they could then use for head-hunting, went on the website as if they were a premiere selection and recruitment firm. NASSCOM alleged that from the office of defendants No. 1 and 4, offending e-mails were transmitted. The defendants 1 and 4 admitted in written that such act was done by their people.

Court's Verdict

The ad-interim injunction was granted against the defendants ex-parte on 2nd March, 2005, restraining them from using the trade name NASSCOM or any

other name deceptively similar thereto. Defendants were further restrained from holding themselves out as being associates or a part of NASSCOM. The court also directed execution of a commission to visit the premises of the defendants and take into custody the hard discs. Two hard discs were recovered on which offending e-mails were found. One e-mail dated 10.1.2003 written by defendant No. 3 (a fictitious person), another e-mail dated 11.1.2003 (another fictitious person) were downloaded from the hard disc. Defendants 1 and 4 had acknowledged their employees' illegal action as being violative of plaintiff's right and were ordered by the court to pay a sum of Rs.16,00,000 to the plaintiffs.

There is no legislation on phishing in India. An act which amounts to phishing, under the Indian law would be a mis-representation made in the course of trade leading to confusion as to the source and origin of the e-mail causing immense harm not only to the consumer but even the person whose name, identity or password is misused. It would also be an act of passing off as is affecting or tarnishing the image of the plaintiff.

How to protect yourself from being phished?

The golden rule to avoid being phished is to never ever click the links within the text of the e-mail. Always delete the e-mail immediately and then empty the trash box in your e-mail client. This will prevent accidental clicks from happening.

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Domestic News.....

company recently launched Vfend, a new antifungal drug from its global portfolio. Pfizer intends to bring 2-3 new products every year, till the Indian portfolio seems more or less in the company's global portfolio. Recently, GlaxoSmithKline scaled up its clinical data management services in India from the data entry level to clinical data management services. Last year, Novartis India had commissioned a software development centre in Mumbai.

(The Economic Times, April 27, 2005)

On the eve of World IPR day, NASSCOM (National Association of Software & Services Companies) in collaboration with BSA (Business Software Alliance) launched a new anti-piracy hotline in India to check software piracy, which caused \$367 million loss in 2004. Any individual can report under-licensing and/or use of illegal software at a workplace through this number. Such people can qualify for a reward of up to Rs five lakhs.

(Asian Age, April 27, 2005)

Microsoft India Development Centre (MIDC) based at Hyderabad has filed 40 patents in 2005 and expects to add 70 more in 2005. The managing director of Microsoft India R & D centre, Mr Srinu Koppolu said it has been a dream run for the R & D centre from a start up in 1998 with about 20 people to about 500 people with the nature of work constantly expanding.

(Business Line, April 15, 2005)

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Litigation Watch

In line with the IT industry's drive against software piracy, Delhi High Court has awarded Microsoft the first of its kind damages for Rs 19.75 lakhs in a civil copyright infringement case. The Delhi High Court passed judgment against the defendants Yogesh Popat and M/s Dyptronics Pvt Ltd of Mumbai, for indulging in hard disk drive loading of pirated or unlicensed software onto computers assembled and sold to customers.

(Business Standard, April 7, 2005)

Cigarettes major ITC Ltd is at both ends of a wrapper imitation war. Even as it prepares to counter a suit slapped on it by Cadbury India on issues of trademark infringement, the diversified tobacco major has turned its ire on a Hyderabad-based biscuits manufacturer Raj Agro for allegedly copying the design of its biscuit brand Sunfeast. The twist in the tale is that the Federation of Biscuits Manufacturers of India (FBMI), whose members include biscuit majors such as Britannia, are alleging high handedness by ITC in the episode. ITC is not a member of FBMI. Just a fortnight ago, Cadbury India had sued ITC for Rs 10 crore alleging damages on issues of trademark and copyright infringement of its brand Dairy Milk Eclairs.

(The Financial Express, April 26, 2005)

Ranbaxy Laboratories Ltd will appeal against the US District Court's preliminary injunction barring the Indian generics company and Teva Pharmaceuticals from selling quinapril tablets used for treating blood pressure in the US market as it was infringing Pfizer's patent for Accupril. Pfizer had asserted

that Ranbaxy's quinapril tablets, which have been marketed through an exclusivity relinquishment arrangement with Teva, were infringing its US patent both literally and under the doctrine of equivalents. Teva launched Ranbaxy's version of quinapril in December 2004 under its own label. The Israel-based generics company signed this agreement with Ranbaxy after losing a patent infringement suit involving the same Pfizer patent. It was then found that Teva's generic version of quinapril infringed the valid patent that expires in August 2007. Analysts tracking the sector said this decision by the US Court would hurt Ranbaxy as the company was hoping to generate about \$8-10 million from this product in the first year.

(Business Line, March 31, 2005)

The Austrian Patent Office has ruled in Ranbaxy's favour in a patent lawsuit with Pfizer for cholesterol - lowering drug, Atorvastatin. The Austrian Patent Office has invalidated three patent claims by Pfizer, the company said in a release. The Patent Office invalidated claims 1-3 of Austrian Patent No AT E 207 896, a Pfizer-owned published patent application and a Pfizer-owned patent. Pfizer can, however, appeal against the ruling. The global market for Atorvastatin in 2004 was \$12 billion. Ranbaxy, which is fighting the patent violation charges filed by Pfizer against it in the US, has made filings for its version of Atorvastatin in the US and Europe. The Austrian court agreed with Ranbaxy that the patent claims lack an inventive step over Pfizer's United States Patent No. 4,681,893.

(Business Line March 30, 2005)

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Domestic News.....

The government has indicated that it has decided "in principle" that India should join the Madrid System for International Registration of Trade Marks and Service Marks. It has taken six years for New Delhi to think of a step that should have logically followed the momentous decision it took in 1998 to join the Paris Convention on the Protection of Industrial Property, which lays down minimum legal standards for intellectual property rights (IPRs). The hesitation in joining the Madrid System relating to trade marks probably reflected apprehension that accession would benefit chiefly multinational corporations, which own thousands of trade marks. Such a negative attitude to trade marks is incomprehensible in a country where political parties often fight for the right to use names, flags, and symbols that have become popular with the electorate. The Madrid System governing trade marks offers a convenient procedural mechanism similar to what the PCT does in the case of patents; it is quite indispensable in the era of globalization.

(The Hindu, April 7, 2005)

Commerce Minister Kamal Nath constituted a technical expert group to study certain patent law issues in order to fulfil the promise made by the government to the Left parties on the floor of the Lok Sabha when the new patents bill was passed. The five-member

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Litigation Watch.....

A Wilmington jury has ruled that an eSpeed patent for electronic bond trading technology, which the company claimed ICAP had infringed, is invalid as it failed to satisfy written description requirements. The two companies are now awaiting final judgment on the jury findings and a judgment on the inequitable conduct claim against eSpeed. An appeal is likely, as eSpeed has already indicated that it expects to appeal certain findings to the Federal Circuit.

(Patent World, April 2005)

One of the hottest questions in modern trademark law has been answered by US District Court judge, Leonie Brinkema - the sale of online advertising linked to trademarked terms does not violate the rights of the trademark owner. In dismissing Geico's suit against Google on December 14, Judge Brinkema rejected claims by the auto insurer which argued Google had infringed its rights in GEICO by directing users who searched for GEICO to advertisements placed by rival insurers. Google has insulated itself from such claims by arguing it does its best to prevent ads which violate its intellectual property policy, which expressly prohibits the use of another company's trademark. If such advertisements were inadvertently published, the liability would lie with the advertiser, not Google itself, the Internet company claims.

(Trademark World, Feb 2005)

Italian grape growers' and Hungarian wine producers' dispute over protection of the geographical indication, "Tokaj" has been recently heard. In Hungary, the term is used to denote wines from a specific region, while in Italy, the Italian version of the same word, "Tokai" describes a type of grape traditionally cultivated in the north

Italian region of Friuli-Venezia Giulia. In 1993, the European Community and Hungary concluded an agreement on the reciprocal protection and control of wine names, and to protect the recognised Hungarian GI, "Tokaj", a prohibition due to come into effect in March 2007, was placed on the use of the name "Tocai".

Now, as the ban approaches, the local authority of Friuli-Venezia Giulia, and Italy's Regional Agency for Rural Development, are seeking to annul the Italian law enforcing the European ban. In his Opinion, Advocate General Jacobs advised that "Tokaj" is protected under the TRIPS Agreement as a geographical indication, whereas "Tokai", as the name of a type of grape, is not. The Advocate General concluded the prohibition was lawful.

(Trademark World, Feb 2005)

Yaqing Industry and Trade, a drinks manufacturer in China, filed a suit against Coca-Cola and its local bottler, Shenmei Drinks and Food. Yaqing claimed the characters for Coke's Qoo fruit drink, labeled "Ku-er" in Chinese, were similar to those of Yaqing's product, "Kuhai". The 'Kuer' labeling could mislead consumers since the characters for "Ku" were identical in both products (Ku-er and Ku-hai) and the characters "er" and "hai" both mean child in Chinese. Yaqing was seeking the destruction of the offending products, and wanted Coca-Cola to cease using the Ku-er branding besides issuing a public apology. Coca-Cola has settled the trademark suit brought by the Chinese competitor.

(Trademark World, Feb 2005)

International mobile phone manufacturer, Nokia, was recently victorious in an Iranian court battle that centered on the issue

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Domestic News.....

committee will be headed by R. A. Mashelkar, Director General, Council of Scientific and Industrial Research (CSIR), and will include as members Asis Datta, Director of National Centre for Plant Genome Research, Govardhan Mehta of the Indian Institute of Science, Bangalore, Madhav Menon of National Judicial Academy of Bhopal and Moolchand Sharma, Director of National Law Institute, University of Bhopal. The committee will examine whether it would be TRIPS (Trade Related Intellectual Property Rights) compatible to limit the grant of patents for pharmaceutical substance to new chemical entity or to new medical entity involving one or more inventive steps. It will also examine whether it is TRIPS compatible to exclude microorganisms from patenting.

(The Telegraph, April 7, 2005)

Indian entertainment industry experts gathered at the annual Frames conference, have voiced concern over growing piracy that is harming their business. Every speaker at the conference underlined the need to tackle piracy. According to a FICCI estimate, domestic movie industry suffered a loss of Rs 1,200 crore in 2004 alone. The Motion Pictures Association of America (MPAA) said the big Hollywood studios lost \$ 80 million in 2004. MPAA CEO Daniel Glickman said piracy can destroy Hollywood and Bollywood. I & B minister Jaipal Reddy said a bill to create an

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Litigation Watch.....

of whether or not the NOKIA mark was well known. An Iranian individual had filed to register NOKIAN in the Farsi language covering goods in class 12 in Iran. Nokia Corporation opposed claiming confusing similarity to its mark registered in classes 9 and 35. To strengthen its case, the multinational also filed a new application for NOKIA in class 12. The applicant, however, claimed NOKIAN in Farsi had no similarity to the mark NOKIA, but the court ruled otherwise, calling for the cancellation of the NOKIAN mark based on the international and prolonged use of NOKIA around the world. The decision was later upheld by Iran's Court of Appeal.

(Trademark World, Feb. 2005)

The publisher of Ideal Home magazine, IPC, alleged that Highbury House, the publisher of Home magazine, had copied key design features of the cover of its magazine and some internal features, through the use of similar fonts and layouts.

The copyright infringement claims were dismissed, finding that IPC's rights had not been infringed. IPC is now considering whether to appeal the decision. Highbury House intends to pursue the "fullest possible" contribution to its costs from IPC.

Ideal Home was launched in 1920 and sells around 270,000 copies a month, while Home is a more recent title, having launched in 1995, and has a circulation of approximately 60,000.

(Copyright World, Feb. 2005)

Microsoft Corp has filed 117 lawsuits against unknown Internet site operators who used 'phishing' schemes to obtain personal and financial information from

unsuspecting consumers. Microsoft has been engaged in a three year fight against virus writers, hackers, spammers and internet scam artists, saying that any harm against personal computer users could hurt Windows, the operating system that runs on more than 90 percent of the world's PCs.

(Hindustan Times, April 1, 2005)

Japanese electronics giant Sony Corps video game unit has been ordered to pay \$90.7 million to Immersion Corp of California. In damages over a patent infringement lawsuit in the United States related to the PlayStation2 console. Sony plans to appeal against the judgment. The District Court order suspends PlayStation sales, but that order does not hold while an appeal is being heard. Sony will continue to sell its game machines in the US. Sony's PlayStation platform is the No.1 home game console in the world.

(The Financial Express, March 28, 2005)

Pharma major Dr Reddy's Laboratories' stocks declined after losing a patent challenge case against Eli Lilly and Co. A US District court upheld the validity of a patent on Eli Lilly's blockbuster Schizophrenia drug 'Zyprexa', which was challenged by a trio of generic makers-Dr Reddy's, Ivax Corp and Teva Pharmaceuticals. Zyprexa had global sales of \$4.42 billion last year—nearly one third of Lilly's total revenue. According to analysts, the ruling comes as a set back to Dr Reddy's Labs, which was bidding to make a copy of Zyprexa and was looking forward to give a boost to bottom line after the lackluster performances in the past few quarters. Dr Reddy's said it will appeal to the Federal Circuit against a US court's decision and will continue to build its generic business in the US.

(Business Standard, April 8, 2005)

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Domestic News.....

independent content regulatory authority will be introduced in the monsoon session of Parliament. He would also take up issues related to fringe benefit tax which would impact the entertainment industry.

(The Times of India, April 6, 2005)

Indian patent coverage in Derwent World Patents Index

In response to the new significance of India as a patenting authority, the coverage of Derwent World Patents Index® (DWPI®) is being expanded to cover Indian patent pre-grant applications (national filings & PCT transfers) and granted patents, published from December 4, 2004 onwards. This will ensure that users of all of Thomson Scientific services containing DWPI data—including Thomson Pharma SM—will have access to all new Indian patent data issued since new patent legislation took effect.

The latest estimate is that Indian patent data will appear for the first time in Derwent World Patents Index® First View (DWPI First View) at the end of February 2005, and ongoing will be available approximately two weeks from publication. Fully indexed records—including Derwent Classification, manual coding, chemical indexing and enhanced polymer indexing—will typically appear in DWPI four to six weeks after publication. Chemical structures will also be covered in the Derwent Chemistry Resource.

(www.derwent.com)

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Design Registration

The following design applications have been accepted by the Design Wing of Patent Office, Kolkata and published in the Gazette of India. These are now available for public inspection in the Patent Office Kolkata. The class of design, date of registration, applicant name and address and design title have been published here. Photograph (B/W) of the designs are also published in the Gazette. A design can be inspected in the Kolkata Patent Office with application in Form 5 along with a fee of Rs. 500/- (Rupees five hundred only).

Design No	Applicant	Design Name	Class	Address	Registration Date
A. Jan 1, 2005					
193826	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193817	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
194438	Khanna Enterprises	Hanger	06-08	UP	1/30/2004
193827	M/S Saraswati Exports	Carpet	06-11	Banglore	11/20/2003
193851	Suzuki Motor Corp	Motorcycle	12-11	Japan	5/27/2003
193988	Reckitt Benckiser (India) Ltd	Spatula	99-00	Haryana	5/12/2003
193989	Reckitt Benckiser (India) Ltd	Spatula	99-00	Haryana	5/12/2003
193990	Siddachar Krishna	Stabilizer cabinet	13-03	Karnataka	5/12/2003
194739	Liberty Shoes Limited	Footwear	02-04	Haryana	2/27/2004
194740	Liberty Shoes Limited	Footwear	02-04	Haryana	2/27/2004
195171	Asian Plastoware Pvt Ltd	Container	07-02	Maharashtra	12/4/2004
193637	Ashit Jasvantrai Dagli	Blender (kitchen)	31-00	Maharashtra	6/11/2003
195650	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2005
193856	Larson & Toubro Ltd	Dispensing pump	15-02	Maharashtra	11/24/2003
193857	Larson & Toubro Ltd	Dispenser	23-01	Maharashtra	11/24/2003
194384	Two Brothers Export India	Fruit & salad bowl	07-01	Delhi	1/20/2004
194066	Meso Pvt Ltd	Bottle	09-01	Maharashtra	12/22/2003
194327	M/S Shree Industries	Hot plate	23-03	Gujrat	1/22/2004
194345	Ashit Jasvantrai Dagli	Jar lid	09-07	Maharashtra	1/21/2004
195014	Phoenix Lamps Ltd	Twister compact fluorescent lamp	26-04	UP	3/26/2004
194020	Teknic Electromechonics Pvt Ltd	Switch	13-03	Banglore	12/16/2003
B. Jan 8, 2005					
194021	Teknic Electromechonics Pvt Ltd	Circuit beaker	13-03	Banglore	12/16/2003
194018	Teknic Electromechonics Pvt Ltd	Switch	13-03	Banglore	12/16/2003
193820	M/S Saraswati Exports	Carpet	06-11	Banglore	11/20/2003
193821	M/S Saraswati Exports	Carpet	06-11	Banglore	11/20/2003
196305	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196086	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196079	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196093	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196089	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196091	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196288	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196090	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196092	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196084	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196085	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196076	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196077	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196075	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196074	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196073	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196072	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196071	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196070	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196088	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196087	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196078	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196083	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196082	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196081	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196080	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	6/23/2004
196314	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196312	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196313	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196311	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004

International News

Nigeria's National Agency for Food and Drug Administration and Control (NAFDAC) has accused 14 Indian companies of exporting fake and counterfeit drugs to the country. Interestingly, NAFDAC has also accused five Chinese pharmaceutical companies of the same, saying that the revelations have come following impeccable top-level federal security report and investigation by NAFDAC. Meanwhile, Pharmexcil (The Pharmaceutical Export Promotion Council), the umbrella body of Indian pharmaceutical exporters, is defending the blacklisted companies by stating that NAFDAC has taken the decision ex-parte, without hearing the companies concerned.

(Business Standard, April 8, 2005)

China will soon enact new regulations aimed at curbing online piracy of copyrighted material that will hold web sites responsible for stolen material. The administrative measures on Internet Copyright Protection are due by the end of April, the official Xinhua News Agency said, quoting Yan Xiaohong, Deputy Director of the National Copyright Administration. Internet service providers, whose portals are used to spread pirated information will not be held accountable. China had more than 600,000 web sites by the end of 2004, but only 8,000 were legally registered, it said, citing statistics from Ministry of Information Industry.

(The Economic Times, April 28, 2005)

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196306	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196307	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196308	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196310	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196309	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196329	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196330	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196301	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196302	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196320	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196297	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196296	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
C. Jan 15, 2005					
196295	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196294	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196293	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196292	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196291	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196290	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196289	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196287	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196286	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196285	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196284	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196283	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196319	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196318	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196303	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196321	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196322	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196323	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196324	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196325	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196326	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196327	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196328	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196317	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196316	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
196315	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	7/19/2004
193822	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193823	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193824	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193825	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
194019	Teknic Electromechanics Pvt Ltd	Switch	13-03	Banglore	12/16/2003
194016	Jacob Siman-Tov, Atzhak Siman- Tov And Avraham Siman-Tov	Gemstone	11-01	Israel	6/17/2003
194017	Jacob Siman-Tov, Atzhak Siman-Tov And Avraham Siman-Tov	Gemstone	11-01	Israel	6/17/2003
193812	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
194022	Teknic Electromechanics Pvt Ltd	Switch	06-11	Banglore	12/16/2003
D. Jan 22, 2005					
193636	Glaxosmithkline Consumer Healthcare Gmbh &Co Kg	Toothbrush	04-02	Germany	7/5/2005
193635	Glaxosmithkline Consumer Healthcare Gmbh &Co Kg	Toothbrush	04-02	Germany	7/5/2005
193634	Glaxosmithkline Consumer Healthcare Gmbh &Co Kg	Toothbrush	04-02	Germany	7/5/2005
193633	Glaxosmithkline Consumer Healthcare Gmbh &Co Kg	Toothbrush	04-02	Germany	7/5/2005
193632	Glaxosmithkline Consumer Healthcare Gmbh &Co Kg	Toothbrush	04-02	Germany	7/5/2005
195654	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
193983	Crystal Plastics & Metallizing Pt Ltd	Comb	28-03	Maharashtra	4/12/2003
195649	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195648	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195647	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195646	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195645	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195644	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195643	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195642	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195641	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195640	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195639	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004

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International News

The Lambert Working Group on intellectual property has launched a Toolkit for business university collaborations. It comprises five model collaborative agreements and supporting material offering guidance on choosing the right model for you. The five agreements cover a range of issues that might arise including: ownership of IP; freedom to use the results; financial contribution from the business; and publication criteria for the university. The Toolkit is the end product of a review conducted by Richard Lambert, the report of which was published in December 2003. The review was in order to examine how links between universities and business could be improved. The Lambert Working Group on IP, comprising more than 40 interested parties, was set up in May 2004.

(Patent World, April 2005)

The presidency of the European Union moved from Ireland to Luxembourg on January 1, with the United Kingdom due to succeed for its six-month term in July. In December, both countries announced their joint program of priorities for 2005. A number of issues on the agenda will have a significant impact for trademark owners and their representatives, with further expansion of the European Union likely to impact on the Community Trade Mark system, and IP enforcement remaining a key priority.

(Trademark World, February 2005)

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195638	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195637	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195636	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195635	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195634	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195633	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195632	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195631	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
194285	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194287	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194286	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194289	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194288	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194284	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194283	Dalmiya Centre For Research And Development	Chewing gum	01-01	Kerala	1/16/2004
194055	Reckitt Benckiser Inc.	Lavatory device	09-01	USA	6/26/2003
194056	Reckitt Benckiser Inc.	Lavatory device	09-01	USA	6/24/2003
193641	Desmania Design Pvt Ltd	Portable cooking combo	07-02	New Delhi	6/11/2003
195279	Mitra Industries Ltd	Titanium adaptor	24-02	New Delhi	4/26/2004
194064	Meso Pvt Ltd	Bottle	09-01	Maharashtra	12/22/2003
194063	Gala Brush Ltd	Bottle	09-01	Maharashtra	12/22/2003
194068	Meso Pvt Ltd	Bottle	09-01	Maharashtra	12/22/2003
194687	Societe Des Produits Nestle S.A.	Dispenser	07-04	Switzerland	1/9/2003
195273	Mainetti (Uk) Ltd	Garment hanger	06-08	Uk	10/30/2003
195166	Asian Plastowares	Casserole	07-02	Maharashtra	12/4/2004
193830	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193831	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193832	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
E. Jan 29, 2005					
191214	Reckitt Benckiser (Uk) Pvt Ltd	A bottle	23-04	Uk	9/8/2002
195278	Mitra Industries Ltd	Titanium adaptor	24-02	New Delhi	4/26/2004
194065	Meso Pvt Ltd	Bottle	09-01	Maharashtra	12/22/2003
194067	Meso Pvt Ltd	Bottle	09-01	Maharashtra	12/22/2003
193816	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193833	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193640	Desmania Design Pvt Ltd	Portable cooking range	07-02	New Delhi	6/11/2003
193813	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193814	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
193815	M/S Saraswati Exports	Carpet	06-11	Rajasthan	11/20/2003
196094	Eastman Cast & Forge Ltd	Wrench	08-05	New Delhi	6/24/2004
194014	Reckitt Benckiser (Uk) Pvt Ltd	Air freshening device	23-04	UK	6/13/2003
195060	Honda Motor Pvt Ltd	Vehicle	12-08	Japan	9/30/2003
194185	Ravi Shivnath Grover	Candle	26-04	Maharashtra	5/1/2004
195087	Guru Nanak Iron & Steel Manufacturing Company	Can	09-02	Punjab	6/4/2000
195274	Mainetti (Uk) Ltd	Garment hanger	06-08	UK	1/11/2003
193439	Indo Asian Fuseear Ltd	Miniature circuit breaker	13-03	Haryana	6/10/2003
193947	Sony Kabushiki Kaisha	Speakerbox	17-05	Japan	1/12/2003
194726	V.I.P. Industries Ltd	Handbag	03-01	Maharashtra	4/3/2004
194227	Reckitt Benckiser (Uk) Pvt Ltd	Air freshener device	23-04	UK	11/7/2003
194651	V.I.P. Industries Ltd	Handbag	03-01	Maharashtra	2/23/2004
193948	Sony Kabushiki Kaisha	Optical disc player	14-99	Japan	1/12/2003
195651	S.N.Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195455	R.S. Plastics	Bag	03-99	New Delhi	5/14/2004
194424	Aggarwal Pipes	Pipe	23-01	Punjab	1/30/2004
193479	Virdi Tubewell Boring Co	Pipe	23-01	Punjab	10/16/2003
F. Feb 2, 2005					
195541	Fem Care Pharma Limited A Company Incorporated Under The Indian Companies Act At Plot No D 55 Midc Ambad Nashik 422010	Container	09-03	Maharashtra	4/30/2004
195540	Fem Care Pharma Limited A Company Incorporated Under The Indian Companies Act At Plot No D 55 Midc Ambad Nashik 422010	Container	09-03	Maharashtra	4/30/2004
195543	Khanna Enterprises	Container	09-03	Maharashtra	4/30/2004
193945	Shiv Soun Pipes	Filter pipe	23-01	Haryana	12/2/2003
194381	Aggarwal Pipes	Rcc pipe	23-01	Punjab	9/25/2004
193338	Standard Combines (P)Ltd	Straw reaper	15-03	Punjab	9/25/2003

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International News

The European Union's newly-appointed Trade Commissioner, Peter Mandelson, held discussions with Indian authorities on intellectual property issues during an official visit to India in January. Commissioner Mandelson delivered a keynote speech to the Confederation of Indian Industry, welcoming India's rise as a global trading power and urging the nation's leaders to play a leading role in working for an ambitious agreement in the Doha Development Agenda.

(Trademark World, Feb 2005)

The Intellectual Assets Centre claims their survey indicates that nearly three quarters of Scottish businesses have never even heard the term "intellectual assets" and just eight per cent of Scottish businesses have actually taken steps to safeguard and protect this type of asset. Out of the organizations surveyed, knowledge industries and large manufacturing firms were most likely to have heard of intellectual assets before, and organizations in these categories showed the greatest level of understanding of the benefits of managing IA. The Intellectual Assets Centre was established as a non profit making organization, set up to help all Scottish businesses and organizations recognize and exploit the full value of intellectual assets.

(Trademark World, February 2005)

The UK Patent Office plans to mark more than a centenary

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195652	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195653	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
193428	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193182	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193180	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193185	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193186	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193187	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193266	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193270	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193272	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193273	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193274	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193421	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193427	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193176	Raghav Kashyap	Decorative carving	06-06	Delhi	9/10/2003
193267	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
193268	Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193426	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193423	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193425	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193424	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
193422	Raghav Kashyap	Decorative carving	06-06	Delhi	10/7/2003
195104	M/S Utility And Convenience Products	Clothes hanger	06-08	Maharashtra	10/7/2004
G. Feb 12, 2005					
195256	Eastman Cast And Forgr Ltd	Extension bar	08-05	Delhi	4/22/2004
193271	Mr Raghav Kashyap	Decorative carving	06-06	Delhi	9/18/2003
195534	Cavinkare Pvt Ltd	Transparent container	09-01	Chennai	4/30/2004
195535	Cavinkare Pvt Ltd	Transparent container	09-01	Chennai	4/30/2004
195536	Cavinkare Pvt Ltd	Transparent container	09-01	Chennai	4/30/2004
195537	Cavinkare Pvt Ltd	Transparent container	09-01	Chennai	4/30/2004
194396	Kumbhojkar Plastic Moulders	Cables drag chain	13-99	Maharashtra	1/22/2004
193775	Zippo Manufacturing Company	Containers panel for a light	22-06	USA	11/7/2003
193776	Zippo Manufacturing Company	Containers panel for a light	22-06	USA	11/7/2003
195101	Hindustan Sanitaryware And Industries Limited	Wash basin	23-02	Haryana	4/6/2004
195098	Hindustan Sanitaryware And Industries Limited	Urinal	23-02	Haryana	4/6/2004
195099	Hindustan Sanitaryware And Industries Limited	Cistern	23-02	Haryana	4/6/2004
195100	Hindustan Sanitaryware And Industries Limited	European water closet(ewc)	06-04	Haryana	4/6/2004
194104	Colgate Palmolive Company	Childrens toothbrush	04-02	USA	7/3/2003
195097	Hindustan Sanitaryware And Industries Limited	Washbasin	23-02	Haryana	4/6/2004
194012	Forum Sales Pvt Ltd	Bottle with glass	09-01	Delhi	12/12/2003
195730	A V Exports	Mantle for extraction	24-02	Tamil Nadu	5/24/2004
195762	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195761	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195785	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195787	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195786	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195763	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195764	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195765	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195766	Saraswati Exports	Carpet	06-11	Rajasthan	5/31/2004
195768	Legrand	Electrical accessory module	13-03	France	1/14/2004
195924	Sazer Electronics Limited	Switch	13-03	Tamil Nadu	6/7/2004
193671	Ttk Prestige Limited	Cooker	07-02	Karnataka	11/10/2003
192985	Ttk Prestige Limited	Cooking stove	07-02	Karnataka	8/26/2003
195860	Velmor Home Décor Pvt Ltd	Expose bath mixer with two way divertor	23-01	Maharashtra	6/3/2004
194922	Honda Motor Co Ltd	Rear combination lamp for an automobile	26-06	Japan	9/22/2003
194006	Multibras Sa Electrodomecos	Water reservoir for a refrigerator	15-07	Brazil	6/11/2003
195906	Veeplast Houseware Pvt Ltd	Water bottle	09-01	India	6/10/2004
193864	Interbrew Sa	Special keg	09-02	Belgium	5/28/2003
195859	Velmor Home Décor Pvt Ltd	Single lever basic mixer with swivel spout	23-01	Maharashtra	6/3/2004
194075	The Gillet Company	Dental floss attachment	24-99	USA	6/30/2003
194234	M/S C Krishniah Chetty And Sons Pvt Ltd	Necklace	11-01	Karnataka	1/8/2004

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of operations by recognizing those trademarks that have been on the Trade Marks Register for 100 years or more with a certificate issued to mark the occasion. Companies have the opportunity to promote the history and heritage of their brand, and the Patent Office itself hopes the exercise will "promote intellectual property as a valuable business commodity".

(Trademark World, Feb 2005)

ICANN has received five applications to operate the .NET Top-Level Domain for a term no less than six years following a request for proposals in late 2004. The current .NET Registry Agreement, between ICANN and VeriSign, Inc, was signed in May 2001 and will expire on 30 June 2005. VeriSign is eligible to be considered for designation as the successor registry operator. Proposals were received from Afiliás Limited; CORE++ Asociación sin ánimo de lucro; DENIC Domain Verwaltungs- und Betriebsgesellschaft; Sentan Registry Services, Inc., as well as the VeriSign itself.

(Trademark World, Feb 2005)

Italy has adopted a New Industrial Property Code, approved definitively on 23 December 2004. It greatly simplifies the procedures for obtaining or transferring industrial property rights (patents, designs, trademarks, plant breeders' rights and domain names), but above all introduces important changes in rules for court proceedings,

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193788	Pakerman Sa Rue De Saintleger	Container	09-05	Switzerland	5/21/2003
193834	Sara Lee Household And Body Care Nederland	Perfume burner	28-03	Netherlands	6/26/2003
194147	Larsen And Toubro Limited	Auxillary contact block	13-03	Maharashtra	1/1/2004
193787	Pakerman Sa Rue De Saintleger	Container	09-05	Switzerland	5/21/2003
193955	Matsushita Electric Industrial Co Ltd	Package	09-03	Japan	5/30/2005
193957	Matsushita Electric Industrial Co Ltd	Package	09-03	Japan	5/30/2005
193960	Matsushita Electric Industrial Co Ltd	Package	09-03	Japan	5/30/2005
194711	Sanford Lp	Marker	19-06	USA	9/3/2003
194688	Ashit Jaswantrai Dagli	Mixer cum grinder	31-00	Maharashtra	2/25/2004
195267	Sahani Ajay Ramdin	Gypsum board	25-02	Gujarat	4/22/2004
194085	Samsung Electro-Mechanics Co Ltd	Computer keyboard	14-02	Korea	11/6/2003
192708	Cipla Limited	Multidose inhalation device centre cap	28-01	Maharashtra	7/31/2003
193344	Reckitt Benckiser Limited	Air freshner device	23-04	UK	3/29/2003
195663	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195662	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
194839	Ashit Jaswantrai Dagli	Cover for mixer jar	09-07	Maharashtra	3/12/2003
194130	Vikram B Jain	Lid for mixer/grinder	31-00	Maharashtra	12/29/2003
194738	Dion James Shohal	Facial polution mask	02-99	Haryana	2/27/2004
195616	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195617	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195678	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
194266	Legrand	Electrical accessory module	13-03	France	1/14/2004
194256	Trutzschler Gmbh And Co	Pressure lever for textile machines	15-06	Germany	11/18/2003
195615	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195614	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195613	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195611	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195612	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195610	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195609	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195608	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195607	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195606	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195343	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195344	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
193967	Reckitt Benckiser	Razor device with a shaving head	28-03	UK	6/6/2003
195345	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195346	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195347	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195348	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195349	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195350	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195351	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195352	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195353	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195354	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
194011	Today's Writing Products Limited	Pen	19-06	D And Nh	12/12/2003
195628	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195359	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195355	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195356	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195357	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195358	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195360	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195361	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195362	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195363	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195364	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/5/2004
195365	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195619	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195620	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195621	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195622	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195623	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195624	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195627	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004
195626	S N Kapoor Exports	Carpet	06-11	Rajasthan	5/20/2004

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which as a result should become much quicker. The Code will come into force fifteen days after its publication in the Official Journal, except for the provisions concerning court proceedings, which will enter into force six months later. Rules against piracy have been introduced, but are applicable only where there is evidence of intent and of systematic infringement. Criminal sanctions for infringements of industrial property rights have been stepped up and extended, and courts now have more leeway in assessing damage not only on the base of lost profit, but also of profit made through infringement of rights, as well as of royalties due, had a license been granted.

(Copyright World, February 2005)

Korean Intellectual Property Office (KIPO) announced that it has disclosed 'Research on New Technology Development Tendency in 2004' in order to prevent overlapped investment and show the direction of technology development. The newly released technology tendencies include 120 technologies including ubiquitous computing technology, smart antenna, and high-definition liquid display from electronics industry, micro-manipulation technology, micro liquid projection equipment, and automobile processing equipment from machinery/metal industry. In the chemical/pharmaceutical industry, antibody utilization technology and cardiovascular treatment medicine were

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PFC on the move

PFC has organized three patent awareness workshops during the period.

- (i) First workshop was organized at Gangtok, Sikkim on April 8, 2005. This workshop was inaugurated by Hon'ble Chief Minister of Sikkim, Shri Pawan Chamelnge. The workshop was attended by the Council of Ministers, M L A s and representatives from various panchayats of Sikkim along with senior officials of the Sikkim



(Workshop held at Gangtok)

- government. It was attended by about 250 persons.
- (ii) PFC of TIFAC with the Institute of Intellectual Property Research and Practice, Gurgaon jointly organized six days workshop on "United States Patent Laws & Practices with focus on Pharmaceuticals & Drugs" from April 11 - April 16, 2005. The workshop aimed at providing comprehensive knowledge on US patent laws and practices at USPTO and addressing the queries in the area of drugs and pharmaceuticals. The workshop faculty included Mr. John Richards, Mr. Clifford Mass & Mr. John T. Callahan.
- (iii) Third workshop was organized on Geographical Indications at Varanasi on April 18, 2005. This was attended by about 80 people associated with weaving and export of Banarsi sarees.

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introduced. From the energy/environment sector, high efficiency boilers and ultra red ray utilizing products were introduced.

(www.kipo.go.kr)

Korean Intellectual Property Office (KIPO), in cooperation with WIPO has developed a software PCT-ROAD (PCT Receiving Office Administration) to manage electronic international PCT applications for utilization of Patent Offices of PCT member countries. KIPO expects that the software would be supplied to all the World Patent Offices by the first half of 2005.

With the PCT-ROAD software it is possible to process applications formatted on physical media like CD-R, DVD and floppy disk. Other features of PCT-ROAD include: judgment of the suitability of international receipt number, certificates of receipts and the integration into a PC workstation database of electronic application.

(www.kipo.go.kr)

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'A' Wing Vishwakarma Bhavan, Shaheed Jeet Singh Marg, New Delhi - 110 016
Tel.: 26967458, 55692986, 26592802 Fax: 26863866
e-mail: tifac@nda.vsnl.net.in website: www.indianpatents.org.in and www.tifac.org.in

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