A BULLETIN FROM TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 6 NO. 8 AUGUST, 2000

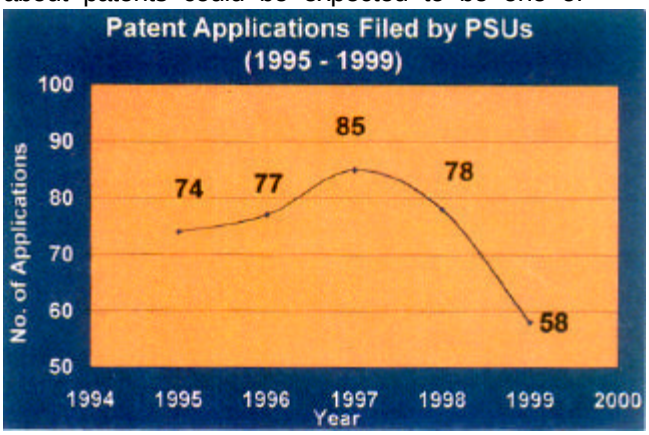
How innovative are PSUs?

There were 240 Public Sector Undertakings (PSUs) under the Central Sector on 31.3.1999. (Govt. of India, Public Enterprises Survey, 1998-99). Many PSUs prima facie, due to the nature of their work, are not expected to involve in any R&D activity and would therefore will not participate in the patenting game. The contribution of PSUs in the over all expenditure in R&D in the country is about 6%, which would amount to about Rs. 600 crore per year. This study looks at the patent applications filed in India by these PSUs in the last five years from 1995 to 1999; this data is easily accessible from Ekaswa- A, the CD-ROM on Indian patent applications. It has also been observed that the Indian Oil Corporation was granted five patents by the USPTO during this period; all these applications were filed during 1996-1998

In all 372 applications were filed in this period by 24 PSUs; a list of those PSUs is given below:

PSU	No of Applications
Steel Authority of India	143
Bharat Heavy Electricals Ltd	78
Indian Oil Corporation Ltd	48
Indian Petrochemicals Corp. Ltd	28
Hindustan Antibiotics Ltd	19
Gas Authority of India Ltd	8
National Mineral Development Corp	5
Engineers India Ltd	5
Semiconductor Complex Ltd	4
Fertilizers & Chemicals (Travancore) Ltd	4
Central Electronics Ltd	4
Metallurgical & Engineering Consultants (India) Ltd	3
Rastitriya Chemicals & Fertilizers Ltd	3
Hindustan Organic Chemicals Ltd	3
Bharat Electronics Ltd	3
National Thermal Power Corporation Ltd	3
Central Mine Planning & Design Institute	2
Bharat Dynamics Ltd	2
Indian Drugs & Pharmaceuticals Ltd	2
Projects and Development India Ltd	1
Hindustan Machine Tools Ltd	1
Oil & Natural Gas Corp Ltd	1
Hindustan Photo Films Manufacturing Company	1
Lubrizol India Ltd	1

The growth in the number of applications filed in the last five years has not been impressive and for some reasons 1997 appears to be the most active period. One could see from Fig 1 that the filings have come down after 1997. All the reasons for this behavior are not known, but lack of awareness about patents could be expected to be one of



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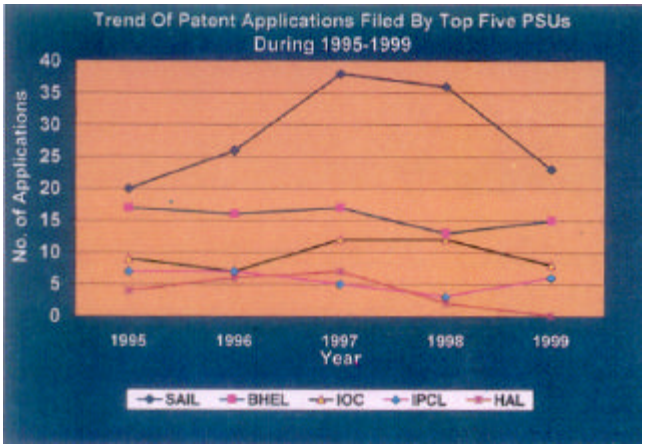
Do not publish your invention without first filing a patent application

them. A similar picture emerges (Fig 2) in respect of select PSUs which filed 5 or more applications. SAIL and HAL match with the overall trend, BHEL and IPCL have generally been stable in their efforts.



SAIL leads the tally with 143 applications. Applications have been filed in a large number of different fields/areas. Most applications are related to manufacturing processes and techniques. These are 18 applications related to different types of furnaces (basically improvements) and 11 related to burners. Seven applications relate to different types of refracting materials and six relate to coke ovens. Applications are also for new processes for ferrite martensitic stainless steel, ferritic stainless steel, weldable steel and micro alloyed steel.

BHEL occupying the second position have filed most application in areas of electric insulation system, sealing in gas leakage, bearing lubrication systems, compressor impellers having barrier vanes, wind electric generator systems, switching systems for capacitor banks, induction motors and so on.

Indian Oil Corporation has filed applications in areas related to lubricants, oil, grease, catalytic converters, catalyst systems and hydrocarbon cracking. The area of lubricant, oil and grease has been a favourite area. As mentioned earlier, it received five US patents during this period.

IPCL's areas of interest have been molecular sieves for absorbing methane and nitrogen, processes for manufacturing polyethylene, xylene, benzene, paraylene, dimethye sulphie, recovery of noble metals from wastes and preparation of low molecular weight alpha olefins. Hindustan Antibiotics Ltd. has filed applications related to macroporous glycodyl copolymers, immobilized D-amino acid oxidase, isolation of penicillin, milk clotting protease and method for extracting protein A.

One of the reasons for low patenting activity could be lack of awareness about IPR and also absence of institutional systems in many PSUs for ensuring protection of IP rights. Further, patents are not the only measure of innovations as many innovations may not be patentable because the criteria of novelty, inventiveness and usefulness are not satisfied. There may be other constraints emanating from agreements on technology transfer which do not allow patenting. But patents do help in differentiating between a more innovative firm and a less innovative firm.

Swiss Form Claims

Patent laws of most countries do not grant patents for a method of treatment of animals and humans. Therefore, one has to be extremely careful while drafting claims in drug related patents. For patents related to new medical use of a known drug/ substance, this aspect needs to be attended to more carefully. Firstly, many patent offices grant patents for new use of a known substance or composition. (Incidentally, such a patent is not granted in India). The novelty in such an invention is conferred via the new purpose, of a known substance, which was not available to the public. The new use could easily be taken to mean a method of treatment. If that happens, most patent offices will deny a patent to such an invention. In order to avoid this difficulty, a claim is drafted so that it covers the manufacture of the known substance. For example, a claim may be drafted in the following manner

"the use of *xyz* substance for the manufacture of medicament for the treatment of the disease *abc*"

This form of claim is known as Swiss Form claims."

Incremental inventions can lead to new patents

A Case Study on Catalytic Cracking of Petroleum

A patent entitled “Process for catalytic cracking of petroleum feed stocks” was granted to the Indian Oil Corporation Ltd, India in December 1998. This invention deals with a process for catalytic cracking of various petroleum based feed stocks to produce high yield of liquid petroleum gas (LPG) and light olefins i.e. propylene and butylene.

Background and prior art

Conventionally LPG is produced in petroleum refineries through fluid catalytic cracking (FCC) process. The current FCC technology with the conventional cracking catalyst is not able to maximize LPG beyond 30 wt. % of fresh feed. Another process practicing high temperature tubular pyrolysis of light petroleum cuts for producing light olefins is more suitable for producing ethylene than propylene / isobutylene. This process can handle only lighter feed stock in the range of naphtha. Other methods using ZSM-5 catalyst, deep catalytic cracking (DCC) at very low weight hourly space velocity (WHSV) and catalytic cracking and dehydrogenating the hydrocarbons in presence of entrained catalysts have been described. For all processes via catalytic routes, the maximum LPG yield is reported to be about 45%. These processes are non selective which result in a very high dry gas and coke yield and require larger reactor size and catalyst capacity due to low WHSV operation. No process shows any potential for cracking heavy residue.

The novelty of the present invention is in devising a process, which maximizes production of LPG and C.sub.3, and C.sub.4 light olefins with minimum yield of dry gas, coke, bottom and other unstable liquid products, namely, gasoline and diesel. It also teaches a process for maximizing conversion of heavy residual petroleum fractions using highly metal resistant catalyst with excellent coke and dry gas selectivity.

Description

The feed is first preheated in the temperature range of 150° to 350°C and then injected to a high velocity (>5m/s) pneumatic flow riser type cracking reactor with very short residence time of 2-10 seconds. Prior to the injection of the fresh feed, the regenerated catalyst is at first contacted with a recycle stream of unconverted hydrocarbons from the process so that recycle components can be cracked at high severity. Alternatively, if the recycle quantity is less, it is injected with the fresh feed.

Feed stock for the purpose includes wide range of hydrocarbon fractions starting from carbon no. 5 in naptha to gas oil, vaccum gas oil, residual oil fractions with carbon no. more than 100. The fractions could be straight run or cracked components produced by the catalytic processes such as hydrocracking, FCC or thermal cracking processes. The process conditions will have to be adjusted in each case.

The catalyst employed in the process consists of pentasil shape selective zeolites. Other active ingredients are Y zeolite in rare earth and ultra stable form, bottom cracking components are also added to the catalyst formulation. Examples of bottom selective materials are silica, alumina and peptized alumina. Examples of rare earth components are lanthanum and cerium in oxide form.

The main product in the process is LPG which is obtained with yield of 40-65 wt. % of fresh feed. The LPG thus obtained is highly olefinic with 40-50 wt. % of propylene and about 15-18% wt. % of isobutylene. The total olefins in LPG is about 90 wt. %, The other gaseous products of the process are dry gas (3-8 wt. %) with about 50 wt. % ethylene.

The patent has cited many examples to establish the advantages of the invention over what is known in the prior art.

Claims

There are eight claims in the patent. Claims 1 and 7 are reproduced :

1. A process for selective catalytic cracking of a petroleum-based feedstock to produce a product having a high yield of liquified petroleum gas (LPG)

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Maintain a log book of your research and experiments

Small difference in invention can save you from infringement

Amagen Inc. filed a suit in 1997 against Transkaryotic Therapies Inc. (TKT) and Aventis for infringing five of its patents related to recombinant erythropoietin (EPO), which has a worldwide sale of about US $ 4 billion per year. (EPO is used for treating anemia in kidney dialysis patients). TKT developed a method for producing proteins by gene activation, by passing the recombinant route and started using the method for producing EPO.

The Federal District Court in Boston has recently decided that TKT and Aventis did not infringe one of the five patents (US Patent 5,547,933) of Amagen Inc. This patent covers production of recombinant EPO in the mammalian cells. The judge ruled that TKT and Aventis were not literally infringing the patent because their product has one less amino acid than Amagen's.

The case is not yet over as the ruling in respect of other four patents in awaited. Further, the present ruling of the court is also liable for challenge. Amagen Inc. has the option of going to the highest court if the rulings are not in its favour; after all a market size of US $ 4 billion is not a small market.

Legal Aspects of Diamond vs Diehr Case

This was a land mark case in the US patent history as this was the case which opened gates for patenting of software in 1981. Readers may recall that the patent granted to Diehr was covered in the last issue of the IPR Bulletin.

Historical background

Golteschalk vs Benson was the first case related to software patent decided by the US Supreme Court in 1972. The court disallowed the patent to Benson whose invention was a process to converting binary coded decimal numbers (BCD) into pure binary numbers. The court concluded that the claimed invention was not a process within the meaning of the Patent Act. It was a mathematical algorithm, which was more like a law of nature which is not patentable. While rejecting the patent claims the court had remarked that the President's Commission should look into the issue of patenting of software or algorithm, as this was a policy matter. The President Commission did not recommend patenting of software as it felt that the Patent Office could not examine applications because it lacked a reliable classification and searching technique to ascertain novelty.

The second famous case related to software patent was Parker vs Flook which was decided by the US Supreme Court in 1978, six years after the Benson case. The court did not allow the patent on the ground that a claim for an improved method of calculation, even when tied to a specific end use, was an unpatentable subject matter. Incidentally, the patent claimed a mathematical formula for determining alarm limits in the catalytic chemical process for conversion of hydrocarbon. The mathematical formula suggested by Flook could be applied to any process for setting alarm limits. It did not incorporate any specific process parameter important for the catalytic process. The Patent Office had rejected the claim saying that a mathematical formula was unpatentable. The Court of Customs and Patent Appeals reversed this decision. The acting commissioner of the USPTO filed a petition in the US Supreme Court urging that the decision of the Court of Customs and Patent Appeals would have a debilitating effect on the rapidly expanding computer software industry and would require him to process thousands of additional patent applications. The Supreme Court as mentioned earlier rejected the patent claims.

Present Case

Diehr's application claimed a method for timely opening of the mould to achieve right curing of synthetic rubber. The method involved use of the Arrhenius equation. This application was first rejected by the US Patent Office going by the earlier decisions of the US Supreme Court in 1972 and 1978. This application was reversed by the Court of Customs and Patent Appeals on

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Legal Aspects of...

the grounds that it taught an improved process for molding rubber articles. The Commissioner Sidney A. Diamond filed a petition in the Supreme Court against the decision of the Court of Customs and Patent Appeals. It is known that the Supreme Court delivered the opinion which is 5 to 4 decision sided with Court of Custom and Patent Appeals.

Justice Rehnquist distinguished between the Diehr invention from the invention in Flook. He relied upon the analysis in Diamond vs Chakraborty case reiterating the premise used in that case that "anything under the sun that is made by man" is patentable. Further he also used the following established principles before coming to a conclusion.

- Laws of nature, natural phenomenon and abstract ideas are excluded from patent protection
- An idea itself is not patentable
- A principle, in the abstract, is a fundamental truth; an original cause; a motive; these can not be patented.

He opined that whereas in Flook the claims were drawn to a method for computing a number (alarm limit), in Diehr the claims sought protection for a process of curing synthetic rubber. The invention in Diehr case effects a change in state of a physical thing - a mold is opened. In Flook case the invention effects a change in state of a non physical thing - a number is updated. In fact, transformation and reduction of an article to a different state or thing is a clue to patentability of a process claim irrespective of the machine deployed to achieve the process. It would also be necessary in such cases to disclose how to measure variables and how to select appropriate values of any constants, multipliers etc. Sometimes the attitude of judges can also influence the decision. For instance, Justice Rehnquist was a part of the bench in the Diamond vs Diehr and Diamond vs Chakraborty cases and was also a part of the majority.

Patent Law Treaty

In a major step towards harmonization of patent laws of different countries around the world, the Patent Law Treaty (PLT) has been finalized at a diplomatic conference attended by delegates from about 150 member countries of World Intellectual Property Organization (WIPO). The Treaty promises to reduce the cost of patent protection and make the processes more user-friendly and wildly accessible. Once finalized, PLT will harmonize and streamline, worldwide, formal patent procedures relating to national and regional patent applications and maintenance of patents. The major advantages of PLT are as follows:

- use of standardised forms and simplified procedures that reduce the risk of error;
- cost reductions for inventors, applicants and patent attorneys;
- elimination of cumbersome and complicated procedures;
- improved efficiency of patent offices and lower operating costs;
- possibility of electronic filing of patent applications and related communications;
- reliance on a predictable maximum set of patent formalities in all countries party to the PLT (including the incorporation of provisions under the Patent Cooperation Treaty [the WIPO- administered international patent application system] regarding form or contents of an international application), resulting in easier access to foreign patent systems;
- exceptions from mandatory representation;
- enhanced legal certainty for applicants filing in their home country and abroad;
- relief and reinstatement of rights in case of missing certain time limits;
- possibility of obtaining a filing date, even if the main part of the application (description) is filed in a foreign language.

The treaty has been finalised after negotiations at the international level for five years. The biggest savings in patent-related costs will come about when intellectual property offices around the world are able to share results of search and examination.

(Patent World, Iss 123, June/July 2000)

Do not publish your invention without first filing a patent application

Patents for Opposition

The following patent applications have been accepted by the Patent Office and published in the Gazette of India. These can now be opposed by filing opposition applications within a period of four months from the dates given. Six digit numbers allotted after acceptance by the Patent Office are given before the applicant names and patent application numbers given in brackets. Names of the branches of the Patent Office are denoted in the application number, e.g. 'Bom' for Bombay branch. An opposition application should be submitted at the appropriate office where the concerned application was originally filed.

PATENT APPLICANTS	INVENTION
A. 8 August, 2000	
184301. British Technology Group Ltd, UK (132/Del/93)	Dental cement composition.
184302. Kanegafuchi Kagaku Kogyo Kabushiki Kaisha, Japan (797/Del/93)	A process of producing a synthetic resin foam.
184303. CSIR, India (431/Del/95)	An improved process for the production of sapogenin product.
184304. CSIR, India (502/Del/95)	A process for the synthesis of novel (3S) methyl 2-substituted 1-2 4-tetrahydro 9H pyrido (3 4-B) indole -3 carboxylate.
184305. CSIR, India (1919/Del/95)	A process for the preparation of an extract containing upto 80% of azadirachtin from neem seeds/kernels as a dry powder.
184306. CSIR, India (2367/Del/95)	An improved process for the isolation of carotenes from crude palm oil.
184307. CSIR, India (2444/Del/95)	An improved process for the preparation of fatty alcohols fraction mainly containing 1-triancontanol from rice branwax.
184308. CSIR, India (2465/Del/95)	An improved process for the production of 17-ketesteroids.
184309. Zeneca Ltd, UK (2485/Del/95)	A process for preparing a fungi resistant plastics material.
184310. Chong Kun Dang Corp, Korea (44/Del/96)	A process for preparing camptothecin derivaties pharmaceutically acceptable salts.
184311. Danieli & C Officine Meccaniche, Italy (612/Cal/95)	Device for the aysmmetric depositing or loops.
184312. Vallourec Oil & Gas, Japan (634/Cal/95)	Threaded joint for pipes.
184313. Laporte Industries Ltd, UK (973/Cal/98)	An improved process for the preparation of a halogen substituted vinyl isothiocyanate.
184314. Hindustan Lever Ltd, Mumbai (979/Cal/98)	A process for the interesterification of mono-di or triglycerides.
184315. Amano Corp, Japan (1131/Cal/95)	Apparatus for setting/registering datafor time recorder.

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A Case Study...

and light olefins having 3 to 4 carbons, the process comprising:

providing a fluidized bed reactor which is a high velocity riser, continuously circulating fluidized bed reactor;

providing a solid acidic catalyst comprised of:

from 1 to 6% by wt. of ultra stable Y-zeolite;

from 8-25% by wt. of Pentasil zeolite which is shape selective;

from 0-8% by wt. of an active material which is bottom selective;

from 0-1% by wt. of rare earth constituents; and

from 91 to 60% by wt. of nonacidic constituents and binder;

charging the fluidized bed reactor with the solid acidic catalyst and the petroleum-based feedstock; and

cracking the petroleum-based feedstock in the presence of the solid acidic catalyst in the fluidized bed reactor operated as follows:

a Weight Hourly Space Velocity (WHSV) ranging from 40 to 120 hr.sup.-1.

a ratio of solid acidic catalyst to petroleum-based feedstock ranging from 15 to 25,

a temperature at the top of the high velocity riser ranging from 530° C to 600° C,

recycled riser products ranging

Contd on...7

Incremental inventions can lead to new patents

184316. The Tata Iron & Steel Co Ltd, Mumbai (1135/Cal/95)	A controlled cooling process for the production of high carbon steel wire rods with enhanced properties and drawbility.
184317. Behr Gmbh & Co, Germany (1448/Cal/95)	Heating and/or air-conditioning installation.
184318. Coronet Werke Gmbh, Germany (1096/Cal/95)	Toothbrush with a one piece plastic injection moulded brush body.
184319. Kaneka Corp, Japan (952/Cal/98)	A method of producing alpha -amino alcohol derivative.
184320. V Mane Fils S A, France (1143/Cal/98)	Process for making a flavoring composition.
184321. Sanyo Electric Co Ltd, Japan (083/Mas/94)	Refrigerating unit.
184322. Philip Morris Products Inc, USA (94/Mas/94)	A cigarette with an electrical smoking system.
184323. Sree Chitra Tirunal Institute, Thiruvananthapuram (616/Mas/96)	A blood filter.
184325. Helix Biotech Pvt Ltd, Karnataka (2203/Mas/96)	A novel process for the purification of antihypercholesterolemic agents.
184326. Sree Chitra Tirunal Institute, Trivandrum (1679/Mas/97)	A process for the preparation of a formulation based on narrow spectrum drugs with enhanced activity.
184327. Advanced Protein Technologies Inc, USA (2318/Mas/97)	A process for isolating a protein rich composition substantially free of membrane lipids from animal muscle tissue.
184328. Solutia Inc, USA (2468/Mas/97)	A process for producing l-aspartic acid.
184329. F Hoffmann-La Roche Ag, Switzerland (2526/Mas/97)	A process for the manufacture of stable cold water-dispersible pulverous preparations of a microbially produced oil.
184330. Sumitomo Chemical Company Ltd, Japan (2039/Mas/98)	Method for producing benzyl bromide derivatives.
184331. Balakrishnan Jagannathan, Tamilnadu India (152/Mas/94)	Multipurpose wet and dry grinder with floating rollers.
184332. Riffe William, USA (190/Mas/94)	A system and a method for making a corrosion resistant metallic article.
184333. Maschinenfabrik Rieter Ag, Switzerland (191/Mas/94)	A nipper for a combing machine.
184334. Krupp Widia Gmbh, Germany (199/Mas/94)	Insert.
184335. Foster Wheeler Energia Oy, Finland (231/Mas/94)	An apparatus for circulating solid material in a fluidized bed reactor.
184336. General Semiconductor Inc, USA (240/Mas/94)	A power diode with a multilayer epitaxial structure and a method of manufacturing same.
184337. At & T Corp, USA (249/Mas/94)	An apparatus for detecting information about a call that is indicated by an individual call control signal.
184338. Sree Chitra Tirunal Institute, Kerala (267/Mas/94)	Double umbrella occluder device for cardivascular application.

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A Case Study...

from 0 to 40%,

a pressure in the fluidized bed reactor ranging from 1.0 to 4.0 kg/cm.sup.2 g, and

an amount of steam for dilution and quenching of hydrocarbons ranging from 3 to 50 wt. % of the petroleum-based feedstock,

wherein the Pentasil zeolite has a pore size ranging from 5 to 6.ANG. so that the catalyst is highly selective for LPG and C.sub.4 light olefins with minimum dry gas and coke make, and so that the vanadium tolerance of the catalyst is increased and ranges up to 21,000PPM, and

wherein the process produces a LPG yield ranging up to 40 to 65 wt. % of the fresh petroleum-based feedstock, a selectivity for the light olefins of at least 40 wt. %, and a selectivity for the LPG of at least 45 wt. %.

7. The process as claimed in claim 1, wherein the catalyst comprises:

from 3.5 to 4.5% by wt. of ultrastable Y-zeolite;

from 12 to 20% by wt. of Pentasil zeolite which is shape selective;

from 0 to 0.5% by wt. of active material which is bottom selective;

from 0 to 0.5% by wt. of rare earth constituents; and

from 84.5 to 70.5% by wt. of non-acidic constituents and binder.

Maintain a log book of your research and experiments

184339. Kurup Widia Gmbh, Germany (318/Mas/94)	Cutting unit.
184340. Medevelop Ab, Sweden (335/Mas/94)	A rotationally symmetrical implantable anchoring element.
B. 12 August, 2000	
184341. Baltimore Aircoil Comp Inc, USA (350/Mas/94)	An apparatus for exchanging heat between a fluid stream and an air stream.
184342. Foster Wheeler Energia Oy, Finland (385/Mas/94)	An apparatus for transporting solid particles.
184343. Aplicator System Ab, Sweden (601/Mas/94)	Device for supplying fibers in production of thermosettable fibre reinforced products.
184344. Rajagopal Ramesh, Tamil Nadu (608/Mas/94)	An improved plate heat exchanger.
184345. Compagnie Generale, France (758/Mas/94)	Tyre with radial carcass Reinforcement.
184346. Kimberly- Clark Worldwide Inc, USA (926/Mas/94)	An absorbent article.
184347. Kimberly-Clark Worldwide Inc, USA (927/Mas/94)	An absorbent article.
184348. Kimberly-Clark Worldwide Inc, USA. (929/Mas/94)	An absorbent article.
184349. Silkworm Seed Tech Laboratory, Bangalore (79/Mas/97)	A process for the preparation of a bed disinfectant composition.
184350. Sumika Fine Chemicals Co Ltd, Japan (124/Mas/98)	A process for preparing a 2-cyanobiphenyl compound.
184351. Asea Brown Boveri Ag, Switzerland (174/Mas/94)	A gas turbine group.
184352. Krupp Widia Gmbh, Germany (198/Mas/94)	Holder for cutting tool inserts.
184353. Henkel Kommanditges-ellschaft, Germany (211/Mas/94)	A process for the production of a filter of a polyurethane-bonded solid layer of silica sand.
184354. Foster Wheeler Energia Oy, Finland (230/Mas/94)	An apparatus for circulating solid material in fluidized bed reactor.
184355. Babcock-Hitachi Kabushiki Kaisha, Japan (245/Mas/94)	Wet-type flue gas desulfurization plant.
184356. General Semiconductor Inc, USA (284/Mas/94)	A rpcess for producing an epitaxial bipolar power semiconductor device and an epitaxial bipolar power semiconductor device thereof.
184357. Owens Brockway Glass Containers Inc, USA (295/Mas/94)	An apparatus for inspecting containers.
184358. A K Technical Laboratory Inc, Japan (331/Mas/94)	A vent type injection unit for injection molding polethylene Terephthalate.
184359. Guala Patents By Herengracht, Netherlands (363/Mas/94)	A tamperproof closure for bottles and the like.
184360. Mr Prasad Paramashi-vappa, Karnataka (383/Mas/94)	A pocket microscope.
184361. Societe Nationale Elf Aquitaine, France (209/Del/91)	Process for the synthesis of dealuminated offretite.
184362. KSB S A, France (377/Del/91)	Process for the manufacture of elastomer gaskets or seals.

Can you patent a business method?

Patents awarded to Amazon.com and Priceline.com in respect of business methods have been in news for sometime now. Amazon.com was granted a patent "System and method for selecting rows from dimensional databases" on December 14, 1999 which is on one-click shopping process. Priceline's patents relate to purchase offer management system. This is not a new phenomenon as business methods have been granted patents on earlier occasions. For example, companies have got patents for the method for sale of airline tickets. However, the court's decision in State Street Bank vs Signature Financial Group Inc. about two years back stated that software that governs business methods can be patented provided it produces some tangible and useful result. It is reported that 600 patents, in the 1,61,000 patents awarded by USPTO, were software related business methods.

The answer to the question could be no and yes. A business method which is specific and teaches a way of doing business, is patentable in USA provided it meets the basic requirements of novelty, non obviousness and usefulness. Further, the disclosure of the method should be so complete that fellow practitioners can understand it. If the method is a general vision or a strategy, it may not be patentable. Old business methods, if made electronic, cannot be patented. One gets a feeling that a business method would need to be software based to qualify for award of a patent more than a method, which is not software based.

The patent offices will have difficulty is establishing or verifying

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184363. GEC Alsthom Energie Inc, Canada (508/Del/91)	Balancing device for the blade of a vertically opening type section switch.
184364. Domino Printing Sciences Plc, UK (560/Del/91)	Ink-jet ink composition.
184365. National Research Development Corp, India (638/Del/91)	An improved precasted anchored earth structure.
184366. The Procter & Gamble Company, USA (666/Del/91)	A liquid fabric care composition.
184367. Bp Chemicals Ltd, UK (671/Del/91)	Process for manufacturing ethylene polymers.
184368. The Gillette Company, USA (893/Del/91)	Shaving device.
184369. The Gillette Company, USA (894/Del/91)	A shaving device.
184370. L'air Liquide Societe, France (973/Del/91)	Process and apparatus for production inter alia of oxygen by distillation of air.
184371. Siemens Medical Systems Inc, USA (570/Cal/2k)	An ultra sound imaging apparatus.
184372. Eli Lilly & Co Of Lilly Corp, USA (702/Cal/98)	A process for preparing benzothiophene compounds intermediates and compositions.
184373. Ionica International Ltd, UK (1003/Cal/95)	A transmitter.
184374. Tredegar Corp, USA (1294/Cal/95)	A three dimensional apertured substrate and a method and apparatus for the manufacture thereof.
184375. Koel Chemical Co Ltd, Japan (1026/Cal/98)	A process for the simultaneous preparation of 2 3 5-collidine and 2-ethyl-5-methylpyridine.
184376. Daewoo Electronics Co Ltd, Korea (1069/Cal/95)	An improved projection-lens driving apparatus comprising a housing having an upper face and a lower face for use in 3-beam projector.
184377. Macrosonix Corp, USA (1231/Cal/95)	Compression-evaporation apparatus.
184378. Eaton Corp, USA (1267/Cal/95)	A circuit interupter for an AC electrical system.
184379. Elf Atochem North America Inc, USA (1356/Cal/98)	A process for preparing an ethylenically unsaturated peroxide.
184380. Atochem North America Inc, USA (1357/Cal/98)	A process for preparing an ethylenically unsaturated peroxide.
C. 19 August, 2000	
184381. Shri Krishna, India (413/Mas/94)	A method of constructing building or shelter.
184382. Compagnie Generale Des, French (452/Mas/92)	A process for the manufacture of a tyre.
184383. Korea Atomic Energy Research Institute, Korea (569/Mas/94)	A method for manufacturing a delayed hydride cracking resistant seamless tube made of zirconium alloy.
184384. The Cronos Group SA, Luxembourg (599/Mas/94)	A freight container.
184385. Callebaut N V, Belgium (729/Mas/94)	An apparatus for mixing components for the production of chocolate mass.

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Can you patent a...

novelty of such innovations because many methods either have not been recorded or are not available readily to them. There is still no database, which can be considered comprehensive for novelty search. However, it must be remembered that inventors are legally required to disclose all relevant prior art. If they do not, they run a risk of having the patents invalidated at later date.

(Many applications have been filed in India, apparently dealing with business methods.)

Increase in PCT filing

India ranked sixth among the 10 developing nations filing highest number of PCT applications in the year 1999. A total of 1745 applications were filed by the developing countries.

A record number of patent applications (70,0423) have been filed in 1999 under the Patent Cooperation Treaty showing an increase of 10.5% over the previous year. Most of the applications were filed by inventors from the developed countries with USA having a share of 39.8% followed by Germany (14.7%), Japan (9.8%), UK (6.4%) and France (4.9%).

The area wise breakup of the PCT applications according to International Patent Classification (IPC) during 1999 is as under:

Chemistry; metallurgy	21.1%
Human necessities	19.1%
Electricity	16.9%
Physics	16.0%
Performing operations; transporting	15.7%
Mechanical engineering; lighting; heating; weapons; blasting	6.7%
Fixed constructions	2.9%
Textiles; paper	1.6%

(World Patent Information, Vol 22 No 1-2, March-June 2000)

Do not publish your invention without first filing a patent application

184386. ISRO, Karnataka (762/Mas/94)	Improved impact testing machine for measuring dynamic fracture toughness of engineering materials.
184387. Kosan Teknova, Denmark (868/Mas/94)	A gas container valve.
184388. Hyperlast Ltd, UK (904/Mas/94)	A cement composition for manufacturing cement products.
184389. Kimberly-Clark Worldwide Inc, USA (928/Mas/94)	An absorbent article.
184390. Muller Umwelttechnik Gmbh, Germany (949/Mas/94)	Apparatus for dewatering organic sewage sludge industrial sludge and special waste sludge of varying composition by pressure.
184391. Boschman Holding, Netherlands (588/Cal/95)	Method of producing integrated circuit with encased lead frames and apparatus for producing the same.
184392. Lancer Corp. USA (589/Cal/95)	A beverage dispenser with improved dispensing and cooling capacity.
184393. Sandvik Ab, Sweden (640/Cal/95)	A drilling tool for chip breaking machining of metallic materials.
184394. Harris Corp, U S (656/Cal/95)	Improved integrated network switch
184395. Siemens Aktiengesells-chaft, Germany (925/Cal/95)	Process and apparatus for the directional solidification of a melt.
184396. Daewoo Electronics Co Ltd, Korea (1070/Cal/95)	Projection lens driving apparatus with a timing belt.
184397. Pepsico Inc, USA (1577/Cal/95)	Blow moulded plastic container.
184398. Cytec Technology Corp, USA (1031/Cal/98)	A method for producing purified aqueous sugar solution.
184399. Thomson Consumer Electronics Inc, USA (1548/Cal/98)	An apparatus for the reception of compressed audio/video (a/v) packet signals.
184400. Ashok Ragarhia, Calcutta (536/Cal/99)	A process for preparing a synergistic composition for the treatment of malaria.
184401. Exxon Chemical Patents Inc, USA (901/Del/90)	A process for the production of a compound useful as crystal modifierin fuels.
184402. Telefonica Be Espana S A, Spain (330/Del/91)	Modular public telephones management device.
184403. Armco Inc A Corp, USA (358/Del/91)	Apparatus and method for automatically aligning a welding device for butt welding workpieces.
184404. BHEL, India (409/Del//91)	Leak proof rotary expander.
184405. Leonard Robert Lefkowitz, USA (457/Del/91)	A method of producing a nonwoven fabric.
184406. Exxon Chemical Patents Inc, USA (493/Del/91)	Process for manufacturing a purified hydrocarbon feed stock.
184407. Allied Signal Inc A Corp, USA (587/Del/91)	A method of manufacturing a monolithic solid oxide fuel cell.

International News

Rockwell Electronic Commerce has obtained a US patent for a technology that enables the Web-based customers to make direct contact with call center representatives via Internet. The Internet customers can request personal phone calls from online businesses with a simple mouse click. When customers wish to speak with a company representative, they click the web-sites "call me" button and are asked to type in their name, phone number and the convenient time to receive their call.

Three companies have filed a joint lawsuit against Yahoo! namely Sega America, Electronic Arts and Nintendo of America. The three have accused Yahoo! of auctioning illegal and counterfeit games on its Web-site, related to copyright and trademark infringement. They have further accused Yahoo! of offering illegal devices for sale and unfair competition.

A recent US Supreme Court judgement has upheld the ruling that Internet service providers are not responsible for libel in e-mails or bulletin board messages. The ruling is based on the argument that a provider cannot be treated as a publisher but as a provider of equipment.

China's first large patent trading center has opened in Beijing.

Contd on...11

Incremental inventions can lead to new patents

184408. CSIR, India (651/Del/91)	A process for the preparation of novel crystalline borosilicate catalyst.
184409. CSIR, India (654/Del/91)	An improved process for the preparation of lignin-phenol-formaldehyde resin.
184410. Digital Equipment Corp, USA (695/Del/91)	A digital computer device for searching for instructions in an original computer program and translating the instructions.
184411. BPChemicals Ltd, UK (761/Del/91)	A continuous process for polymerisation of alpha olefins.
184412. BP Chemicals Ltd, UK (762/Del/91)	A continuous process for homo or copolymerisation of alpha- olefins.
184413. Solvay Polylefins, Belgium (782/Del/91)	Cocatalytic composition which is usable for the polymerisation of alphaolefins.
184414. CSIR, India (825/Del/91)	An improved process for chemiplating for inhibiting vertical heterojunctions along grain bouaxlories of semi-conductor thin films in the fabrication of thin films solar cells.
184415. Alsthom Fluides Sapag, France (843/Del/91)	A flow rate regulator valve.
184416. The Procter & Gamble Comp., USA (915/Del/91)	A detergent composition.
184417. CSIR, India (1034/Del/91)	An improved process for the preparation of novel crystalline molecular sieve.
184418. Interlego A G, Switzerland (1072/Del/91)	A toy building set.
184419. Interlego A G, Switzerland (1074/Del/91)	A toy building set.
184420. UOP, USA (1097/Del/91)	A process for the dehydrocyclizatios of paraffins in a contaminant-free hydrocarbon feed aromatics.
D. 26 August, 2000	
184421. Sunil Nayyar, India (1221/Del/91)	A family planning watch.
184422. CSIR, India (558/Del/93)	A process for theisolation of 3- (4-0-d glucosy1 1 “5” -o- d-apiosyl 3' 5’dimeoxyphenyl)-2- trans propene -101 designated as cordifolioside b from tinospora species.
184423. CSIR, India (599/Del/95)	A process for the preparation of technetium-99 m diethylene triamine pentaacetic acid diester.
184424. Uniroyal Chemical Company Inc, USA (1053/Del/95)	A method for producing an alpha chloroacetoacetanilide compound.
184425. The Procter & Gamble Company, USA (1861/Del/95)	A cosmetic composition.
184426. British Technology Group Ltd , UK (22/Del/96)	A process for the preparation of a 1 2 3 4-substituted naphthalene compounds.

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International News

The center is mainly for promoting patent technology into real productive force. Computer searching for patents filed domestic and abroad is provided. Clients will be offered the latest patent laws and regulations, IPR seminars and other exchange activities form part of their center.

USPTO has granted a patent (Patent No: 6046390) to Michael A Hall for a corn breeding technique on April 4th, 2000. The invention in particular relates to inbred corn seed and plants designated 011NLI and derivatives and tissue cultures thereof.

An out of court settlement in a patent dispute between Novo Nordisk and American Home Products over hormone replacement therapy products has taken place. The settlement includes that Novo and US Pharmacia Corporation would take a license under American Home Products patent rights for Activella menopause tablets.

A US patent (Patent No: 6112188) on a methodology to privatize state-run enterprises has been awarded to a Californian resident William J. Hartnett on August 29, 2000. The invention comprises computerised methods and tools which can be used in the principal steps of preparing privatisation business plan, the

Contd on...12

Maintain a log book of your research and experiments

184427. Rhone Poulence S A, France (152/Del/96)	Process for the preparation of 4 10-diacetoxy-2 benzoyloxy-5 20-epoxy-1 7 -dihydoxy 9 oxo tax 11 en-1 -3yl (2r 3s) -3- benzoylamino-2-hydroxy -3-phenylpropionate trihydrate.
184428. CSIR, India (385/Del/96)	An improved process for the preparation of a mixture of acetophenone and phenylethanol by hydroxylation of ethyl benzene.
184429. CSIR, India (387/Del/96)	An improved process for the preparation of alkoxycarbonyl isothicyanate.
184430. Ashok Kumar etc., Izatnagar (U P) (1783/Del/96)	Processing of mixed chicken loaf.
184431. Yokov Safir, Denmark (1166/Del/91)	A method of making semiconductor components with doped areas.
184432. CSIR, India (1280/Del/91)	A device for sampling of process liquor in a leather tanning drum.
184433. Larry Wayne Fullerton, USA (1040/Del/92)	A receiver for receiving time domain signals.
184434. De La Rue Giori S A, Switzerland (134/Del/93)	Device for conveying printed sheets in an installation for checking the quality of paper money.
184435. Dr Kameshwarp Prasad Sharma etc, India (1534/Del/95)	Preservation process for improved shelf life of sugar cane juice (pure).
184436. Flamel Technologies Societie., France (1913/Del/95)	A process for producing medicinal and or nuritional microcapsules for oral administration.
184437. Director, AIIMS India (2336/Del/95)	A process for producing and expressing DEVR protein of mycobacterium tuberculosis.
184438. Hampshire Chemical Corp., USA (2343/Del/95)	A process of preparing a herbicidal composition.
184439. Bayer Aktiengesellschaft, Germany (2412/Del/95)	Process for the preparation of 5-substituted 2-chloropyrines.
184440. CSIR, India (2446/Del/95)	A process for the preparation of a novel synthetic peptide epitope useful for diagnosis of aspergillosis.
184441. IIT, Kharagpur (441/Cal/95)	A process for manufacture of enriched instant rice.
184442. The Procter & Gamble Comp., USA (723/Cal/95)	Absorbent sanitary product for the absorption of body liquids.
184443. Daikin Industries Ltd, Japan (902/Cal/95)	An aqueous polyterafluoethylene dispersion.
184444. Engelhard Corp., USA (1035/Cal/95)	An article useful for the treatment of gases emitted by gasoline engines.
184445. Nadia Basak, India (1062/Cal/95)	A pilfer resistant sealing element made of flexible plastic film or laminate for use over sealed closures in bottles and other containers.
184446. Kaneka Corp., Japan (1293/Cal/98)	An improved method of preparing a purified n-protected (2s 3r) -1-halo-2-hydroxyamino-4- phenylthiobutane or its enantiomer.

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International News

review of the plan by a privatisation board, executing the plan and restructuring the state-owned enterprise in accordance to the plan.

(Business Standard)

The European Commission has given a go-ahead for the community patent, which if approved by European Union should come into existence by the end of 2001. It is expected that a patent will go into effect in all the 15 members if it has been approved in only one language.

Business Software Alliance (BSA, Europe) has received over US $ 1.5 million in recoveries so far this year from CD-ROM replicators in Central Europe.

Morocco has adopted a new copyright law, which was published on May 18, 2000.

Two European patent aplications filed with the European Patent Office (EPO) in February are so long that their publication on paper poses serious problems. One is approximately 9,000 pages long, the other more than 50,000 repeat 50,000 pages. In both cases, the bulk of the application documents consists a sequence listing. EPO will not publish these patents in paper format. To meet the needs of the public, and its own, the EPO is therefore making it possible to publish, in electronic form only.

184447. Dovid Liou, China (1337/Cal/95)	Circulatable ladder.
184448. Albert Calderon, USA (1399/Cal/95)	An apparatus for continuously producing metallurgical coke and a method for the same.
184449. Siemens Aktiengesells-chaft, Germany (1626/Cal/95)	Hand-free telephone for a digital communications terminal.
184450. Hitachi Construction Machinery Co Ltd, Japan (762/Cal/98)	A slide bearing comprising a bush.
184451. Institut Francais Du Petrole., France (386/Mas/94)	A process for producing regenerated catalyst.
184452. Cabot Corp., USA (388/Mas/94)	A process and apparatus for producing carbon blacks.
184453. Basf Aktiengesellschaft, Germany (390/Mas/94)	A process for preparing copolymers of vinylimidazole and 1-vinylpyrrolidone.
184454. Sri Krishna, India (412/Mas/94)	A method of constructing a roof for all types of building and shelters.
184455. Foster Wheeler Energia Oy, Finland (415/Mas/94)	An apparatus for processing bed material in a fluidized bed reactor.
184456. Owens Brockway Glass Container Inc, USA (429/Mas/94)	A molten glass gob distributor.
184457. Roke Manor Research Ltd, UK (464/Mas/94)	Apparatus for use in equipment providing a digital radio link between a fixed and mobile radio unit.
184458. Foseco International Ltd, UK (469/Mas/94)	A molten metal handling vessel and a method of manufacturing the same.
184459. Sandvik Ab, Sweden (529/Mas/94)	A process for producing a novel duplex stainless steel alloy.
184460. Lucas Tvs Ltd, Chennai- (549/Mas/94)	A device for use in automobiles for automatically increasing the response of the vacuum advance unit of the ignition distributor for enhancing fuel economy.
184461. Advanced Phytonics Ltd, UK (116/Mas/94)	A process for extracting a flavour/ fragrant component from a material of natural origin.
184462. Norton Company, USA (205/Mas/94)	A method of producing articles having abraded surfaces.
184463. American Sterling Communications, USA (206/Mas/94)	An apparatus in a network interaface unit for determining the skew interval a long range digital network.
184464. Ausmelt Ltd, Maustralia (264/Mas/94)	A process for treating carbon containing material.
184465. DSM N V, Netherlands (288/Mas/94)	A process for the preparation of a hydrocarbon cracker feed with reduced mercury and/or other heavy metal content.
184466. AT&T Corp, USA (305/Mas/94)	A multimedia telecommunications network.
184467. The BOC Group Plc, UK (323/Mas/94)	A method and apparatus for producing oxygen and nitrogen enriched stream from air.
184468. Raychem Ltd, UK (348/Mas/94)	A composite article having heat shrinkable fibres.

Domestic News

A trademark suit involving Yahoo! Inc and Akash Arora of Netlink Internet Solutions trading name was settled in favour of Yahoo!Inc. The defendants (Akash Arora and others) started using a domain name YahooIndia.com similar to Yahoo.com for providing identical Internet services as that of Yahoo.com. The plaintiff (Yahoo) filed a suit against the defendant for passing off and pleaded ad interim injunction against the defendant. The plaintiff's domain name Yahoo.com is a worldwide known domain name and is registered with Network Solutions Inc. The registration of Yahoo! and its variants as a trademark is already obtained in several countries or is pending in others including India. Considering the popularity of the domain name Yahoo and the word India not being sufficient to distinguish it from Yahoo, the court granted temporary injunction against the defendants and further prohibited from using or copying plaintiff's computer programmes.

(Industrial Property Law Reporter, Vol 24 No 2)

The Centre has sanctioned Rs. 49 crore project for rice genome sequencing. The project is being jointly taken up by the Department of Biotechnology and Indian Council for Agricultural Research. The main objective of

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Do not publish your invention without first filing a patent application

184469. Aluminium Pechiney Immeuble, France (375/Mas/94)	Process for the treatment of trihydrate type bauxite.
184470. Solartron Group Ltd UK (379/Mas/94)	A fluid level sensing system.
184471. South Corp Australia Pty Ltd, Australia (603/Mas/94)	Sealing device on tubular and/or circular tanks for firing membrane valves for cleaning sleeve filters.
184472. Asea Brown Boveri Ag, Switzerland (689/Mas/94)	Power factor compensation device.
184473. Owens-Brockway Glass Container Inc, USA (901/Mas/94)	Apparatus for detecting checks and/ or split seams in the sidewall of a translucent container.
184474. Glasstech Inc, USA (911/Mas/94)	An apparatus and a method for making a bent glass sheet.
184475. Katsu Manufacturing Co Ltd, Japan (963/Mas/94)	A pellet making machine.
184476. Alpha Research Laboratories (P) Ltd, Tamilnadu (978/Mas/94)	A motorised gate operating device.
184477. Battenfeld Gmbh, Germany (983/Mas/94)	Hydraulic operational system for an injection molding machine.
184478. Alpha Research Laboratories (P) Ltd, Chennai (1017/Mas/94)	A speaker system.
184479. Societe Des Produits Nestle S A, Switzerland (2062/Mas/97)	A plant for preparing a cooking aid.
184480. Tilak Srinivasan, Karnataka (1099/Mas/94)	A device for indicating the position occupied by an object.
184481. Exxon Chemical Patents Inc, USA (823/Del/87)	A process for the preparation of a compound used as crystal modifiers in fuels.
184482. Agglo Recovery A Ltd, Canada (1311/Del/90)	A process for the preparation of pure flue gases and an apparatus therefor.
184483. The Standard Oil Company, USA (230/Del/91)	A process for obtaining at least one component such as light olefins by selective separation of a gaseous feed stream.
184484. Kabushiki Kaisha Toshiba, Japan (328/Del/91)	Two degrees of freedom controller.
184485. Thomas Claude Edwards, USA (381/Del/91)	Rotary vane machine.
184486. CSIR, India (571/Del/91)	An improved process for oxidation of methane to c2 + hydrocarbons an improved li-promoted mgg catalyst.
184487. Orbital Engine Company Ltd, Australia (593/Del/91)	A fuel injection system for a muli-cylinder internal combustion engine.
184488. CSIR, India (649/Del/91)	An improved process for the simultaneous preparation of 1 4 benzoquinone and hydroquinone.
184489. CSIR, India (856/Del/96)	A process for the extraction and isolation of oleanolic acid from antana camara.

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Domestic News

the project is to sequence 10 Mb sebment of the rice chromosome 11, over the next five years. The other objectives include finding genes of economic importance in the DNA sequence generated by the International Rice Genome Sequencing ProgrammeThis project shall be undertaken at two centres, namely, Department of Plant Molecular Biology and National Research Centre for Plant Biotechnology.

(The Financial Express, 8 August, 2000)

A US patent application has been filed by Indian scientists to isolate a low temperature-specific plant gene. The scientists have been successful to clone the gene as well. This was told at a press conference by Dr. Manju Sharma, Secretary, Department of Biotechnology.

(The Financial Express, 29 August, 2000)

A joint committee of Parliament has redrafted the plant varieties Bill to make an exclusive provision on farmers' rights while seeking to establish an effective system for the protection of existing plant varieties and encourage development of new ones. The new Bill has sought to negate the terms of the UPOV convention, and recognised the farmer as their conserver and

Contd on...15

Incremental inventions can lead to new patents

184490. CSIR, India (1954/Del/96)	An improved process for the preparation of silyl ethers the intermediates for prostaglandin synthesis.
184491. The Procter & Gamble Company, USA (665/Del/91)	A process for producing high active detergent particles.
184492. The Procter & Gamble Company, USA (886/Del/91)	An aerted bar soap composition.
184493. The Lubrizol Corp., USA (899/Del/91)	A crankcase lubricating oil composition.
184494. CSIR, India (908/Del/91)	An improved process for the preparation of boron trifluoride diethyletherate.
184495. The Procter & Gamble Company, USA (932/Del/91)	A detergent composition having sudsing agents.
184496. Imperial Chemical Indsutries Plc, UK (939/Del/91)	A method for preparing a fluorination catalyst.
184497. The Procter & Gamble Comp, USA (985/Del/91)	A cleansing composition.
184498. Chief Controller Research and Development, India (1243/Del/91)	A novel electroles process of deposition of multilayer coating.
184499. The Lubrizol Corp, USA (295/Del/92)	A fuel composition.
184500. CSIR, India (905/Del/93)	A process for the preparation of oil containing gamma-linolenic acid by submerged fermentation.
184501. Skylark Apartment, Ahmedabad (183/Bom/95)	An improved twin shell electric furnace.
184502. Hindustan Lever Ltd, India (434/Bom/97)	A process for the preparation of a frozen confectionery product.
184503. Hindustan Lever Ltd, India (626/Bom/97)	A process for the preparation of an ice confection.
184504. M/S Synit Drugs Private Ltd, India (655/Bom/97)	An improved process for the preparation of synergistic oral formulation in the tablet form of therapeutically active.
184505. M/S Synit Drugs Private Ltd, India (656/Bom/97)	An improved process for the preparation of synergistic oral formulation in the tablet form of therapeutically active herbal ingredients.
184506. Hindustan Lever Ltd, India (119/Bom/98)	Method of producing packets of flowable material.
184507. M/S J B Chemicals & Pharmaceuticals Ltd, India (568/Bom/98)	A process for the preparation of nifedipine containing pharmaceutical extended release composition.
184508. Dr Joshi Yeshwant Kashinath, India (670/Bom/98)	A process for making synergistic composition for the treatment of osteoarthritis.
184509. Shrikant Ramchandra, Aurangabad (398/Bom/99)	Process for synthesis of 2 4- dichloro 5 sulphonamido benzoic acid.
184510. Kasturba Health Society, Maharashtra (410/Bom/99)	A process for isolation and purification of m tuberculosis excretory - secretory m tb es 31) protein for use in antibody based or antigen based assy for detecting the presence and monitoring of m tuberculosis infection.

Contd from...14

Domestic News

preserver. The original Bill, based on the UPOV model was introduced in Lok Sabha in december last year. It had inadequate provisions to protect the interests of the farmers, registration of extant varieties and tribunals for speedy settlement of disputes etc. The redrafted Bill has incorporated a separate chapter on farmers' rights and changes in the provisions for plant varieties and farmers' rights authority, registration of plant varieties, benefit sharing and infringement.

(Business Line, August 29, 2000)

A US patent (Pat no 6,083,506) was granted on July 4, 2000 for a "Process for the preparation of spermicidal agents and other biologically active materials to Indian inventors Shri Govindaswamy Ilavazhagan and Chakra Devakumar form the Indian Agricultural Research Institute and Defence Institute for Physiological Applied Sciences (DRDO). The patent application was filed on January 28, 1998. It has now been assigned to National Research Development Corporation, New Delhi. The patent having 9 claims is for a process for the preparation of spermicidal and other biologically active materials from neem oilor extractives by subjecting a neem feed obtained from neem oil to the step of enrichment.

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The Report analyses patenting law in developed countries with regard to micro organisms, patent granted in the area of micro-organisms, and to what extent do such patent affect India's interests. It also discusses the policy implications for India in the light of the above analysis. More than 10,000 patent titles related to micro organisms have been searched. Case studies of patents issued by the USPTO and the European Patent Office (EPO) have been presented in the report with specific information about the subject of these patents. The report also discloses the position taken by different countries like the UK, Germany, Spain, Canada and others on specific issues raised by PFC related to micro organisms. The report also gives an insight into the mechanism followed at one of the International Depository Authorities and the examination standards followed in determining the patentability of micro organism related inventions.

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