



A BULLETIN
FROM
TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

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PCT Filing by Developing Countries

WIPO has recently come out with an analysis of PCT applications originating from developing countries in 2003. It is observed that out of the total number of 110,065 applications, 5950 applications had originated from the developing countries, thus forming a share of 5.41%. The share was 4.70% in 2002. It is interesting to note that the total number of applications was 114,048 in 2002. Much of the applications from developing countries came from Republic of Korea, China, India, South Africa, Singapore, Brazil and Mexico. 49.5% applications originated in Korea, 20.3% from China and 10.3% from India.

India registered the highest growth rate of 27.3% followed by Republic of Korea (15.5%), Brazil (8.3%) and China (7.2%). The number of applications originating from Republic of Korea, China, India, South Africa, Singapore, Brazil, Mexico, Colombia, Cyprus and Cuba was 2947, 1205, 611, 376, 313, 221, 123, 28, 19, and 18 respectively. The names of the agencies from these countries which have the major share in the filing, are given below in the order of the number of applications filed :-

- * LG Electronics, Rep. of Korea
- * Samsung Electronics Co. Ltd, Rep. of Korea
- * CSIR, India
- * Huawei Technologies Co. Ltd, China
- * Ranbaxy Laboratories Ltd., India
- * Hetero Drugs Ltd, India
- * LG Chem Ltd, Rep. of Korea
- * CJ Corporation, Rep. of Korea
- * Electronics and Telecommuni- cations Research Institue, Rep. of Korea
- * Son, Young-Suk, Rep. of Korea

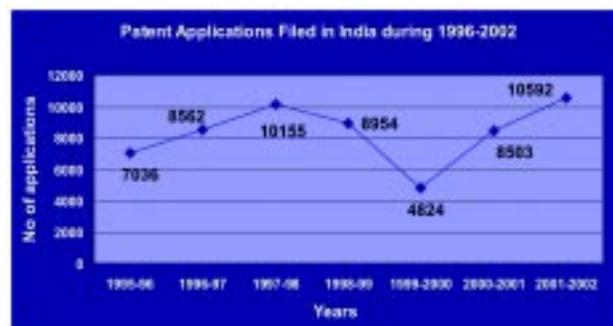
LG Electronics is way ahead of its nearest rival- it filed 267 applications as compared to 216

applications by Samsung. The CSIR filed 124 applications which was followed by Huawei Technologies with 104 applications. The analysis also reveals the share of individuals, companies, publicly funded R&D institutions and universities. In all the 611 applications originating from India, 339 applications were filed by companies, 152 by public R&D institutions, 105 by individuals and 15 by universities. Among the applications coming from universit- ies, the Chinese universities filed 70 applications, Korean universities 30, Singaporean universities 29 and the Indian universities filed 15 applications.

Patents and Designs in India

Patents

An increase in the number of patent applications filed in India has been noted in the year 2001-2002. A total of 10,592 patent applications were filed in the year 2001-2002 as against 8,503 applications filed in the year 2000-2001. The graph below shows the trend during the period 1996-2002.



The highlights of the annual report are listed below:

1. The number of patent applica- tions originating in India were 2,371 contributing 22.38% of the total number of applications filed during the year.

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Highlights

2. Out of the 2,371 applications originating in India, Delhi accounted for maximum number of applications (678), followed by Maharashtra (650), Tamil Nadu (220) and West Bengal (161).
3. Out of 10,592 applications, the number of national phase applications for patents filed at the Designated Office/Elected Office in India during the year was 6,351. The United States filed the maximum number of applications (2,351) followed by Germany (877), Japan (460), Great Britain (418), Switzerland (283) and France (281).
4. The records of the International Bureau of WIPO show that out of 1,00,022 copies of international applications received by the Bureau, the number of international applications, in which India was designated, was 76,374, contributing 76.35% of said total number of record copies during the year.
5. A total of 656 applications were accompanied by provisional applications while the remaining 9,936 applications were accompanied by complete specifications.
6. A total of 5,104 applications were examined during the year. 44,281 applications were awaiting examination at the end of the year.
7. 1591 patents were sealed during the year. Of these 654 belonged to Indians and 937 to foreigners.

8. Out of the total 8,320 patents in force, 1,578 patents stood in the name of Indians.

Design

* A total number of 3,350 applications for registration of design were filed in 2001-02 compared to 3,207 applications filed in 2000-01.

* Of these applications filed, 119 applications were filed for registration of textile designs and 3,231 applications were filed for the registration of non-textile designs.

* The applications for non-textile design registration were related mostly to commercial, industrial and domestic articles.

* Out of 3,231 applications filed for non-textile design registration 2,676 were filed by Indian applicants and the remaining 555 applications were filed by foreign applications.

* Of the total number of applications filed, 2,766 were filed by Indians and the remaining 58 applications were filed by foreigners.

IPR and Stem Cell Research

Stem cell research is becoming a focus of research in life sciences. However, this has led to many controversial issues starting with the basic question whether, in the first instance, research on human embryonic stem cells should be legally allowed or not. The US Government would allow the research only if following conditions are met:-

1. The derivation process was initiated prior to 9 pm on August 9, 2001.
2. Stem cells must have been derived from an embryo that was created for reproductive purposes and no longer needed.
3. Informed consent must have been obtained for the donation of the embryo and that donation must not have involved financial inducement.
4. Ownership of the stem cell material would reside with the federally sanctioned source institution.
5. The material cannot be used for diagnostic or therapeutic purposes in humans.
6. No research could be sponsored by a profit making entity wherein the sponsor receives rights to the results of the sponsored research.
7. The recipient should acknowledge the source of the material in any publication reporting its use and provide the source institution a copy of the publication.

It is also understood that US investigators must request permission from the federal government for importation of stem cell lines from other countries.

The Italian government may not allow community funding for procurement of new stem cells or stem cell lines from embryos. However, projects using embryonic stem cells would be eligible for funding on the condition that they use stem cells from existing stem cell lines created prior to December 3, 2003.

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Case Study

Collision Avoidance System for aircraft

Introduction

By the very nature of aviation industry, safety of passengers and aircraft are of paramount importance. The industry professionals are always on the look out for new methods and technologies to reduce possible risks in any conceivable situation of flying such as an aircraft flying in presence of other flying aircraft, presence of obstacles, conducting different maneuvers and so on. The task becomes difficult as one is dealing with a fast changing dynamic situation due to high speed of an aircraft; the reaction time of controller has to be short and accurate. Wake vortex of an aircraft could be hazardous for another aircraft following it, especially during the landing phase. The information on the vortex cannot be measured directly by the following aircraft for various reasons. This invention deals with a system which provides this information to the pilot and helps in avoiding collision with another aircraft. The patent was granted to Honeywell International in March 2004 by the USPTO.

Background of the Invention

Aircraft collision avoidance system for avoiding collision between two or more flying aircraft is primarily based on the aircraft carried transponders. Traffic Alert and Collision Avoidance System (TCAS) is quite often used as an avoidance system which relies upon reply signals from airborne transponders in response to interrogation signal from other aircraft equipped with a mode S transponder. The TCAS antenna is driven to produce a directional microwave transmission at 1030 MHz to interrogate other Mode S transponders. The reply transmission is at 1090 MHz. Thus

a TCAS equipped aircraft can see other aircraft carrying a transponder. Once a transponder equipped target has been located or 'seen', the target is tracked and the threat potential is determined by operations of a known TCAS algorithms.

Collision avoidance is achieved through information on many parameters such as distance between two aircrafts (host and target), bearing and altitude of the target aircraft, rate of climb or descent etc. There are various available methods to measure these parameters and display them in the cockpit of the host aircraft for the pilot to take appropriate action to avoid any possible collision. As can be seen, the information gets generated in real time and very fast and therefore its processing should also be done at the same pace (or may be faster) for providing enough inputs to the pilot. This processing is possible only through efficient software which also has to take care of displaying of data, course correction if any, and action recommended for the pilot. For example, it may indicate the recommended rate of climb for the host aircraft to ensure its safety.

The present visual flight displays fail to include accurate information regarding on board detection and display of accurate wake vortex information. Thus, aircrews (pilots) are not currently shown the location or intensity of wake vortex created by other aircraft. Due to lack of this information, a host aircraft can get entangled into wake vortex of another aircraft which may lead to injuries to passenger and crew, or potentially, damage and loss of the airplane. In order to avoid wake vortex turbulence, during landing approach, the regulations insist on certain spacing between two aircrafts, one following the other for landing. As the information is not readily available, the spacing

requirements at airports have been adjusted farther than otherwise necessary. In other words more caution is exercised to ensure safety. This also leads to commercial penalties as well because fewer landings are possible at an airport.

Wake vortices are not currently detectable by on board systems, with the exception of some experiment trials having very short detection and warning ranges, of the order of less than 30 seconds, warning distance. No system exists for predicting and detecting this type of turbulence at longer ranges or to depict the location, and/or intensity of another aircrafts wake vortex in a manner such that the pilots can maneuver to avoid its dangerous effects.

Parallel approaches by two aircrafts (two aircraft landing at two parallel runways simultaneously at the same airport) is another problem area which is not adequately addressed in the prior art. Instrument Landing System (ILS), the system that provides lateral, along course and vertical guidance to a landing aircraft, is inadequate for the task of maintaining separation because the displayed localizer signal on the ILS approach does not support independent parallel approaches.

Present Invention

The present invention overcomes the above and other limitations of the prior art by providing a method and a device for predicting intruder wake vortex information relative to the host aircraft. The predicted intruder wake vortex information is displayed using the TCAS display. The method and circuit of the present invention provides synthesized information to pilots by directly presenting information required for higher levels of situation awareness and decision making criteria used by the altering system to pilots.

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Case Study

The method has the following features:-

1. Predicts the intensity, nature and location of a wake vortex relative to a host aircraft.
2. Determines the intruder aircraft type and configuration (possible through a database).
3. Determines local atmospheric conditions like wind speed, wind direction and local air temperature (these are available from the air traffic control).
4. Altitude of the intruder aircraft and its position relative to the airport (through on board transponder).
5. Uses a model of wake information to access a look up table of wake information.
6. Compares trajectory or flight path of the host aircraft to predictions of the wake vortex to determine whether continuation on the present flight path will cause the host aircraft to intersect or collide with the intruder's wake vortex.
7. The alert may be visual or aural.
8. Configures the TCAS display of a host aircraft to display an icon representing another aircraft within a predetermined range; delineate the icon; and display a visual symbol describing relative velocity of the other aircraft.
9. Displays a visual symbol defining a zone of "protected" airspace between the host aircraft and icon representing aircraft during a parallel approach.

Description of the Invention

Fig 1 illustrates one prior art embodiment of the TCAS and

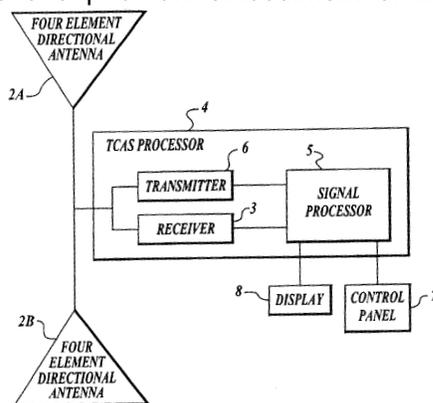


Fig. 1 (Prior Art)

Fig 2 shows one configuration of display used with the TCAS.

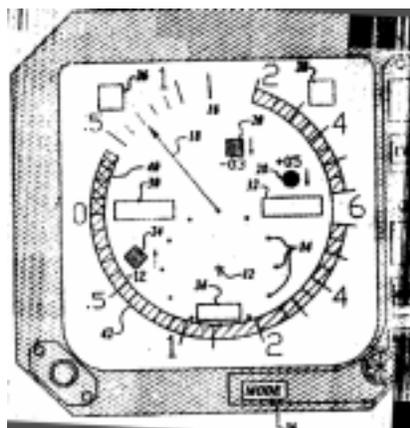


Fig. 2 (Prior Art)

Fig 3 illustrates the intersecting paths between ILS localized paths on parallel runways.

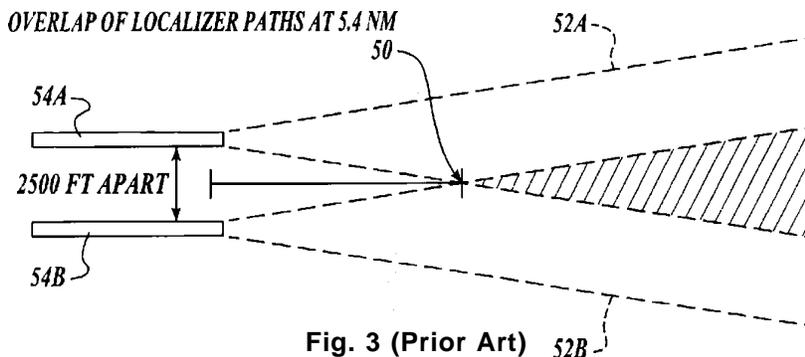


Fig. 3 (Prior Art)

Detailed wake vortex information pertaining to aircraft nearby the host aircraft may be available using either radar or LIDAR, or another suitable information source. For example, current predictive wind shear radar implementations successfully measure the location, i.e., angle

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Case Study

and distance of turbulence or other disturbance in the atmosphere relative to the host aircraft. Accordingly, location and/or intensity of wake vortices of nearby aircraft are measured directly and, based on the measurement information, visual simulations of the measured wake vortices are provided. According to another embodiment of the invention, the TCAS provides information regarding the flight paths, speed and relative positions of nearby aircraft for use in predicting the location and intensity of wake vortices of nearby aircraft and visual simulations of the wake vortices are displayed. According to one embodiment, predictive algorithms are based on many studies of wake vortices caused by different aircraft under different environmental conditions used to establish the changing intensities and locations of resulting wake vortices. The resulting predictive algorithms also include, for example, the aircraft speed, type and weight and the local wind conditions as factors in predicting the location and intensity of resulting wake vortices.

This data is provided to wake vortex prediction algorithm. The algorithm predicts the extent, severity, and direction of the wake vortex flow. This wake vortex information is recorded in nonvolatile memory and provided to aircraft systems for display to the aircraft, for example using the TCAS display.

Wake vortices are almost never purely 2-dimensional objects existing in a purely horizontal plane. A wake vortex may extend for over 20 miles behind the aircraft that creates it, and tends to drift both vertically and horizontally. Therefore, symbologies that illustrate the three-dimensional nature of a wake vortex are desirable. Thus, according to

additional alternative embodiments of the invention, icons indicate either the relative or absolute attitude of the vortex. For example, symbols such as '+', 'O' and '-' are used to indicate that a given portion of the wake vortex is above, co-altitude with, below the elevation of the host aircraft.

Parallel Approaches

During parallel approaches the aircrew must have accurate, real-time information about the motion of the other approaching aircraft relative to the host aircraft. The technology necessary to support parallel approaches includes the ability to display accurate, real-time predicted wake vortex information of the lead aircraft relative to the host aircraft. The length of

runway information provided by the EGPWS based on an airport database. Preferably, the invention displays unambiguous visual symbology defining such "safe" airspace. Preferably, the invention also generates an alert during encroachment of the "safe" airspace. Such safe airspace encroachment alerts are, for example, generated in a fashion similar to the traffic alerts and resolution advisories

Fig. 4 illustrates the wake vortex 200 from a lead aircraft 130 relative to the host aircraft 102. Dotted lines 214 and 216 represent the flight path of lead aircraft 130 and host aircraft 102, respectively, while solid lines 218 and 220 represent the respective paths flown.

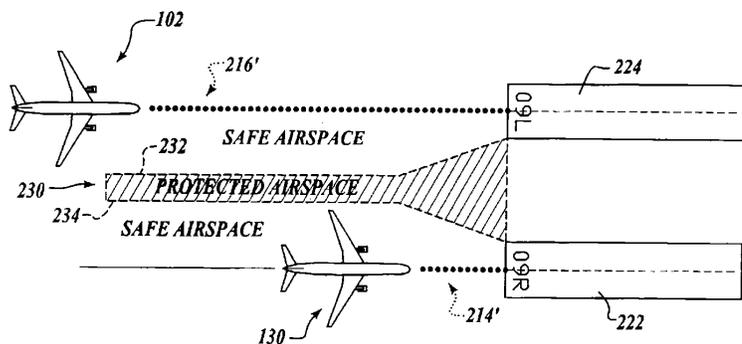


Fig. 4

the lead aircraft's wake vortex is computed as a function of the lead aircraft's speed, as described above. During parallel approaches each aircraft must have "safe" airspace in which to maneuver. Parallel runways are located from information available at least through either the aircraft's Global Positioning System (GPS) or Flight Management System (FMS). The TCAS preferably contains a look-up table of zones of such "safe" airspace associated with each individual airport with which to derive the airspace that an aircraft uses landing on any given runway. Such "safe" zones are alternatively inferred from local

Fig. 5 illustrates flight paths 214 and 216 of lead aircraft 130 and host aircraft 102, respectively, while approaching respective parallel runways 222 and 224. In Fig. 5, "safe" airspace in which to maneuver during a parallel approach is provided for each aircraft in areas separated by a zone of "protected" airspace, represented by cross-hatched area 230. "Foul" lines 232, 234 bounding the protected airspace between the two aircraft define each aircraft's "safe" area.

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Case Study

Claims

The patent has 19 claims. A few of them are reproduced below:

1. A method for using an electronic circuit to determine the wake vortex of an aircraft, the method comprising:

retrieving aircraft type information corresponding to an aircraft; with the electronic circuit, determining elevation and position of said aircraft relative to a runway; with the

4. A method for predicting an intersection of a host aircraft flight path with the wake vortex of another aircraft, the method comprising: retrieving aircraft type information corresponding to another aircraft; retrieving a position of said other aircraft relative to a local airport; determining an elevation above terrain of said other aircraft; predicting a configuration of said other aircraft; and applying said position, said aircraft type information said elevation above

said aircraft further comprises an intruder aircraft; and further comprising; with the electronic circuit, determining whether said current trajectory of said host aircraft intersects said predicted wake vortex trajectory; and with the electronic circuit recording a predicted intensity and a predicted extent of said wake vortex.

There are many interesting points emerging from this patent. Firstly, a concept of incorporating wake vortex information has been protected through an implementation scheme, which makes it a broad based patent. It is difficult for any one trying to achieve the same goals to bypass this patent. Some broad features of the algorithm used for determining wake vortex information, its analysis, display, and corrective actions have been described, and it would tend to cover most schemes thinkable by anyone at this point of time to design an appropriate algorithm. In a way the patent has an element of software built into the invention. No specific electronic circuitry has been described; only the functions achieved by it have been put in the claims. The patents therefore covers a very broad ground of technical possibilities as can be visualized today. As the display relating to wake vortex is incorporated and integrated into an existing TCAS, the implementation of the invention will have to be in consultation with the patent holders (if any) of different TCAS. The novelty is in the concept, developing algorithm, design of electronics and display of information. Above all, it provides a solution to a well recognized problem in the art.

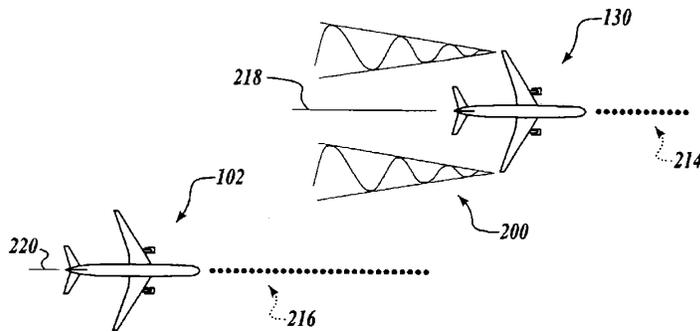


Fig. 5

electronic circuit, predicting a location of a wake vortex corresponding to said aircraft.

2. The method recited in claim 1, further comprising: with the electronic circuit, predicting a trajectory of said wake vortex.

3. The method recited in claim 2, wherein said aircraft further comprises an intruder aircraft; and further comprising: with the electronic circuit, developing a current trajectory of a host aircraft; and with the electronic circuit, determining whether said current trajectory of said host aircraft intersects said predicted wake vortex trajectory.

terrain, and said configuration of said other aircraft to an algorithm for predicting a location of a wake vortex of said other aircraft.

5. A method for using an electronic circuit to determine the wake vortex of an aircraft, the method comprising: retrieving aircraft type information corresponding to an aircraft; with the electronic circuit, determining elevation and position of said aircraft relative to a runway; with the electronic circuit, predicting a configuration of said aircraft; with the electronic circuit, predicting a location of a wake vortex corresponding to said aircraft; with the electronic circuit, predicting a trajectory of said wake vortex wherein

Case Law

The story of Krishna Kanhaiyya

The present case law was decided in the High Court of Mumbai on March 27, 2003. The case was fought between Zee Telefilms Ltd and others (defendant) and Sundial Communications Pvt Ltd & others (plaintiff) over a serial called "Krish Kanhaiyya".

The plaintiffs contended that the defendants had infringed the original work of the plaintiffs in all material ways with a few cosmetic changes. The plaintiff claimed injunction on three grounds:-

- (i) breach of confidentiality by the defendants;
- (ii) infringement of their copyright in the work of Krish Kanhaiyya;
- (iii) reverse passing off of the plaintiffs' work i.e. the defendants were wrongfully representing the plaintiffs' work as their own.

The plaintiff No. 1 (Sundial Communications) is a company engaged in the business of television programming, video programming, multimedia programming and feature films, television serial production etc. It consists of a group of entrepreneurs, who have worked in different television networks and who then decided to start their own business in January 2002. In or about January 2002, the plaintiffs worked on various concepts and came up with a concept titled 'Kanhaiyya' which was registered, with the Film Producers' Association on 22nd February 2002 in the name of plaintiff No. 2 who is an employee of the plaintiff No. 1. The first concept, as registered was based on a family where 'Kanhaiyya' who is an avatar of Lord Krishna, appears as a

child and is succor to them and helps them. He plays with them, performs small miracles for them. If they behave badly or fight, he goes back. He adds joy and happiness to the entire family. The idea was thereafter evolved into various episodes and different adventures. Subsequent to this, the plaintiff No. 1 and its various employees, including the plaintiff No. 2 worked further on the theme and concept of 'Kanhaiyya' and evolved it in greater detail. This was duly incorporated in the concept notes.

Around the second week of April 2002 the employees of the plaintiff No 1 presented the concept under the title "Kanhaiyya" to Ms. Vinita Nanda, the then Director of defendant No 1 and other employees of the defendant No 1. The presentation was made with a clear understanding that it was confidential and will not be used, exploited in any manner other than through the plaintiffs, it being the plaintiff's original ideas, concepts, thoughts and expressions, with the copyright vesting in them in terms of section 13 of the copyright Act, 1957. In fact, when the plaintiffs specifically asked whether a non-disclosure agreement would be entered into, Ms. Vinita Nanda categorically stated that it was not the policy of the defendant No. 1's channel to enter into any non-disclosure agreement since the repute of the defendant No 1's channel was such that nobody could imagine that their concepts would be taken away and entrepreneurs like the plaintiffs would never be exploited or cheated.

The concept was thereafter worked on with a title changed from 'Kanhaiyya' to Krish Kanhaiyya' and a detailed concept note, character sketches, detailed plot of first episode and ten episodic plots were sent to the defendant No 1. Encouraged

by the positive response of the defendant No1 the plaintiffs in association with Cinevistaas Ltd, produced a pilot, since such pilot programme duly represented on videotape would be a greater deciding factor for the television channel to decide on production and broadcasting, on the concept originated by the plaintiffs. The pilot of 'Krish Kanhaiyya along with the developed concept was sent to the defendant No. 1 around 10th October 2002 and was also sent to Star TV, Sony TV and Sahara TV, since the defendant No. 1 had not yet made up their mind as to whether to air and broadcast the serial "Krish Kanhaiyya". The evolved concept was also registered with Film and Writers' Association on 12th November, 2002.

Therefore, the plaintiffs met the Chairman of the defendant No.1 and certain price negotiations took place. However, the plaintiffs did not hear from the defendants and they therefore pursued the production of the show with Sony Entertainment Television. Soon after Sony Entertainment Television expressed its willingness to produce this concept of Kanhaiyya. The plaintiff learnt that the defendants were doing, the show, based on the concept of Kanhaiyya. The plaintiffs made several attempts to reach the officers of the defendant No 1 to request not to infringe the copyright. They, however, failed to contact anybody responsible. The plaintiffs found that the defendant No1 and 3 had applied to Indian Motion Pictures Producers' Association for registration of the name Krish Kanhaiyya. The plaintiffs also came across promotional materials for the production " Kanhaiyya as also hoarding announcing the launch of Kanhaiyya by the defendants.

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Case Law

As a result, M/s Sony Entrainment Television declined to sign the contract after coming to know that M/s Zee Television of the defendants was going to produce and broadcast serial "Kanhaiyya" from 9th March 2003. The plaintiff found that rather Kanhaiyya coming down to earth in the form of a boy as per the concept of the plaintiffs, he came down as a girl in the show being produced and proposed to be aired by the defendants. The name is also deceptively similar, being Kanhaiyya rather than Krish Kanhaiyya and the work Kanhaiyya was also the original name, which had been conceptualized by the plaintiff.

Regarding the breach of confidentiality, the plaintiff's counsel submitted that when the plaintiffs had submitted their proposal for consideration, same was done on the understanding that broadcaster will either accept or reject it. Therefore, the defendants by using the information imparted to them in strict confidence reposed by the plaintiff in them, by misappropriating the concept of the plaintiff's programme and by announcing of the making of the serial on similar lines, than inflicting huge loss and damage to the commercial potential of the plaintiffs' programme.

The learned counsel for the defendants strenuously urged that the plaintiffs' plea of confidentiality is not supported in law. He submitted that the idea/concept of the plot conceived by the plaintiffs was neither original nor novel. In the absence of any originality in the idea conceived by the plaintiffs, the principles of confidentiality do not apply. According to him Lord Krishna appearing either in its original form or human form is not novel or a new concept. Similar themes have been

used in TV serial Amanat and the movie Yahi Hain Zindagi.

The judge however contended that the concept developed by the plaintiffs was indeed novel, in the sense that Bal Krishna starts residing in the family whose life was disturbed and solves their troubles. Keeping in view numerous striking similarities in two works and in the light of the material produced on record, it was impossible to accept that the similarities in two works were mere coincidence. The inference of unlawful exploitation of plaintiffs' original concept in defendants' TV serial was more in consonance with the materials placed on record and all probabilities of the situation therein disclosed. Therefore, the court felt that the plaintiffs would certainly be entitled to have injunction for breaching confidentiality.

The next question was whether the defendants work violates the plaintiffs' copyright. The learned counsel for the defendants submitted that the entire claim of the plaintiffs was on the basis that the plaintiffs were entitled to the copyright in the concept/idea. He submitted that there was no copyright in a mere concept or an idea.

The court however contended that it was undoubtedly true that the law does not recognize property rights in abstract ideas, nor in an idea protected by a copyright and it became copyright work only when the idea was given embodiment in a tangible form. When an idea was given embodiment in a tangible form it becomes subject of common law property rights which were protected by the courts. The present case is not a case of a mere idea. The plaintiffs had developed that idea into various concept notes including a pilot, concept notes, character sketches, detailed plot

International News

□ Royal Philips Electronics recently reached a milestone of 1,00,000 patents after trebling its inventions to 3000 a year, putting it on par with rivals like IBM. Some important inventions include CD, DVD, JPEG, MPEG (digital video), xenon car lights, UHP lights for projectors and GSM speech codification. Philips has been the number one company in filing patent applications with WIPO over the last two years.

(The Economic Times, 17 Dec 2003)

□ Brazil is considering importing an unnamed Indian company's copy of Roche's Nelfinavir drug which will provide cheaper access to the product and the formula to the drug. If Brazil eventually begins production of the drug without Roche's approval then it would mark the first step towards breaking the company's patent in its fight to cut drug costs and provide free, universal anti-retroviral AIDS drug treatment.

(Business Standard, 25 Dec 2003)

□ The Germany based Mauser GmbH, a leading global player in rigid plastic packaging products, plans to take legal action against a string of Indian companies manufacturing plastic containers for copying their patented designs and violating their intellectual property. The company will be taking legal action through its exclusive licensee in India.

(Business Line, 13 Dec 2003)

□ The Intellectual Property Office of Singapore (IPOS) and the European Patent Office (EPO) have signed a bilateral memorandum of understanding for establishing a flexible mechanism to raise greater IP awareness. The agreement will last from 2004-06. The offices will collaborate on joint seminars and conferences targeted at a wide

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Case Law

of first episode and ten episode plots. Therefore, the submission of the learned counsel for the defendants that the copyright was claimed merely in an idea was unacceptable.

Regarding the claim in reverse passing off the learned counsel for the plaintiffs explained that passing off lies in passing off one's product as that of another's whereas reverse passing off lies in passing off another's product as one's own. The appeal court, following the earlier decisions came to the conclusion that this was the case of reverse passing off as the defendants were passing off the plaintiffs serial as their own.

In view of the foregoing discussion, the court ruled that :

- (i) there was breach of confidentiality by the defendants;
- (ii) the defendants had infringed the copyright of the plaintiffs; and
- (iii) there was reverse passing off of the plaintiff's work by the defendants.

Therefore, the court granted injunction to Sundial Communications to stop the telecast of the serial by Zee Telefilms Ltd.

As a result therefore, appeals of the defendants were dismissed and the court gave the ruling in favour of the plaintiffs i.e., Sundial Communications.

A point to be noted here is one must insist on signing a formal non disclosure agreement before showing one's product/work to anyone else.

Litigation Watch

The Mumbai police has raided four Thane based studios (Foto Fantasy Digital Studio, Fantasy Photo Lab, Art Digital Studio and Color Photo Shop) for unauthorized storage and use of Adobe software which include Photoshop, Image Ready, Type Manager and PageMaker 6.5. A criminal case has been registered against the people arrested under the Copyright Act, 1957. Earlier these studios had been approached by Adobe representatives to purchase licensed software and additional licenses.

(Living Digital, Dec 2003)

The Delhi High Court restrained Delhi based Bansal Sales Corporation and LG Chem Ltd from marketing their solid surface products under the brand name "LG HIGH MACS" for copyright violation. Their product brochure has been alleged to contain "copied text" of chemical major Dupont's product marketed under the brand name "CORIAN" which has copyright protection.

(The Economic Times, 22 Dec 2003)

Taiwan Semiconductor Manufacturing Company (TSMC) has sued China's Semiconductor Manufacturing International Company (SMIC) in the US District Court of Northern California for patent infringements. TSMC said it was able to buy SMIC products in open US markets to analyse that their patents have been infringed. They are seeking a permanent injunction against SMIC.

(The Economic Times, 23 Dec 2003)

An injunction was granted by the London High Court against the owners of the three venues in Poole, Bolsove and London for publicly playing music at their premises without obtaining a license from UK's PRS (The Performing Right

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International News

range of audience from scientists to the general public. The EPO will also organize "expertise development courses in patent search and examination" for IP professionals in Singapore.

(Patent World, Dec 2003/Jan 2004)

□ The Chinese government is currently drafting a national strategy on intellectual property rights with an objective to increase patent filing in the country, bringing it on par with other global economies. The commissioner of State Intellectual Property Office (SIPO), Wang Jingchuan, speaking at an IP strategy and enterprises forum organized by the Shanghai municipal government, told that the SIPO and the Ministry of Science and Technology were working on the draft and he expects the IPR legislation to be complete in five to ten years. The IPR practices of United States and Japan will be taken into account while framing the legislation, he added.

(Patent World, Dec 2003/Jan 2004)

□ The Parliament of Canada has approved a bill which would amend Canada's Patent Act to allow the export of generic pharmaceutical products to developing countries without manufacturing capacity. The bill has been sent to various committees to obtain recommendations for further amendments. The amended bill is believed to be introduced by next year after the new prime minister, Paul Martin, takes up office.

(Patent World, Dec 2003/Jan 2004)

□ The copyright board of Canada has determined that Canadian law makes downloading from peer-to-peer networks of copyrighted music legal while uploading is not. The board also imposed a levy of

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Litigation Watch

Society). The court also ordered future hearings to determine the appropriate level of damages in each case.

(Copyright World, Dec 2003/Jan 2004)

Huaxia film distribution company has filed a law suit against Chinadotcom, a major internet portal of China accusing the website of providing unauthorized downloads of "Terminator 3". Huaxia, the exclusive distributor of the film in China, generated \$3.62 million, less than what was expected and is therefore seeking \$34,636 as compensation.

(Copyright World, Dec 2003/Jan 2004)

The US subsidiary of Eisai, a Japanese pharmaceutical company has filed patent infringement against Dr. Reddy's Laboratories and Teva Pharmaceuticals in New York. It claims that the drug applications submitted by these companies to the FDA for Aciphex contains an active ingredient rabeprazole sodium, for which Eisai holds a matter patent. The Eisai's rabeprazole composition of matter patent is valid till 8 May, 2013 and the company intends to defend that patent.

(Patent World, Dec 2003/Jan 2004)

The US jury has awarded a compensation of US\$62.3 million to Imagexpo, a subsidiary of SPX Corporations, in a patent infringement case filed against Microsoft in October 2002. SPX claimed that Microsoft infringed the Imagexpo patent related to real-time conferencing in its NetMeeting whiteboard feature that is included with a number of Microsoft's products.

(Patent World, Dec 2003/Jan 2004)

Astra Zeneca lost a case in the European Union's top court which related to German patent protection for omeprazole, an active ingredient in its anti-ulcer drug case. The case was brought by generic manufacturer of the drug, Ratiopharm GmbH against Hassle AB, which is a part of Astra Zeneca & which owned the omeprazole patent.

(Business Line, 12 Dec 2003)

A major shipment of pirated DVDs of newly released films, bound for sale at Christmas markets and boot fairs were recovered by the federation against copyright theft in London last month.

(Copyright World, Dec 2003/Jan 2004)

Software pirates in Malaysia are selling copies of the forthcoming version of Microsoft Corporation's Windows Operating System due to be released in 2005. The program code named Longhorn is believed to be a breakthrough technology in file storage and minimizing security holes and quirks existing in their current desktop operating system Windows XP. Compact discs containing early Longhorn version are for sale for six ringgit (\$ 1.58) in Southern Malaysia, while current version of Windows XP is being sold at \$ 100 in the US.

(Deccan Chronicle, 2 Dec 2003)

GlaxoSmithkline has sued Dr. Reddy's Laboratories Ltd in a New York court to prevent the Indian drug company from manufacturing a generic version of its antimigraine drug Imitrex. The Indian drug company had sought US Food and Drug Administration approval to manufacture and market generic version of Imitrex or sumatriptan succinate oral tablets. Glaxo SmithKline has a patent over Imitrex drug until August 2008.

(Hindustan Times, 1 Jan 2004)

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International News

C\$25 on MP3 players, including them in the category of audiotapes and CDs. The money collected on "recording mediums" from the manufacturers would be used as a fund to pay musicians and songwriters for revenues lost from consumers' personal copying.

(Copyright World, Dec 2003/Jan. 2004)

n New specialized mercantile courts, which will have exclusive jurisdiction over a limited group of mercantile and civil matters, including intellectual property have been established in Spain. The new courts operating from 1 September, 2004 are expected to improve the speed and quality of judgements as they will be run by specialized judges having more in-depth knowledge on specific matters (IP specific matters to be handled by IP judges). The creation of Mercantile Courts along with existing community Trademark courts and Tribunals, brings Spain's legal system into compliance with European Union's requirements.

(Patent World, Dec 2003/Jan 2004)

n Lexicon Genetics Incorporated, a biopharmaceutical company focused on the discovery of breakthrough treatments for human disease, have been granted US patent (No. 6,653,13) titled "High Efficiency Gene Targeting in Mouse Embryonic Stem Cells." The patent covers the most widely practiced methods of producing genetically engineered knockout mice by gene targeting. The patent fetches the company broad exclusive marketing rights in certain fields covering the aspects of gene targeting.

(WISTA Intellectual Property, Jan. 2004)

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PFC on the move

□ PFC has organised four patent awareness workshops in the month of December 2003 and three workshops in the months of January 2004.

First three workshops were organised in Tripura. First was organised at Tripura University, Surjamaninagar, Tripura; second workshop was organised at Tripura Engineering College, Jirania, Tripura on December 26, 2003. Third one was organised at Tripura Government Law College, Agartala, Tripura on December 27, 2003. Fourth workshop was organised during the National Children's Science Congress 2003 at Lucknow on December 30, 2003 in association with PIC, Lucknow. This was attended by about 350 participants of National Children's



(Workshop at Tripura University)

Science Congress from the different parts of the country.

In January 2004 first workshop was organised at North Maharashtra University, Jalgaon on January 9, 2004. About 120 participants attended this workshop from the university, other academic institutes and industry. Second workshop was organised at PhD Chamber of Commerce & Industry, New Delhi on January 13, 2004 in association with NCUTE, IIT, Delhi. The theme of the workshop was "IPR and Textile Industry-Post 2004" and was attended by about 50 participants from the textile industry.

Third workshop in January 2004 was organised at Gandhinagar using the Gujarat SATCOM network. Lectures were delivered at studio at Gandhinagar and the signals were received at 24 receiving stations in different parts of the State of Gujarat. It was two way audio and one way video communication. Faculty responded to about 200 questions from all 24 receiving stations. This workshop was first of its kind organised by PFC. The workshop was attended by about more than 1300 participants at 24 receiving stations including 50 at studio at Gandhinagar.

Fifth interaction meeting of Patent Information Centres (PICs) of PFC was organised on January 15-16, 2004 at Kolkata and was attended by 13 PICs from 13 states.

□ Four patent applications were filed in India during these two months.

□ A high level delegation from Max Planck Institute for Intellectual Property, Germany visited PFC on January 19, 2004. Prof. Joseph Straus of the Max Planck Institute for Intellectual Property delivered a public lecture on Patenting in the area of genomics and proteomics: The lecture was attended by about 50 participants.



(Workshop at Tripura Govt. Law College)

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International News

The Government of New Zealand has recently made changes to Parallel Importations Laws according to which no one other than producers or licensed distributors of a commercial film can import DVD, CD or videos. The copyright owners and cinema operators can derive an economic return on the cinematic release of films for a period of nine months. There are also provisions to prevent imports of counterfeit films, sound recordings and computer programs. A minor adjustment has been made to the Trade Marks Act of New Zealand to prevent registered trade marks being used to stop parallel importation of goods.

(WISTA Intellectual Property, Jan 2004)

□ The United Kingdom Patent Office has invited comments on the proposal to increase fines and prison sentences for copyright, patent and trademark infringers. The patent office invites comments on a number of areas including 'what constitutes counterfeiting and piracy' and 'whether the enforcement proposal should be extended to other infringements.' The consultation ends on 12 January, 2004.

(Copyright World, Nov 2003)

□ A global consortium of technology companies made up of Intel, Nokia, Samsung, Toshiba and Matsushita, is planning a new system to protect digital music, video and software from illicit file sharing. The project Hudson is expected to be announced in early February preceding the Grammy music awards and the movie industry's Academy Awards ceremony.

(Asian Age, 6 Jan 2004)

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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. November 1, 2003

191281. The Chief Controller, Research & Development Ministry Of Defence, New Delhi (0195/Del/95)	A multispan redeployable bridge.
191282. Balwant Raj Gadani, New Delhi (05/Del/95)	A jockey pulley device.
191283. CSIR, New Delhi (606/Del/95)	A process for the preparation of alkylation catalyst from natural kaolinitic clay.
191284. Chemical Research & Licensing Co, USA (726/Del/95)	A process for the preparation of purified petroleum distillate.
191285. BharatHeavy Electri- cals Ltd, New Delhi (862/Del/95)	A gate drive for gate turn off thyristor (gto) in an inverter circuit.
191286. Motorola Inc, USA (819/Del/95)	A receiver apparatus for receiving direct sequence code division multiple access cdma signals.
191287. Honda Giken Kogyo Kabushiki Kaisha, Japan (1074/Del/95)	A carburetor having vacuum piston with diaphragm.
191288. CSIR, New Delhi (1093/Del/95)	An improved process for the preparation of photoreceptors useful for xeradiography.
191289. Voest Alpine Scheiennen Gmbh, Austria (1153/Del/95)	Method for the manufacture of a profiled rolling stock.
191290. Piaggio C. SPA, Italy (1199/Del/95)	A rear suspension apparatus for motor vehicles.
191291. Hawk Industries Inc, USA (08/Del/95)	A power jaw apparatus for applying high torques to sectiond of threadedly connected pipe..

B. November 8, 2003

191292. BuehlerAg, Switzerland (321/Del/95)	A screening apparatus for use in a pneumatic material feed system..
191293. AllieSignal Europe Services Techniques, France (70/Del/95)	Pneumatic servo device for brake boosting intended for motor vehicle.
191294. Sedepro, France (123/Del/95)	A mold for a tire tread.
191295. Crown Cork Ag, Switzerland (194/Del/95)	A screw cap with over tightening protection.
191296. The Procter Gamble Co, USA (332/Del/95)	Granular detergent composition containing hydrotropes and optimum levels of anionic surfactants for improved solubility in cold temperature laundering solutions.
191297. CSIR, New Delhi (600/Del/95)	A process for the preparation of crystalline zinc alumino silicate catalyst useful for the preparation of lpg and high octane aromatics.

Domestic News

□ Chandigarh based pharmaceutical firm Ind-Swift Ltd wins a US patent for "Controlled release macrolide pharmaceutical formulations". The patent is for controlled dosage of the microlide antibiotic drug to be taken once a day as against the conventional dosage being taken twice a day. The worldwide market for the drug is \$1.5 billion.

(Business Standard, Dec 2003)

□ Gitanjali group, a diamond production and marketing firm in India has applied for patents for 25 new cuts developed by its R&D team. The cuts are available from 0.05 to 2.00 carats in 25 differentiated designs, each crafted to perfection for optimal reflection and look. The cuts will also be branded and would cater to the value-added niche jewellery market worldwide.

(Business Line, 6 Dec 2003)

□ The National Agency for Food and Drug Administration, Nigeria has blacklisted 19 Indian and Chinese firms accused of manufacturing counterfeit drugs. It is noteworthy that most of the fake drugs in Nigeria are imported from Asia and 98 percent of these are from India and China.

(Business Line, 3 Dec 2003)

□ Wockhardt Ltd becomes the first Indian pharmaceutical company to get exclusive marketing rights for its antibacterial drug Nadoxin (nadifloxacin) by Indian Controller General of Patents and Trademarks. Nadoxin is a wide spectrum antibacterial drug used to treat topical bacterial infections.

(The Financial Express, 24 Dec 2003)

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191298. Central Electronics Ltd, Uttar Pradesh (1679/Del/95)	A portable driver testing device.
191299. Japan Metal Gasket Co Ltd, Japan (1746/Del/95)	A metallic gasket.
191300. Whirlpool Corporation, USA (2157/Del/95)	A fluid recirculation system for an automatic washer.
C November 22, 2003	
191301. Emitec Gesellschaft Fur Emissionstechnology Mbh, Germany (828/Cal/96)	Apparatus and process for producing a honeycomb body.
191302. Hitachi Ltd, Japan (887/Cal/96)	A rolling mill of reserving type and a method of rolling.
191303. Mitsuba Corporation, Japan (1700/Cal/96)	An internal combustion engine ignition control apparatus.
191304. Daewoo Electronics Corporation, Korea (1839/Cal/96)	An apparatus for classifying a textured image based on coarseness and directivity of textured patterns therein.
191305. Plasmaco Inc, USA (1929/Cal/96)	An ac plasma panel.
191306. Libbey Glass Inc, USA (2182/Cal/96)	A spout forming assembly for glassware having an edge and method a spout on glassware having an edge.
191307. Samsung Electronics Co Ltd, Korea (2221/Cal/96)	Position control apparatus for gyroscope.
191308. Yung Chi Yang, Taiwan Republic Of China (2254/Cal/96)	Vaporizer for a carburizing furnace.
191309. Simens Aktiengesellschaft, Germany (2082/Cal/96)	Electronic circuit for driving a field effect transistor.
191310. Aisa Automation Industrielle Sa, Switzerland (400/Cal/95)	A process for the production of a container.
D November 22, 2003	
191311. Astrazeneca Uk Ltd, UK (In/Pct/2000/0004)	A dry powder layering process for preparing a pharmaceutical composition.
191312. Hindustan Lever Ltd, Mumbai (383/Bom/98)	Clear emulsion cosmetic composition.
191313. Alembic Ltd Alembic Road, Vadodara (890/Mum/01)	A method for preparing azithromycin dihydrochloride ophthalmic ointment.
191314. Mathurakavi Srinivasa Raghavan Ayyangar, Mumbai (59/Mum/01)	Process for preparation of skin care composition by combining micro nutrients with ayurvedic substances.
191315. Pfizer Inc, USA (698/Mum/01)	A process for the preparation of pyrazolo 4 3 d pyrimidin 7 one compound
191316. Department Of Atomic Energy, Mumbai (98/Bom/99)	A modular device for generating high voltage impulse.
191317. Blue Cross Laboratories Ltd, Nashik (1125/Mum/01)	Process for the preparation of novel pharmaceutical composition.
191318. Department Of Atomic Energy, Mumbai (97/Bom/99)	A modular device for generating high voltage impulse.
191319. Sheetal Sharad Vatturkar, Pune (742/Bom/98)	A high accuracy liquid density measuring device.
191320. Mahindra & Mahindra Ltd, Mumbai (461/Bom/98)	A versatile vehicle.
191321. Pinak Kanti Dutta, Pune (29/Bom/99)	An apparatus for pneumatic automations.
191322. Valleytowers Agrawal Estate (57/Bom/99)	Computer keyboard.
191323. Indian Oil Corporation Ltd, Mumbai (43/Bom/99)	A process for the preparation of multigrade bitumen from refinery streams.

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Domestic News

□ The Indian government has approved an amendment in the Drugs and Cosmetics Act and introduced a bill seeking stringent punishment including death penalty for those found guilty of manufacturing, marketing and dealing with spurious drugs. Special courts are to be set up for speedy disposal of cases against spurious drug manufacturers.

(The Economic Times, 19 Dec 2003)

□ The Indian government introduced the Patents (Amendment) Bill, 2003, providing for product patent protection in all fields of technology as per the provisions of the TRIPS agreement of the WTO coming into effect from January 1, 2005.

(Business Line, 23 Dec 2003)

□ The health department has set up a separate patent cell to secure patents for ayurvedic medicines and different ayurvedic treatment methods. The patent cell will focus on collecting data required for getting patents for ayurvedic medicine components, medicine preparations, treatment methods, treatment modules and application. Kerala specific treatments such as "Visha Chikitsa", "Bala Chikitsa" and "Unmada Chikitsa" will be given special attention.

(The New Indian Express, 29 Dec 2003)

□ Lupin Ltd has filed an investigational new drug application (INDA) for a botanical oral treatment of psoriasis, desoris with the Drug Controller General (DCG) of India. Psoriasis is characterized by defects in normal growth cycle of epidermis leading to epidermis hyperproliferation, altered maturation skin cells, vascular changes and inflammation. Based on animal

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191324. Thermax Ltd, Pune (489/Bom/98)	An improved apparatus for generating steam from waste such as distillery waste agrowaste and the like.
191325. Indian Petrochemicals Corporation Ltd, Gujarat (519/Bom/98)	A method for preparation of a novel catalytic composite.
191326. Vasantdada Sugar Institute, Pune (722/Bom/98)	An improved differential PH sensor with interface.
191327. Electronica Machine Tools Ltd, Pune (580/Bom/98)	Wirecure electric discharge machining method.
191328. Hindustan Lever Ltd, Mumbai (908/Bom/99)	A synergistics detergent bar composition.
191329. Rajiva Srikrishna Tambe Kamod Apartments, Nagpur (842/Bom/98)	Wirecure electric discharge machining method.
191330. Garware Polyester Ltd, Mumbai (819/Bom/98)	A process of making coloured and or uv stabilized olyester material.
191331. Bajaj Auto Ltd, Pune (696/Bom/98)	A lifting device for rear portion of 2 wheeler scooter.
191332. Sun Pharmaceutical Industries Ltd, Mumbai (863/Mum/01)	A novel method for preparation of 1 amnomethyl 1 cyclohexaneacetic acid.
191333. Fraunhofer Gesells- chaft Zur Forderung Der Angewandten Forschung E V, Germany (21/Bom/99)	Method for the production of ceramic network.
191334. The Indian Thermit Corporation Ltd, Madhya Pradesh (22/Bom/99)	An improved method of joining head hardened rails.
191335. Hindustan Lever Ltd, Mumbai (679/Bom/98)	A method for preparing an ambient stable tea based beverage.
191336. Hindustan Lever Ltd, Mumbai (193/Bom/99)	A process for preparing protein and or peptide bound melanin.
191337. Dr Inder Jain, Mumbai (393/Bom/99)	An improved catheter mount.
191338. LukLamellenUndKupplungsbauGmbh, Germany (215/Bom/99)	Torsion vibration damper.
191339. Smithkline Beecham Laboratories, France Smithkline Beecham S P A Anttalian Co, Italy (In/Pct/2000/0011)	A process for preparing a compound of formula 1.
191340. Hindustan Lever Ltd, Mumbai (1141/Mum/01)	A process for the preparation of cold extruded composition and an apparatus for carrying our such process.
191341. M/S Cipla Ltd, Mumbai (1010/Mum/01)	A process of producing an antihistamic compound and its derivatives.
191342. Mr Garware Polyester Ltd, Mumbai (812/Bom/98)	A process of making optically clear solar control polymeric film composite.
191343. The Director, The Automative Research Association Of India, Pune (654/Bom/98)	Gas regulator for bi fuel engine.
191344. Hindustan Lever Ltd, Mumbai (741/Bom/98)	An aqueous shampoo composition.
191345. Castrol India Ltd, Karnataka (651/Bom/98)	A process for producing a rust prevetative coating for steel.
191346. Evergreen Industries, Ahmedabad (120/Bom/99)	Process for preparation of water soluble fibre reactive azo compounds.
191347. Hindustan Lever Ltd, Mumbai (678/Bom/98)	A process for preparation of a cosmetic composition for lightening skin.
191348. Outokumpu Oyj, Finland (784/Bom/98)	A method of decomposing contaminated sulfuric acid to obtain non hazardous end products.

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Domestic News

data, desoris has been found to be efficacious.

(The Financial Express, 1 Jan 2004)

□ The Intel team in Bangalore is developing microprocessor chips for high-speed broadband wireless technology. The chips will have one billion transistors and are to be launched in 2006. At GE's John F Welch Technology at Bangalore, engineers are developing new ideas for aircraft engines, transport system and plastics. The Indian units of Cisco Systems, Texas Instruments, Intel, IBM, General Electric have filed 1,000 patent applications with the US patent office. Texas Instruments has 225 US patents awarded to its Indian operations.

(The Times of India, 4 Jan 2004)

□ TVS Motor Company has sought a patent for the new engine technology it has developed for its latest vehicle, the 100 cc 4-stroke TVS Centra. The engine technology, which the company calls 'vTi' (for variable timing intelligent) has three components—friction reduction, better combustion and fuel wastage reduction. The company claims while friction reduction is not patentable, the other two could be patented. The company plans to sell more than 3,00,000 Centras in 2004-05 and claims that the vehicle can drive 100 kms on a litre of petrol.

(Business Line, 6 Jan 2004)

□ The PGI and Mohali-based Semiconductor Limited (SCL) have come up with a system that will automatically administer drugs during surgery to control critical parameters like heart rate, body temperature,

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191349. Indian Oil Corporation Ltd, Mumbai (684/Bom/98)	A process for the preparation of hydrocarbon conversion catalyst.
191350. Alkem Laboratories Ltd, Mumbai (480/Bom/99)	An improved method of synthesising a molecule called satranidazole.
191351. Hindustan Lever Ltd, Mumbai (756/Bom/98)	Improved detergent bar composition.
191352. Ratnesh Varma, Sumit Kabra, R K Electronics Devices, Chhinwada (19/Bom/99)	An electronic device regulating excessive use of electrical energy.
191353. Hindustan Lever Ltd, Mumbai (783/Bom/98)	A solid detergent composition.
191354. Alembic Ltd, Vadodara (872/Mum/01)	A process for the preparation of novel stable crystal form of n trans 4 isopropylcyclohexyl carbonyl d phenylalanine.
191355. Dr Shilowbhadra Banerje, Pune (653/Bom/98)	An improved process for making steel in the electrical arc furnace eaf.
191356. Hindustan Lever Ltd, Mumbai (379/Bom/98)	Unitarily molded toothbrush.
191357. Hindustan Lever Ltd, Mumbai (802/Bom/98)	Improved detergent composition with cationic compounds.
191358. Pfizer Products Inc, USA (84/Del/99)	A process for preparing n 4 3 4 dichlorophenyl 3 4 dihydro 1 2h naphthalenyli dene methanamine.
191359. National Institute Of Immunology, New Delhi (607/Del/99)	A process for preparing a cell culture composition.
191360. CSIR, New Delhi (635/Del/99)	An improved process for the preparation of 2 aryl propionic acids.
191361. CSIR, New Delhi (736/Del/99)	An improved process for the preparation of bright juices from noncitrus fruits.
191362. Dabur Research Found-ation, Ghaziabad (932/Del/99)	A process for the manufacture of oximino betulinic acid derivative.
191363. Dabur Research Found- ation, Gaziabad (1260/Del/99)	A process for the preparation of a synergistic herbal composition useful for treatment of drug resistant bacterial infections.
191364. University Of Delhi South Campus, Department Of Bioche mistry, New Delhi (1476/Del/99)	A process for the isolation and purification of protein p17 of hiv 1 subtype b.
191365. University Of Delhi South Campus, Department Of Bioche- mistry, New Delhi (1478/Del/99)	A process for the isolation and purification of protien p24 of hiv 1 subtype c.
191366. CSIR, New Delhi (0084/Del/00)	An improved process for the preparation of 4b substituted epipodopyllotoxins.
191367. Ranbaxy Laboratories Ltd, New Delhi (197/Del/00)	Process for the preparation of stable aqueous solution of fluoroquinolone antimicrobial agent.
191368. Siemens Aktiengesellschaft, Germany (1093/Cal/96)	A gas turbine comprising of a burner for combusting a fuel.
191369. Brinks S Network Inc, USA (1201/Cal/96)	Improved drop safe.
191370. Calmar Inc, USA (2061/Cal/97)	Liquid dispensing pump having water seal.
191371. Degussa Huls Aktenges- ellschaft, Germany (129/Cal/01)	An improved process for the production of alphatocopherol acetate.

The rest of the Patents for Opposition till the month of January 2004 are continued in the Supplement along with this bulletin.

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Domestic News

respiratory rate and blood pressure. In a pioneering project approved by the Union Ministry of Information Technology and the Union Ministry of Health, they have developed a computer software which detects signals from the brain to alter the flow of drugs. A computer hardware has also been developed and a chip will be ready in a year. The machine can assist the doctor in fine-tuning the drug delivery system as per the requirement of the patient. The PGI and SCL team have already applied a patent for the product.

(The Sunday Tribune, 18 Jan 2004)

□ A legislation is in the making to curb piracy in the entertainment sector. The government has already initiated steps to frame 'Optical Disc Law' which is in force in most other countries. Once this law is enacted in India, every factory manufacturing CDs and VCDs has to be licensed. There will also be special secret codes on every disc, so that these can be traced back.

(The Financial Express, 22 Jan 2004)

□ Herbal and low cholesterol eggs under the brand name "Organegg" has been launched by Tagma Agrotech which has already filed a patent for it. Organegg has low cholesterol content of about 80-120 mg per egg as compared to 200-240 mg in the conventional egg. The innovation was made possible by feeding hens on a vegetarian diet fortified with low cholesterol herbs, consumed by human beings. Organegg is supposed to be a food supplement and not a medical egg.

(The Tribune, 31 Jan 2004)

□ The domestic drug companies are making big strides in the global

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191372. Davis Robert Eugene, USA (609/Cal/01)	A process for reactivating a spent zeolite containing particulate catalyst.
191373. Vastar Resources Inc, USA (177/Cal/97)	A method for recovery of methane at increased rate from a water containing subterranean coal formation.
191374. Bradford Particles Design Ltd, UK (739/Cal/95)	An apparatus for carrying out a method for forming particles.
191375. Phillips Petroleum Co, USA (518/Cal/97)	A process and an apparatus for removing concentrating aromatic and or heavies from the methane based feed.
191376. Siemens Aktiengesellschaft, Germany (420/Cal/97)	Chip card and method of manufacturing a chip card.
191377. Movengineering S R L, Italy (328/Cal/97)	An apparatus for cleaning a filter which was contaminated by hot melting resins and polymers in situ and method therefor.
191378. Emitec Gesellschaft Fur Emissionstechnology Mbh, Germany (326/Cal/97)	Process for manufacturing a brazed honeycomb body for exhaust gas catalytic converter and a brand honeycomb body.
191379. Siemens Aktiengesellschaft, Germany (380/Cal/97)	Electric circuit breaker with a movable contact arrangement.
191380. Hoechst Celanese Corporation, USA (746/Cal/97)	A process for the preparation of a catalyst for production of vinyl acetate from ethylene acetic acid and oxygen.
191381. Siemens Aktiengesellschaft, Germany (101/Cal/97)	Method for transmission of digital signals in time division multiplex channel form via an atm transmission device.
191382. Siemens Aktiengesellschaft, Germany (505/Cal/97)	Airport guidance and control system in particular an airport surface movement guidance and control system.
191383. Stoller Enterprises Inc, USA (478/Cal/97)	Solubilization of boric acid.
191384. Mitutoyo Corporation, Japan (488/Cal/97)	A micrometer.
191385. Daewoo Electronics Corporation, Korea (1504/Cal/97)	Scalable predictive contour coding apparatus for video signal.
191386. Coronet Werke Gmbh, Germany (1180/Cal/97)	Dental care device with a handle.
191387. Myrtle Management Ltd, New Zealand (1519/Cal/97)	An improved article of clothing.
191388. Nextrom Holdings S A, Switzerland (1164/Cal/96)	An extrusion apparatus and method for producing an extruded product.
191389. Copeland Corporation, USA (1223/Cal/96)	A method for producing a scroll member by casting and a scroll member so produced.

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Domestic News

arena through acquisitions, such as Wockhardt acquiring CP Pharmaceuticals in the UK in July this year, Zydus Cadila formalizing a deal with Alpharma SAS of France and Ranbaxy acquiring RPG Aventis in France. The domestic drug majors having created a niche for themselves globally as a knowledge based industry would plan for more acquisitions and mergers, with the product patent regime coming into force post 2005.

(Business Line, 29 Dec 2003)

□ The Patent Amendment Bill 2003 which primarily intends to introduce product patent in the pharma and agro-chemical sectors, has brought in a provision to drop the "pre-grant opposition" and substitute it with "pre-grant representation", which means a patent cannot be objected before its grant. Currently, a patent can be opposed legally and an arbitration sought in four months after the patent application is made public. The new proposition proposes that anybody can make representation against a patent application that is "published but not granted" only on two grounds, which include patentability of the invention and non-disclosure or wrongful mentioning of the source and geographical origin of biological material.

(The Economic Times, 26 Dec 2003)

Please send us questions and topics you would like to see in the coming issues

NEXT ISSUE

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