A BULLETIN
FROM
TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 6 NO. 7 JULY, 2000

The Geographical Indications of Goods (Registration and Protection) Act 1999

India has many products both natural and man made which have been produced for many years and these products are known for their special characteristics and are associated with specific geographical locations e.g. Darjeeling tea, Basmati rice, Alphanso mango, Chanderi sarees etc. There has been a very wide spread feeling in the country that the names associated with such goods should be legally protected in India and elsewhere. It was also a requirement under TRIPS that member countries should have their own legislation for protecting geographical indications. The Parliament enacted the Act entitled "The Geographical Indications of Goods (Registration and Protection) Act 1999" to provide for registration and better protection of geographical indications relating to goods. This received the assent of the President of India on the 30th December 1999. The Act comprehensively covers a large canvass and when enacted will open a legal frame work for protecting names associated with goods of Indian origin as geographical indications (GI). Some salient and important features of the Act are presented here; one will have to go through the Act for details and better understanding.

Definition of geographical indications

The term GI has been defined as " geographical indications, in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating , or manufactured in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristics of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production or of processing or preparation of the goods concerned takes place in such territory, region or locality, as the case may be.

Explanation- For the purposes of this clause, any name which is not the name of a country, region or locality of that country shall also be considered as the geographical indication if it relates to a specific geographical area and is used upon or in relation to particular goods originating from that country, region or locality, as the case may be.

The definition is very comprehensive. The important point is that a good should also have identifiable quality, reputation or other characteristics attributable to its geographical origin. In case of manufactured goods, method of production or process would become an important parameter. What it would mean at the ground level is that people interested in obtaining GI must establish such features in a distinctive manner which may not be an easy task in many situations and may require technical inputs.

It would be essential to register a GI. A certificate of registration shall be an evidence of the validity of the GI.

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Do not publish your invention without first filing a patent application

Who can apply for registration

Any association of persons or producers or any organization or authority established by or under any law for the time being in force representing the interest of the producers of the concerned goods, who are desirous of registering a geographical indication in relation to such goods shall apply in writing to the Registrar in such form and in such manner and accompanied by such fees as may be prescribed for the registration of the geographical indication.

What should an application contain

The application for registration should contain :

a) a statement as to how the geographical indication serves to designate the goods as originating from the concerned territory of the country or region or locality in the country, as the case may be, in respect of specific quality, reputation or other characteristics of which are due exclusively or essentially to the geographical environment, with its inherent natural and human factors, and the production, processing or preparation of which takes place in such territory, region or locality, as the case may be;

b) the class of goods to which the geographical indication shall apply;

c) the geographical map of the territory of the country or region or locality in the country in which the goods originate or are being manufactured;

d) the particulars regarding the appearance of the geographical indication as to whether it is comprised of the words or figurative elements or both;

e) a statement containing such particulars of the producers of the concerned goods, if any, proposed to be initially registered with the registration of the geographical indication as may be prescribed; and

f) such other particulars as may be prescribed.

Certain GIs which cannot be registered:

- the use of which would be likely to decieve or cause confusion or contrary to any law.
- which comprises or contains scandalous or obscene matter or any matter likely to hurt religious susceptibility of any class or section of citizens of India.
- which would otherwise be disentitled to protection in a court.
- which are determined to be generic names or indications of goods and are, therefore, not or ceased to be protected in their country of origin or which have fallen into disuse in that country.
- which, although literally true as to the territory, region or locality in which the goods originate, but falsely represent to the persons that the goods originate in another territory, region or locality, as the case may be.

Where to file an application

The Controller General of Patents, Design and Trade Marks shall be the Registrar of GI and applications will have to be filed in offices designated by the Central Government.

Can one oppose Registration of a GI

After an application for registration of a GI has been accepted by the Registrar, it will be advertised. Any person may, within three months from the date of advertisement can file a petition for opposition after paying the requisite fees. There is a provision of getting an extension of one month for filing an opposition petition. *(It is similar to the opposition procedures in case of patents.)*

Date of Registration

When an application for registration of a GI has been accepted and the application has not been opposed or the opposition, if any, has gone in favour of the applicant, the GI will be registered in the name of the applicant. The date making the said application will be deemed to be the date of registration. The Registrar will then issue a certificate of registration.

Duration of Registration

The registration of a GI shall be for a period of 10 years but may be renewed from time to time. *(It would mean that the registration can be kept alive for an indefinite period if it is renewed according to rules.)*

Rights conferred by GI Registration

The registration of a geographical indication shall give -

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Incremental inventions can lead to new patents

(a) to the registered proprietor of the geographical indication and the authorised user or users thereof to obtain relief in respect of infringement of the geographical indication in the manner provided by this Act;

(b) to the authorised user thereof the exclusive right to the use of the geographical indication in relation to the goods in respect of which the geographical indication is registered.

The exclusive right to the use of a geographical indication shall be subject to any condition and limitation to which the registration is subject.

Infringement of GI

A registered geographical indication is infringed by a person who, not being an authorised user thereof-

(a) uses such geographical indication by any means in the designations or presentation of goods that indicates or suggests that such goods originate in a geographical area other than the true place of such goods in a manner which misleads the persons as to the geographical origin of such goods; or

(b) Uses any geographical indication in such manner which constitutes an act of unfair competition including passing off in respect of registered geographical indication.

Explanation 1- For the purpose of this clause, " act of unfair competition" means any act of competition contrary to honest practices in industrial or commercial matters.

Explanation2- For the removal of doubts, it is hereby clarified that the following acts shall be deemed to be acts of unfair competition, namely:-

(i) all acts of such a nature as to create confusion by any means whatsoever with the establishment, the goods or the industrial or commercial activities, of a competitor;

(ii) false allegations in the course of trade of such a nature as to discredit the establishment, the goods or the industrial or commercial activities, of a competitor;

(iii) geographical indications, the use of which in the course of trade is liable to mislead the persons as to the nature, the manufacturing process, the characteristics, the suitability for their purpose, or the quantity, of the goods;

(c) uses another geographical indication to the goods which, although literally true as to the territory, region or locality in which the goods originate, falsely represents to the persons that the goods originate in the territory, region or locality in respect of which such registered geographical indication relates.

Freedom to assign GI

GI shall not be a subject matter of assignment, transmission, license, pledge, mortgage or any such other agreement.

Punishment for falsifying GI

A sentence of imprisonment for a term between six months to three years and a fine between fifty thousand rupees and two lakh rupees is provided in the Act. The court may reduce the punishment under special circumstances.

A Case Study in Computer Software

The decade of nineteen eighties proved to be a buoyant and vital period for the patent history. First it was the Diamond vs Charabarty case decided by the US Supreme Court in 1980 in favour of Chakrabarty which opened the door for patenting of genetically modified micro-organisms. This was followed by another landmark decision of the same court in 1981 in the Diamond vs Diehr case in favour of Diehr which cleared the way for software patents in USA. Interestingly, in both the cases it was a 5 to 4 decision. It is needless to say that both the patent applications were earlier rejected by the US Patent and Trademark Office. We present here the salient features of the historic software patent entitled " Direct Digital Control of Rubber Molding Presses" granted to James Diehr and Theodore Lutton in 1982. The patent was assigned to Federal - Mugal Corporation, USA.

Prior art

The usual way of operating rubber-molding presses before the grant of this patent was for the operator to load them manually and for the operator then to close the press. Closure of the press operated a timer which had been preset for a time at which cure should be completed at a predecided temperature. However, the mold temperature, even though it was thermostatically maintained, was not likely to be identical with this temperature for many reasons. The actual temperature of the mold could

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Maintain a log book of your research and experiments

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A Case Study...

vary rather widely.

This, of course, meant that the rubber would tend to be either over-cured or under-cured most of the time.

This practice had two serious economical effects: in the first place, many batches had to be discarded due to under-curing or over-curing beyond the tolerance limits. This had been a serious problem in many factories where synthetic rubber had been cured. Secondly, the molds are kept occupied and were closed for much longer time leading to loss in productivity as only fewer products could be molded per unit time.

Detailed description of the invention

The invention uses computers with data storage banks containing the time-temperature cure data for the compound or compounds being used; in some cases, the stored data includes additional cure data, such as variations in batch characteristics. A surveillance system is maintained over the mold to determine the actual mold temperature substantially continuously, for example, every ten seconds, and to feed that information to the computer along with the pertinent stored data and along with the elapsed time information. The computer then continually recalculates on the basis of the temperature changes, and the elapsed time, and the time-temperature cure data, and arrives every ten seconds at a new time-temperature cure curve for that particular batch then being cured which the computer compares with the elapsed time every second; then, when the calculated cure time equals the elapsed cure time, the computer signals the opening of the mold to an electromechanical device which immediately opens the mold. Arrhenius equation as given below has been utilized to determine the opening of the mould.

In $v=CZ+x$ where v is the total required cure time and end point for press closure, C is the activation energy constant, Z is the present mold temperature at 32, and Z is the present mold temperature at 32, and x is a constant dependent upon the geometry of the particular mold of the press.

In Fig. 1 the computer function steps are indicated within rectangles, whereas the logic steps or questions are shown within diamond-shaped parallelograms. A timer-based interrupt 11 initiates the program once every second. Upon program initiation, the computer scans and retrieves from data storage within the computer certain operating data for the first press in the sequence of presses controlled by the computer. This function step, indicated by reference numeral 12, makes available data concerning the press mold configuration constant, the activation energy constant for the material being cured, the mold temperature set point, the constant of proportionality required to determine a temperature control range, and the total elapsed time, if any, that the press has been closed up to the instant of this step. Having available the foregoing information, the computer reaches a logic decision 21, whether the press is closed. If the press is not closed, i.e., the press is open,

US Patent No: 4,344,142

Direct Digital Control of Rubber Molding Presses

Date of Grant : Aug. 10, 1982

Inventors : James R. Diehr and Theodore A. Lutton

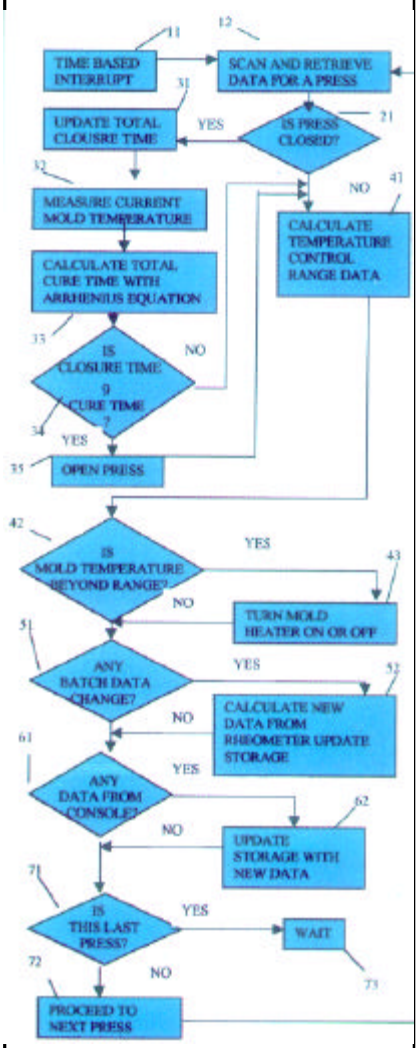

Fig. 1

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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. 1 July, 2000	
184171. Pakkandathil Kunjupillai Rajan, Kerala, India (418/Mas/94)	Improved resilient shaped articles such as mattresses cushions and pillows and a method of making such articles.
184172. F L Smidth & Co, Denmark (511/Mas/94)	King roller mill.
184173. W C Heraeus Gmbh & Co, Germany. (611/Mas/94)	A gas permeable warp-knit farbic of noble metal-containing wires and method for the production thereof.
184174. Dyneon Gmbh, Germany (708/Mas/94)	A process for the preparation of a modified polytetrafluoroethylene.
184175. Merpro Tortek Limited, UK (812/Mas/94)	A method and apparatus for separating oil from sand particles coated with oil.
184176. Mobile Oil Corp, USA (829/Mas/94)	A process for synthesizing a porous crystalline zeolite.
184177. Dyneon Gmbh, Germany (869/Mas/94)	A process for preparing a modified polymer of tetrafuloroethylene.
184178. Akzo Nobel Nv, Netherlands. (945/Mas/94)	A process for the production of vulcanized rubber composition.
184179. Oravax Inc, USA (104/Mas/96)	A method of producing a vaccine for prevention or treatment of gastric infection.
184180. Sree Chitra Tirunal Institute For Medical Sciences & Technology, India (571/Mas/97)	A process for the preparation of cross linked polymers containing relatively unstable drug.
184181. BIC Corp Inc, USA (795/Mas/93)	A flame producing lighter.
184182. BIC Corp Inc, USA (761/Mas/93)	A flame producing lighter.
184183. Ecoair Corp, USA (35/Mas/94)	Hybrid alternator.
184184. Tokuyama Corp, Japan (306/Mas/98)	A process for producing a chloroacetyl aminothiazole-acetic acid derivative.
184185. Raman Ahilan, Trade And Technology International, Chennai, India (410/Mas/98)	A process for making retort sterilized sauced onions.

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the program sequences directly to a calculation 41 of temperature control range data, to be subsequently discussed. If the press is closed, a program subroutine to control cure time is followed.

In this subroutine, the computer first updates at 31 the amount of time that this particular press has been closed. Next, the current mold temperature is measured at 32 by thermocouple or other heat sensing means within the mold and the measurement is converted to digital information and read by the computer. The total elapsed closure time and the current temperature, along with the data previously retrieved from data storage are then used by the computer at 33 to calculate the total press closure cure time as a function of the Arrhenius equation.

Once a value for v, the end point time has been calculated, the computer determines at 34 whether the total elapsed time as updated at 31 is equal to or greater than the calculated end point time. If the updated time at 31 equals or exceeds the calculated end point time at 33, then a control signal is generated at 35 to open the press automatically, thereby completing one scan of the press closure control subroutine.

Claims

The patent has 11 claims. Claim 1 is given below :

A method of operating a rubber-molding press for precision molded compounds with the aid of a digital

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184186. Kuraray Co Ltd, Japan (1034/Mas/98)	A process for producing an all transform halogenopolyprenol compound.
184187. Kuraray Co Ltd, Japan (1035/Mas/98)	A process for producing apolyprenol.
184188. Huls Aktiengesellschaft, Germany (1493/Mas/98)	Process for the c-alkylation of dialkyl malonates.
184189. Fructamine S P A, Italy (1787/Mas/98)	A process for the purification and isolation of substituted benzene dicarboxylic acid dichloride from a reaction mixture.
184190. Ojila Sundarama Reddi And Kristapati Rama Sharma, Andhra Pradesh, India (2087/Mas/98)	A process for producing the sodium salt of hyaluronic acid.
184191. Fritz Stahlecker And Hans Stahlecker, Germany (776/Cal/95)	A mobile device capable of travelling along a ring spinning or ring twisting machine for removing underwindings.
184192. Coronet Werke Gmbh, Germany (787/Cal/95)	Apparatus for the detachable fastening of cleaning implements.
184193. Siemens Energy & Automation Inc, USA (807/Cal/95)	A dynamic user interrupt system in a programmable logic controller.
184194. Siemens Energy & Automation Inc, USA (809/Cal/95)	An i/o expansion module addressing apparatus.
184195. Trutzschler Gmbh & Co KG, Germany (1040/Cal/95)	An apparatus for treating fiber and producing a fiber lap therefrom.
184196. Trutzschler Gmbh & Co KG, Germany (555/Cal/95)	An apparatus for treating fiber and producing a fiber lap therefrom.
184197. Daewoo Electronics Co Ltd, Republic Of Korea (1074/Cal/95)	Apparatus for encoding a contour of an object.
184198. Daewoo Electronics Co Ltd, Republic Of Korea (1335/Cal/95)	Video signal coding system employing segmentation technique.
184199. The Babcock & Wilcox Company, USA (27/Cal/99)	A fluid conveying tube assembly for a once-through vertical tube stream generator.
184200. The Babcock & Wilcox Company USA (28/Cal/99)	An assembly of fluid-conveying tube for use ina once-through spiral tube steam generator.
B. 8 July, 2000	
184201. Solartron Group Limited, England, UK (221/Mas/9)4	Fluid level sensing system.
184202. A Ahlstrom Corporation, Finland (244/Mas/94)	An apparatus for cleaning a filter drum of a drum filter.
184203. Kabushiki Kaisha Toyoda lidoshokki Seisaki Sho, Japan (262/Mas/94)	An apparatus for driving a bottom roller.
184204. Kabushiki Kaisha Toyoda Jidoshoki Seisakusho, Japan (280/Mas/94)	A simultaneous cop changing apparatus for a spinning machine.

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A Case Study...

computer, comprising: providing said computer with a data base for said press including at least,

natural logarithm conversion data (ln),

the activation energy constant (C) unique to each batch of said compound being molded, and

a constant (x) dependent upon the geometry of the particular mold of the press,

initiating an interval timer in said computer upon the closure of the press for monitoring the elapsed time of said closure,

constantly determining the temperature (Z) of the mold at a location closely adjacent to the mold cavity in the press during molding,

constantly providing the computer with the temperature (Z),

repetitively performing in the computer, at frequent intervals during each cure, integrations to calculate from the series of temperature determinations the Arrhenius equation for reaction time during the cure, which is

ln v=CZ+x

where v is the total required cure time,

repetitively comparing in the computer at frequent intervals during the cure each said calculation of the total required cure time calculated with the Arrhenius equation and said elapsed time, and opening the press automatically when a said comparison indicates completion of curing.

The next issue of the Bulletin will cover the rationale behind the court decision in allowing this patent.

Incremental inventions can lead to new patents

184205. Owens-Brockway Glass Container Inc, USA (296/Mas/94)	A multiple orifice glass feed system for use with a glass forehearth.
184206. Givaudan-Roure International Sa, Geneve, Switzerland (308/Mas/94)	A process for the manufacture of 4S hy droxy-3- methyl-2-ketopentanoic acid.
184207. Himont Incorporated, USA (322/Mas/94)	A process for the preparation of crystalline propylene homopolymers and copolymers.
184208. Lucas-Tvs Limited, Tamilnadu, India (330/Mas/94)	An electronic brake indication system.
184209. Basf Corporation, USA (394/Mas/94)	A process for preparing hydroxylamine by catalytic reduction of nitrogen monoxide.
184210. The South India Textile Research Association, Tamil Nadu, India (402/Mas/94)	A device measuring the coefficient of friction existing between belts and contacting surfaces.
184211. Eaton Corporation, USA (533/Cal/95)	An apparatus for monitoring current and voltage in branches of an AC electrical power distribution system.
184212. Thomson Multimedia S A, France (683/Cal/95)	A system for processing a packetized digital datastream.
184213. S E A Utensili Diamantati S P A, Italy (727/Cal/95)	A diamond-set insert carrier tool for dressing chamfering smoothing or polishing machines.
184214. Jean-Pierre Gagnon, Canada (732/Cal/95)	Roller assembly and method for manufacturing the same.
184215. Emitec Gesellschaft Fur Emission Stechnologie Mbh, Germany (802/Cal/95)	An exhaust system for in internal combustion engine.
184216. Siemens Energy & Automation Inc, USA (808/Cal/95)	Serial access memory cartridge for programmable logic controller.
184217. Daewoo Electronic Co Ltd, Seoul Republic of Korea (879/Cal/95)	A post-processing apparatus for removing a blocking effect in a decoded image signal.
184218. Koninklijke Philips Electronics N V, Netherlands (862/Cal/95)	A system for transmitting and receiving date messages.
184219. Asahi Kasei Kogyo Kabushiki Kaisha, Japan (1143/Cal/95)	A process for producing a rubber-reinforced thermoplastic resin composition.
184220. E I Du Pont De Nemours And Company, USA (1160/Cal/95)	A hydrocyanation process of momoethyle nically unsaturated compounds using multidentate phosphite and nickel catalyst composition.
184221. Commonwealth Scientific & Industrial Research Organisation, Australia (075/Mas/94)	A method of producing wool and wool blend fabric.
184222. Ohio University, USA (86/Mas/94)	An improved stirling cycle thermomechanical transducer.
184223. Schlumberger Industries S A, France (120/Mas/94)	A system for analogue to digital conversion.

International News

Siemens is the registered proprietor of a number of design patents in China under the Patent Law of the PRC, including a famous telephone design. During 1999, it became known that a Chinese entity was producing telephone designs, which were substantially similar to that of the Siemens registered design. In April 2000 Siemens approached the Patent Bureau in Guangzhou regarding this issue. The Bureau accepted Siemens' position and approached the Chinese entity. Given the strength of the case put forward by Siemens and its acceptance by the Patents Bureau, the Chinese entity agreed for an out of court settlement of the case.

The Patent Bureau in China is willing to accept cases where there is no complete copying of a completed design i.e. fraudulent imitation or substantial reproduction would appear to be enough in certain cases to persuade the Patent Bureau to take action. Secondly, once the Bureau accepts a case it usually is a very efficient process to obtain the provision of compensation to the aggrieved parties.

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

An analysis by Micro Patent LLC for ranking the most innovative companies of the 20th century indicates that the highest number of US patents, during the last 100 years, have been granted to General Electric Company with 50,837 patents. It is followed by IBM with 32,498

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Maintain a log book of your research and experiments

184224. Kimberly Clark Worldwide Inc, USA (121/Mas/94)	A breathable film/nonwoven laminate and a process for forming the same.
184225. HMT Limited, Karnataka, India (122/Mas/94)	Indexing mechanism for in-process multidiameter gauge for a CNC cylindrical grinding machine.
184226. Novartis Ag, Switzerland (128/Mas/94)	A process for the production of fine-grained granules.
184227. Cabot Corp, USA (130/Mas/94)	A process for producing novel carbon blacks.
184228. S A E Afikim Kibbutz Afikim, Israel (183/Mas/94)	An auxiliary drive apparatus.
184229. Ellenberger & Poensgen Gmbh Industries, Germany (196/Mas/94)	A manually operated electrical instrument switch.
184230. Palitex Project Company Gmbh, Germany (201/Mas/94) C. 15 July, 2000	A device for adjusting capsule yarn brakes in twisting machines.
184231. United Technologies Corp, USA (511/Del/91)	An air cycle environment control apparatus.
184232. The Procter & Gamble Company, USA (554/Del/91)	A paper making belt and method of making the same.
184233. National Council For Cement & Building Materials, New Delhi, India (621/Del/91)	A nodulizer system for use with a single or plurally of vertical shaft kilns.
184234. CSIR, India (648/Del/91)	A process for the preparation of novel amide ester type segmented polymer.
184235. CSIR, India (691/Del/90)	A drinking water filter for the removal of microorganisms and other pollutants.
184236. CSIR, India (765/Del/91)	A process for the preparation of a novel porous crystalline vanadium silicate.
184237. The Gillette Company, USA (891/Del/91)	Shaving device.
184238. The Procter & Gamble Company, USA (927/Del/91)	An improved process for preparing a linear glucamide surfactant.
184239. CSIR, India (1026/Del/91)	A process for the preparation of alumina proppants useful for hydraulic fracturing of oil and gas producing formations.
184240. CSIR, India (1200/Del/91)	An improved process for the production of fused cast products.
184241. Siemens Energy & Automation Inc, USA (810/Cal/95)	A programme logic controller with a user defined port and protocol system.
184242. Open TV Inc, USA (811/Cal/95)	An audio video interactive (AVI) system for compressing and decompressing data files.
184243. Koyo Sangyo Co Ltd, Japan (923/Cal/95)	A method for forming a composite body by thermocompression.
184244. Omnipoint Corp, USA (973/Cal/95)	A multi band multi mode spread spectrum communication system.

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International News

patents and Westinghouse Electric with 28,005 patents.

• With effect from 1 January 2000, the cost of patent search fees in France has been reduced by 50%. The earlier search fee of 4200 francs has been reduced to 2100 francs which is the lowest in Europe.

• In order to simplify the patent litigation procedure, the British government has allowed patent agents to act as litigators in the UK High Court in intellectual property rights cases. Previously patent agents could only act in the county courts. Now they can operate as High Court solicitors but not as barristers.

• A US patent (Patent no. 5,922,214) has been awarded to Gang-ya Liu, a professor at Wayne State University for a novel method to graft thin-film nano structures with greater control and reproducibility. Nano structures down to a few nano meters in size are fabricated by simultaneous nano shaving using an atomic force microscopy (AFM) tip and alkanetiol self-assembly on gold. As compared to other micro-fabrication methods, this procedure allows more precise control in terms of the size and geometry of the fabricated features. An edge resolution better than 2nm can be easily obtained and fabricated. Nano structures can be quickly changed, modified and characterised in situ.

(Advanced Coatings & Surface Technology Vol 13 No 7, July 2000)

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184245. Vtech Communications Ltd, Hong Kong (1067/Cal/95)	Asystem for embedding viewers access control data within television signal.
184246. Koninklijke Philips, Netherlands (1166/Cal/95)	Receiver having an adjustable symbol slice demodulator.
184247. Thomson Consumer Electronics Inc, USA (1222/Cal/95)	A video receiver system for receiving a signal.
184248. Amano Corporation, Japan (1253/Cal/95)	Time recorder having a card-type judging function.
184249. Societe Anonyme Dite, France (1612/Cal/95)	An apparatus for the stripping of fluidized solids and a process therefor.
184250. Eli Lilly & Co, USA (512/Cal/98)	A process for preparing a naphthyl compound.
184251. Pilkington PLC, UK (050/Mas/94)	A method of making an IR and UV absorbing soda lime silica glass of a neutral tint.
184252. Qualcomm Inc, USA (60/Mas/94)	A communications system.
184253. Maschinefabrik Rieter Ag, Switzerland (66/Mas/94)	A drafting apparatus for drafting a sliver in a yarn spinning machine.
184254. Chartech Laboratories A/S, Denmark (105/Mas/94)	A battery changing system.
184255. Maschinenfabrik Rieter Ag, Switzerland (108/Mas/94)	An apparatus for supplying a lap to a reciprocatable nipper unit of a combing machine.
184256. AT&T Corp, USA (158/Mas/94)	A telephone ringing apparatus.
184257. Schlumberger Industries SA, France (595/Mas/94)	A fluid oscillator which is symmetrical relative to a longitudinal plane of symmetry.
184258. Brakes India Limited, India (806/Mas/94)	Electromagnetic dc operated two port two position hydraulic isolation valve.
184259. Duttathriya Maridas Rao, Kerala, India (1358/Mas/95)	A process for preparing beverages by preserving fruit juices coconut water and the like and a preservative composition therefore.
184260. Zeneca Limited, England, UK (2069/Mas/97) D. 22 July, 2000	A process for the production of an alphahalo-n-halomethyl acetanilide.
184261. Yi-Hsung Hsu, China (434/Mas/94)	Bicycle top-pull front derailleur mechanism.
184262. Premier Explosives Limited, Andhra Pradesh, India (455/Mas/94)	A process of manufacturing a non-electric initiation device for a detonator.
184263. Qualcomm Incorporated, USA (458/Mas/94)	A circuit for amplifying an input signal.
184264. Roke Manor Research Ltd, UK (472/Mas/94)	Apparatus for use in equipment providing a digital radio link between base stations and mobile units.
184265. Plasson Maagan Michael Industries Ltd, Israel (475/Mas/94)	Water delivery assembly particularly useful for poultry.

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International News

US Patents (Patent no. 6,027,795 and 5,573,994) have been awarded to the University of Cincinnati for developing super absorbent polymeric foams that can quickly absorb at least twice their dry weight and retain a significant amount of liquid even under pressure. The foams are made up of cross-linked polymers having interconnected fluid cells distributed throughout their mass. Their porosity, pore size, and other properties can be regulated by the choice of polymers, cross linkers and synthesis conditions. The foams are ideal for consumer products such as diapers, tampons and other personal care products that benefit from high absorbency, rapid absorption, strength and resistance to pressure.

(High-Tech Materials Alert, Vol 17 No 7, July 2000)

Six developing countries have joined the PCT in the year 1999. These are United Arab Emirates, South Africa, Costa rica, Dominica, the United Republic of Tanzania and Morocco.

Domestic News

The government is planning to set up an Intellectual Property Board as a special court to deal with intellectual property related issues. The proposed board would encompass all legislations pertaining to intellectual property rights (IPRs) leading to speedy and efficient dispute resolution of cases.

(The Economic Times, 1 July 2000)

A herbal company, Herbalife

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Do not publish your invention without first filing a patent application

184266. Southpower Limited, New Zealand (506/Mas/94)	An electrical switching circuit.
184267. Barmag Ag Leverkuser Strasse, Germany (512/Mas/94)	Yarn heating apparatus.
184268. S & S Industries & Enterprises Ltd, Tamil Nadu, India (550/Mas/94)	An automatic liquid dispensing machine.
184269. Gallaher Limited, UK (575/Mas/94)	A container for a compressed block of tobacco.
184270. Joel Schneider Electric S A, France (780/Mas/94)	Electromagnetic relay with bistable contact.
184271. Orient General Industries Limited, Calcutta, India (728/Cal/94)	A ceiling fan.
184272. Pannevis B V, Netherlands (628/Cal/95)	Device for separating liquids and solids from a mixture.
184273. Surfacine Development Company PLC, USA & Bio Polymerix Inc, UK (726/Cal/98)	A process for manufacturing an antimicrobial material
184274. The Tata Iron & Steel Co Ltd, Mumbai, India (890/Cal/95)	Aluminothermic reduction process for the production of chromium metal using top priming.
184275. Degussa Huls Aktien-gesellschaft, Germany (933/Cal/95)	Method of manufacturing 2-hydroxy 4-methylthio-butyric acid.
184276. V Mane Fils S/A, France (1142/Cal/98)	Process for making a product with a unique cooling perception.
184277. Santanu Roy, West Bengal, India. (1150/Cal/95)	A novel process for making new polymeric products from waste materials resembling natural wood or timber.
184278. Caroma Industries Limited, Australia (1175/Cal/95)	An interlock mechanism for a flush valve operated cistern.
184279. Koninklijke Philips Electronics, Netherlands (1488/Cal/95)	Playback device for playing back a bit stream of a storage medium.
184280. LG Electronics Inc, Korea (1563/Cal/95)	Washing machine equipped with pulsator to prevent entanglement of laundry.

E. 29 July, 2000

184281. CSIR, India (1206/Del/90)	An improved process for the preparation of 5-amino salicylic acid (5 ASA) from 5- nitro salicylic acid (5-NSA).
184282. Kali Chemie, Germany (388/Del/91)	A process for obtaining a sulphate of barium or strontium.
184283. The Procter & Gamble Company , USA (476/Del/91)	An apparatus for pleating a lamina.
184284. Gec Alsthom, France (590/Del/91)	A device for operating a rail road switch.

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Domestic News

has taken a Punjab-based company Herbalways to court for manufacturing and selling spurious/infringing goods as Herbalife products under trademarks which were deceptively and confusingly similar to the trademark of Herbalife. The manager of Herbalways has been arrested and the goods have been seized from him. Herbalife markets a wide range of food supplements, weight management, nutritional, personal care and home technology products in over 45 countries.

(Financial Express, 21 July 2000)

Ajanta Pharma, a pharma-ceutical company, has applied for 11 patents, of which four are from natural sources and seven are in new drug delivery systems (NDDS). The company has also received patents in USA, South Africa and India for its product Carofit, an anti-oxidant from carrots.

(Financial Express, 27 July 2000)

A consortium of eight major domestic pharmaceutical companies which includes giants like Dr. Reddy's Laboratories, Nicholas Piramal, Ranbaxy Pharmaceuticals and Wockhardt have asked the government not to accede to the new patent law treaty being drafted by the World Intellectual Property Office (WIPO). The consortium has expressed fears that it will give the present pharmaceutical giants a stronger leverage than is possible under the current TRIPS

Contd on...12

Incremental inventions can lead to new patents

184285. CSIR, India (652/Del/91)	A process for the preparation of novel composite catalysts useful for oxidative conversion of methane (or natural gas) to carbon monoxide and hydrogen (or synthesis gas) in presence of free oxygen.
184286. CSIR, India (653/Del/91)	An improved process for the production of synthesis gas by oxidative conversion of methane using composite catalyst containing transitional and alkaline earth metal oxides.
184287. The Procter & Gamble Company, USA (784/Del/91)	A method for preparing an improved oligomeric ester soil release agents.
184288. CSIR, India (866/Del/91)	A process for the selective extraction of gold and silver from chalcopyrite concentrates through combined pressure thiourea leaching.
184289. L'air Liquide Societe Anonyme, France	Process and apparatus for the manufacture of dried and ecarbonated atmospheric air by adsorption.
184290. The Procter & Gamble Company, USA (934/Del/91)	A process for preparing n-alkyl polyhydroxy amines under non-oxidizing conditions.
184291. Paul Pleiger Maschi-nenfabrik Gmbh & Co, Germany (1239/Del/91)	Radial piston engine.
184292. CSIR, India (260/Del/92)	An improved process for the preparation of ti/ceramic TIO2 cathode useful in the reduction of nitro compounds.
184293. CSIR, India (15/Del/93)	A process for the preparation of alkyl acrylate copolymers as fluidity improvers and wax deposit inhibitors.
184294. CSIR, India (16/Del/93)	A petroleum crude oil composition having improved pour and flowability characteristics at low temperatures and having low depositional tendencies.
184295. CSIR, India (17/Del/93)	A petroleum crude oil composition having improved pour and flowability charcteristic at low temperatures and having low depositional tendencies.
184297. CSIR, India (1258/Del/94)	A process for the preparation of moulded polymer for controlled release of chemically active agent.
184298. Centre For Biochemical Technology, New Delhi, India (1824/Del/95)	Process of preparing transfer vectors pCBT1 to pCBT4 for the purpose of expressing proteins for commercial use.
184299. COR Therapeutics Inc, USA (1928/Del/95)	A process for preparing pharmaceutical composition for the control of kinase dependent diseases.
184300. The Chief Controller Research & Development, New Delhi, India (1543/Del/96)	An improved process for preparation of flavonoids from ocimum sanctum (krishna tulsi).

Trade secrets may affect the employment market

The march towards a knowledge society has promoted a fierce competition to increase your knowledge stocks at a fast pace, always faster than that of your competitor. Protection of knowledge has always been a complex issue and of strategic importance. It is known that every bit of knowledge and practices is not protectable through the commonly known regimes of patent, copyrights and design. Companies often adopt the route of trade secrets to protect critical aspects of trade knowledge. Due to quick turn over of professionals in fast changing industries, many companies lose their employees to their competitors. This may lead to leakage of trade secrets of companies.

Recently, Intel the famous chip making company, sued its new competitor Broadcom Corp. charging that the latter had misappropriated its trade secrets through its employees who were given employment by Broadcom. Intel has accused that its ex employees have been put in positions where there will be inevitable disclosure of Intel's intellectual property. It is presumed that Intel may argue that former employees should be barred from taking certain jobs with competitors because they would inevitably disclose trade secrets. One baseline argument is that Broadcom is a fast emerging rival of Intel and therefore, Intel has to be vigilant. The case is not decided as yet. There is a general concern among the professionals

Contd on...12

Maintain a log book of your research and experiments

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Trade Secrets...

in California, which has traditionally given employees wide latitude to move from job to job. They feel that, if Intel argues the case successfully, it would have a serious impact on the ability of highly placed or key employees to change jobs. It would not be surprising if such restrictions are also placed on other professionals employed in a company- who knows?

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Domestic News

regime.

(Business Standard, 20 July 2000)

Cadila Pharmaceuticals has been awarded a patent for a technology to prepare fixed dose of pharmaceutical compositions containing microorganisms and anti-infective agents. The patent is for a seven year term from 19 March 1998. Amoxycillin and Cloxacilin formulations incorporating lacto bacillus sporo genes significantly reduce the incidents of drug induced diahorrea and are known to bring about significant improvements.

(Financial Express, 20 July 2000)

India is to compile world's first traditional knowledge digital library (TKDL). The library shall be operational within the next one year. The unique library on traditional medicinal plants and systems will also include other innovations based on traditional knowledge. The library is being put up by the joint efforts of CSIR, National Informatics Centre (NIC) and two Union Ministries.

(Financial Express, 11 July 2000)

PFC on the move....

In the month of July PFC organised two workshops. The first one was held in association with the Patent Information Centre (PIC) set up by PFC at the Department of Science & Technology, Govt. of Rajasthan, in Jaipur on July 14. The second one was held at Harcourt Butler Technological Institute, Kanpur on July 19. These workshops were attended by around 180 scientists, research scholars and technologists. With these, PFC has conducted 73 workshops in different parts of the country.

(Workshop held at Kanpur)

Two patent applications were filed during this period including one PCT application, taking the total tally of patent applications filed to 88.

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

NEXT ISSUE

- **Case Study**
- **Legal basis of Diamond vs Diehr Case**
- **Patent filing by PSUs**

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