



A BULLETIN
FROM
TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 6 NO. 3, MARCH, 2000



Can bank play the patent game? Why not...

A patent is an instrument to establish an exclusive right for exploiting an innovative idea and gain an advantageous position in the trade and market place. Patents are not field specific or technology specific or industry specific or organisation specific; any agency/organisation can take advantage of patents by being innovative and protecting such innovations. Banks in the developed countries have already started taking full advantage of the information technology for providing facilities through network arrangements, which were hitherto not possible (perhaps commercially). In addition, it may be noted that banks are making full use of the fact that business methods and software are becoming patentable in some advanced countries. A case study based on a patent granted to the Chase Manhattan Bank (U.S. Pat. No. 6,038,552) is presented for our readers to develop a rather new dimension to their understanding. The title of the patent is "Method and apparatus to process combined credit and

debit card transactions" which was granted in USA on March 14, 2000. The invention relates to commercial transaction systems and methods capable of processing combined credit and debit card transactions.

Prior art

Cashless sales transactions have now been known for a few years in advanced countries, particularly USA. A US patent was granted in September 1996 for a commercial transaction system in which a system user employs a **card device** to interact with sales terminals to conduct cashless transactions. The amount of the transaction would be deducted from the balance on the card device. When the existing balance is not adequate to cover the price of the transaction, the system would provide an automatic renewal feature, which would automatically increase the balance of the card device by a predetermined amount. The card-issuing bank would bill the card device user for the predetermined amount provided by the system. This system is disadvantageous in the sense that the user has

to limit his or her purchases to relatively small monetary transaction. Further, the card device may not be acceptable to merchants who accept more well known credit cards such as VISA or MasterCard. Moreover, the user of the card device would not get interest on the cash balance associated with the card device.

Another patent was granted in the USA in August 1996 which discloses a **smart card** that would allow different service providers to coexist on the smart card where the owner of the smart card may have limited access to some of the files for or by each of the resident service providers. Smart cards may authorise a debit or a credit to an account associated with the smart card and the smart card may carry pre-approved credit. The smart card would have sufficient memory to permit, for example, VISA, American Express and MasterCard to coexist on the smart card. The user would not receive any interest on the cash balance associated with the smart card. The other disadvantage was that

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Instructions for Technology Transfer and Intellectual Property Rights

The Government of India recognises the importance of generation and commercialisation of Intellectual Property Rights (IPRs) by institutions receiving grants from the government for research projects. New instructions and policy guidelines have been issued by the Department of Science and Technology with a view to encourage the institutions to file patent applications on their innovations, motivate them to transfer their technologies for commercialisation, and facilitate them to reward their inventors.

1. In these instructions:

- (a) "Institution" means any technical, scientific or academic establishment where research work is carried out through funding by the Central/State Government.
- (b) "Intellectual Property Rights" include patents, registered designs, copyright and layout design of integrated circuits.
- (c) "Inventor" means an employee of the institution whose duties involve carrying out of scientific or technical research.

1. **Scope:** These instructions apply to those institutions receiving funds for research projects from the Ministry of Science and Technology and Department of Ocean Development.

2. **Inventions by Institutions:** Institutions shall be encouraged to seek protection of Intellectual Property Rights (IPR) to the results of research through R&D projects. While the patent may be taken in the name(s) of inventor(s), the institution shall ensure that the patent is assigned to it. The institution shall get its name entered in the Register of Patents as the proprietor of the patent. The institution shall take necessary steps for commercial exploitation of the patent on exclusive/non-exclusive basis. The institution is permitted to retain the benefits and earnings arising out of the IPR. However, the institution may determine the share of the inventor(s) and other persons from such actual earnings. Such share(s) shall be limited to 1/3rd of the actual earnings.

3. **Inventions by institutions and industrial concerns:** IPR generated through joint research by institution(s) and industrial concern(s) through joint efforts can be owned jointly by them as may be mutually agreed to by them through a written agreement. The institution and industrial concern may transfer the technology to a third party for commercialisation on exclusive/non-exclusive basis. The third party, exclusively licensed to market the innovation in India, must manufacture the product in India. The joint owners may share the benefits and

earnings arising out of commercial exploitation of the IPR. The institution may determine the share of the inventor(s) and other persons from such actual earnings. Such share(s) shall not exceed 1/3rd of the actual earnings.

4. **Patent Facilitating Fund:** The institution shall set apart not less than 25 per cent of such earnings for crediting into a fund called Patent Facilitating Fund. This Fund shall be utilised by the institution for updating the innovation, for filing new patent applications, protecting their rights against infringements, for creating awareness and building competency on IPR and related issues.

5. **Information:** The Institutions shall submit information relating to the details of the patents obtained, the benefits and earnings arising out of IPR and the turnover of the products periodically to the Department/Ministry which has provided funds.

6. **Royalty-free licence:** The Government shall have a royalty-free licence for the use of the intellectual property for the purpose of the Government of India.

7. **Review:** These instructions shall be reviewed by the Central Government after a period of five years.

8. These instructions are issued with the concurrence of the Department of Expenditure, Ministry of Finance, Government of India.

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the user could not charge an amount over the prescribed limit.

A patent granted in June 1996 discloses a multi-application **data card** which can be a smart card comprising a memory formed with at least three memory banks or storage areas for storing and updating data relating to at least one authorised holder of the card and at least two authorised applications of the card. The smart card disclosed in this patent was capable of use for credit transactions, debit transactions and non-financial transactions. A user would insert a smart card into a card reader having an input means, which enables the user to select from several applications, when performing a transaction. This system has a disadvantage in the sense that the user would have to transact within a limit. It may not be accepted by those dealing with well-known credit cards. The user would not receive any interest on the cash balance associated with the smart card.

A need was felt for a multi-purpose credit card having the attributes of a standard credit card, a debit card, and an interest bearing cash account, where the credit card had a limit and a transaction balance (i.e., an aggregate of the authorised transactions in a given billing cycle) and the cash account has a cash balance. Such a card can be used as a

credit card and also as an automated teller machine (ATM) card. Further, there was also a need in the art for a system where, when a user requested a transactional amount on the credit card which exceeded the credit limit of the credit card, a bank system would authorise the transaction based upon the aggregate of the credit limit and the cash balance less transactional balance. Thus, a transaction would be authorised even though the credit limit associated with the credit card is exceeded. At the end of each billing cycle, funds from the interest bearing account would be transferred to the credit card account to cover an amount due on the credit card.

Description of the invention

Figure 1 is the block diagram showing the system for carrying out a commercial transaction

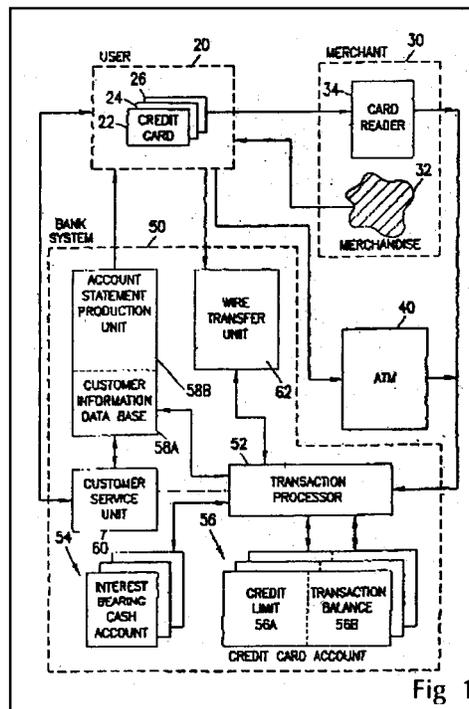


Fig 1

using a combined credit and debit card. It includes a user 20 carrying one or more credit cards 22-26, a merchant 30 capable of receiving the credit card in exchange of merchandise 32, and a banking system 50 for authorising a commercial transaction between 20 and 30. The system also includes ATM 40 for permitting the user 20 to access cash drawn against an account associated with the credit card 22. The merchant employs a card reader 34 to access the bank system 50 to obtain authorisation to carry out the sale transaction.

The bank system 50 includes a transaction processor 52, an interest bearing cash account 54 associated with a particular credit card, a credit card account 56, a customer information data base 58A, a statement production unit 58B and a customer service unit 60. The transaction processor 52 is perhaps the most important functional unit which is operatively coupled to cash bearing account 54 in such a way that the transaction processor 52 may obtain cash balance of the account 54 or debit the account as is required to carry out the invention. It is operatively coupled to the credit card account 56 in such a way that a transaction balance 56B of the credit card account 56 may be increased or decreased as required. It also has access to the credit card limit 56A associated with the credit card.

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The bank 50 is also coupled to a wire transfer unit 62 such that the user 20 may cause a wire transfer of funds from one account to another.

The transaction processor 52, after receiving information regarding the credit card 22 and the user 20, verifies that the card 22 is a valid instrument i.e., it performs a security check. It also obtains a value corresponding with the credit limit 56A and a value corresponding to the balance 56B for the credit card account 56. It calculates the aggregate of the credit limit and the cash balance of the interest bearing account 54 less the transaction balance 56B. If this amount is greater than the requested transaction amount, then the transaction is authorised. The transaction processor then updates the transaction balance 56B and customer information database 58A. The transaction processor debits the interest bearing account 54 and credits the credit card account 56 which reduces the transaction balance 56B to a value which does not exceed the credit limit 56A and ensures that other amounts due on credit card are paid. A user is required to keep a minimum balance in the interest bearing account. If it does not fall below the minimum value, the transaction processor assesses (i.e., pays) interest to the interest bearing account 54. Unlike the prior art, the user receives interest on the cash balance in his or her interest bearing account 54. If it

falls below the minimum value, penalty is levied by the transaction processor. The present invention contemplates that a user 20 who holds the credit card and maintains a minimum balance in the interest bearing account 54 receives such additional services as travel and accident insurance, extended warranties on purchases, emergency travel assistance, special life/health insurance policies, shopping incentives and so on.

Claims

The patent has 26 claims including claims on methods and apparatus. Two claims are being reproduced here.

- I. A method for executing a transaction using a credit card, comprising the steps of:
Maintaining a credit card account associated with the credit card, the credit card account having a credit limit and the credit card having a transaction balance indicative of an aggregate of previously authorised transaction amounts in a predetermined period;
Maintaining a cash account associated with the credit card, the cash account having a cash balance;
Receiving a request for authorisation for a new transaction amount against the credit card account in exchange of goods or services; and
Authorising the requested transaction amount when the aggregate of the credit limit and cash balance less the

transaction balance exceeds the requested transaction amount.

2. An apparatus for executing a transaction using credit card, comprising:

A credit card account associated with the credit card, the credit card account having a credit limit and a transaction balance indicative of an aggregate of previously authorised transaction amounts in a predetermined period

A cash account associated with the credit card, the cash account having a cash balance; and

A transaction processing unit coupled to the cash account and the credit account, the transaction processing unit being adapted to receive a request for authorisation for a new transaction amount against the credit card account in exchange for goods and services; and authorise the requested transaction amount when the aggregate of the credit limit and cash balance less the transaction balance exceeds the requested transaction amount.

This kind of multi-application card facility did not exist earlier; thus providing novelty to this invention. In spite of the fact that every bank dealing with credit card would have liked to have similar facilities as taught in this patent, no system came into being providing such facilities. This makes the invention non-

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Case Law : Unlawful Use Of Undisclosed Information Can Prove Very Expensive

Protection of undisclosed information (commonly understood as trade secret) is one of the seven forms of intellectual property rights. Most countries do not have laws in this regard. In India, though one could seek some relief under the law of contract, it is understood that the aspect of the protection of undisclosed information is not properly covered. Readers would recall that this form of IPR was explained in the IPR Bulletin Vol 4 No 3, March 1998. The information, which is to be kept undisclosed or secret, should not be divulged to public in any form through patents or publications or manual, etc. A case law is presented here to acquaint the readers how unlawful use of undisclosed information can end up in serious financial penalty. In a recent case decided by the Superior Court of San Diego (California), the defendants Genix Biotech had to pay US \$ 9.66 million (plus attorney's fees) to Syntron Bioresearch for misappropriation of Syntron's trade secrets for manufacturing of pregnancy and other diagnostic kits.

The defendants, some of whom were still working at Syntron, had conspired to set up Genix as a shadow company to exploit the misappropriated trade secrets and compete directly against Syntron. The interesting part of the case was that the defendants included several of

Syntron's top managers and three investors in Syntron.

During the proceedings of the case, two former senior managers of Syntron confessed their assisting Genix while still working at Syntron. A comparison of the manufacturing procedures used by the companies revealed that Genix had copied Syntron's proprietary processes down to typographical errors in the manuals. All of Genix's customers were also Syntron's customers. It was also established that Genix had also used the Syntron's monoclonal antibodies.

Court's Verdict

- **Costs avoided by Genix:** The court considered that the defendant's wrongfully taking Syntron's trade secrets saved Genix from having to incur expenditure on R&D. This permitted them to start the manufacturing of the kits immediately. Their benefit was calculated as US\$2.7 million, which was three fourths of Syntron's R&D cost of \$3.6 million.
- **Syntron's loss:** The Court also awarded US \$ 954, 411 for the lost profits of Syntron based on Genix's sales to Syntron's customers.
- **Penalty on Syntron's managers:** Managers found guilty of misappropriating trade secrets were fined \$5.2 million.
- **Injunction:** The court imposed an injunction barring the defendants from the manufacture or sale of diagnostic kits for a period of six years.

Patent filing in Germany through PCT

The general requirements for entry into national phase of the German Patent and Trade Mark Office for a PCT application in which Germany is the designated or the elected office are presented. One copy of PCT application written or translated into German must reach the German Patent Office within 20 months from the priority date if the applicant has decided to enter into the national phase after the search report or within 30 months from the priority date if the applicant has decided to enter into the national phase after the examination report. The patent application covering the description, claims, abstract, any text matter of drawings, amendments if any must be translated into German. No filing fee is required to be paid if the international application was filed with the German Patent Office as the receiving office. If the international search report has been already established, the fee for requesting examination is also reduced.

Following are the special requirements of the German Patent Office:

- 1) When the applicant is a legal entity, name of an officer representing the entity must be indicated.

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Patenting in Germany...

2) A declaration concerning the inventor and the right of the applicant to apply for a patent has to be furnished.

3) If the applicant is not a German resident, appointment of an agent is required.

No agent is required if the applicant resides in Germany. For non-residents, any patent attorney or attorney at law, resident in Germany can act an agent. The list of patent attorneys may be obtained from the Patentanwälts Kammer (Chamber of Patent Attorneys), Post fach 260108, 80058 Munchen, Germany. The German Patent and Trademark Office also accepts the filing of the international applications with requests in PCT-EASY format together with a PCT-EASY diskette. Filing in the PCT-EASY format results in reduction of the international fee. European Patent Office serves as the competent international searching authority and the competent international preliminary examining authority.

Regarding the deposit of microorganisms, they may be deposited with any scientifically recognised institution in Germany or abroad.

The fee schedule is Deutsche mark for the German Patent Office as the designated office for a PCT application is given below:

Fees (Deutsche mark)

| 1. Filing Fee | 100 |
|--|-------|
| 2. Examination Request Fee | |
| (i) where an international search report has been established | 250 |
| (ii) where no international search report has been established | 400 |
| 3. Grant Fee | 150 |
| 4. Annual Fee | |
| For the 3 rd year | 100 |
| For the 4 th year | 100 |
| For the 5 th year | 150 |
| For the 6 th year | 225 |
| For the 7 th year | 300 |
| For the 8 th year | 400 |
| For the 9 th year | 500 |
| For the 10 th year | 600 |
| For the 11 th year | 800 |
| For the 12 th year | 1,050 |
| For the 13 th year | 1,300 |
| For the 14 th year | 1,550 |
| For the 15 th year | 1,800 |
| For the 16 th year | 2,100 |
| For the 17 th year | 2,400 |
| For the 18 th year | 2,700 |
| For the 19 th year | 3,000 |
| For the 20 th year | 3,300 |

A Report on Patenting of Microorganisms

For the first time in India perhaps in any developing country, a comprehensive report on Patenting of Microorganisms has been prepared by the Patent Facilitating Centre. Ever since the US Supreme Court allowed the patenting of microorganisms in 1980, this subject has been drawing a great deal of attention all over the world. As microorganisms are important constituents of biodiversity, issues like the origin of a microorganism and its patentability and ownership have gained importance.

The report has certain features which make it unique. It has analysed patent laws of developed and developing countries in relation to microorganisms, patent granted for microbiological processes and microorganisms per se, and also the policy implications, and put forward an action plan. The most interesting part of the report is the responses received from many developing and developed countries in regard to interpretation of the term microorganism. Case studies of patents issued by the USPTO and the European Patent Office (EPO) have been presented in the report with specific information about what really have been the subjects of these patents. The report provides an insight into the depositary mechanism followed at one of the International Depository

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A Report on Patenting...

Authorities and the examinations standards followed while determining the patentability of microorganism related inventions.

The report is of use to industries, R&D institutes, scientists, technologists, consultants and research scholars dealing with drugs and pharmaceuticals, chemicals, life sciences, food processing and genetic engineering. It is also of benefit to lawyers, patent attorneys and policy makers.

The report is now available for Rs. 500/- from the PFC.

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obvious. It may be noted that the patent does not give any details about the apparatus and other hardware used. As a result it becomes a very broad patent prohibiting any one from using this method to enter into a business of transaction involving credit and debit cards without the consent of the holder of this patent. Considering the utility and market attractiveness of the method, many banks would like to use such a method. But they may have to pay royalty or other charges to the patent holder. Incidentally, the Chase Manhattan Bank has also applied to the Indian Patent Office for grant of a patent on a similar topic entitled, "Method and apparatus to process combined credit and debit card transactions" (App. No. 2572/Mas/98; Date of filing: 13 November 1998).

PFC on the move....

1. In the month of March, a patent awareness workshop was organized at Indian Institute of Technology, Kanpur on March 11. The workshop, which was the 66th one organized by the PFC, was attended by more than 160 scientists, research scholars and technologists.



2. During the period, PFC facilitated filing of seven patent applications in India, taking the total tally of patent applications filed to 81.

On Line Ekaswa Patent Databases

The Ekaswa-A and Ekaswa-B patent databases are now available on-line as well. Both the databases can be accessed from the website www.indianpatents.org. The annual subscription charges for the databases are Rs. 2000/- each. All you need to do is to visit the site and open your own account by filling the relevant form online. The online databases are also equipped with patent search tools with logical operations.

The CD-ROMs would continue to be available at an annual subscription of Rs. 3500/-.

International News

Australia has become the 13th country to join the 1991 Act of International Union for the Protection of New Varieties of Plants (UPOV). UPOV is an intergovernmental organisation formed with a purpose of recognising and ensuring intellectual property rights to the breeder of a new plant variety.

(WISTA IPR Biotechnology, Vol 1 Issue 8, Feb 2000)

Germany is one of the three leading patent countries in the world after USA and Japan. The average number of filings for a patent in Germany is 47 per 100,000 inhabitants. 12% of the inventions world wide related to biotechnology, have been made in Germany. Other sectors where most of the patents are filed are mechanical engineering, chemicals, electrical and electronics and environmental technology. 47,366 patent applications were registered in Germany in 1988.

(German News, Vol XLI, March 2000)

Certain amendments have been introduced in the Jordan's patent law with effect from December 1, 1999. These are:

- Patent term extended from 16 to 20 years.
- Annuities need to be paid annually from the second year onwards.
- Pharmaceuticals have now been put under the patentable items.

(Patent World, Issue 119, Feb 2000)

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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 Applicant

Invention

A. 26 February, 2000

| | |
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| 183591. Hindustan Lever Ltd, India (323/Bom/95) | A dual tube dispenser assembly. |
| 183592. Hindustan Lever Ltd, India (351/Bom/95) | A process detergent stable cutinase by fermentation. |
| 183593. Darius Ardeshir Wadia Kalpana, India (363/Bom/95) | A method and device for production of salt by accelerated evaporation of sea water in a salt pan. |
| 183594. Desai Brothers Ltd.& et. all India (404/Bom/95) | A process of manufacturing tendu substrate in continuous length and desired thickness for makingbeedies. |
| 183595. Filterwerk Mann+Hummel GMBH., Germany (494/Bom/95) | Container for metering device particularly with a flexible interior part. |
| 183596. Filterwerk Mann+Hummel GMBH., Germany (508/Bom/95) | An improved filter perticularly for the air in the interior of a vehicle. |
| 183597. Hennigsdorfer Sathl Germany, (510/Bom/96) | Pressurized water drainage pipe. |
| 183598. Hindustan Lever Ltd, India (555/Bom/99) | A synergistic non-soap detergent bar composition. |
| 183599. Ajanta Pharma Ltd., India (513/Bom/98) | A process for making pharmacologically and biologically active composition extracted from carrots. |
| 183600. Searle (India) Ltd, India (242/Bom/99) | A process for the preparation of methanamine-N[4- (3 4-dichlorophenyl)]-3 4-dihydro-1(2H)-naphthalenyldene |

B. 4 March, 2000

| | |
|---|---|
| 183601. Sandvik AB, Sweden (820/Cal/94) | A method of producing precipitation Hardened iron based metal alloy. |
| 183602. Tellurex Corp., America (249/Cal/95) | An improved method of forming a thermoelectric module. |
| 183603. Ducati Energia SPA., Italy (538/Cal/95) | Feeding device for feeding a current to electrical loads and to a capacitive-discharge ignition circuit of a motor-vehicle combustion engine. |

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International News

In order to comply with the provisions of TRIPS Agreement Thailand has amended its Patent Act. The Amendments came into force on September 27, 1999. Thailand now offers patent protection for inventions, design patents and utility models. The introduction of utility models is being seen as a boost to research and development in Thailand.

(Patent World, Issue 119, Feb 2000)

Of late, free patent searches on internet have become very common with scientists and business organisations all over the world. A research carried out by the Information Research Network (IRN) reveals that almost 68% of the survey respondents now use the internet for patent searching compared to 11% in a previous survey carried out in 1998. Among the non-users of internet, 58% use other sources such as proprietary online services, CD-ROM and business libraries. The main reasons cited for non-use of the internet is their satisfaction with other sources and a lack of functionality in the many internet sources and slow speed compared with proprietary services.

(Derwent Information, Vol 8 No. 2)

The USPTO has attained the status of a performance-based organisation (PBO). It has gained this status mainly because of the

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183604. Indian Institute of Technology., India (546/Cal/95) An apparatus for plant tissue culture.
183605. Satake Engineer.Co Ltd, Japan (586/Cal/95) Induction synchronous motor.
183606. The Tensar Corp of Promenade Two Suite 2400, USA (631/Cal/95) Modular block system and a retaining wall incorporating the same.
183607. The Timken Comp., USA (939/Cal/95) Antifriction bearing capable of generating electrical energy.
183608. Molex Incorporated, USA (1055/Cal/95) Polarizing system for a blind mating electrical connector assembly.
183609. Cummins engine company., USA (2056/Cal/97) A high pressure fuel injection system.
183610. Thomson Consumer Electronics Inc., USA. (505/Cal/95) On screen display arrangement for digital video signal processing system

C. 11 March, 2000

183611. CSIR, New Delhi India (330/Del/92) An improved lithium-manganese dioxide non-aqueous coin cell.
183612. B.P Chemicals Ltd., England (885/Del/92) Process for preparing a ziegler natta type catalyst having a high content of titanium.
183613. Reliance Electric Indst Comp., America (1186/Del/92) An improved thrust bearing.
183614. CSIR, New Delhi, India (128/Del/93) An electrolytic composition useful as an electrolyte in lithium manganese dioxide non-aqueous coin cells.
183615. CSIR, New Delhi, India (129/Del/93) A process for the preparation of activated manganese dioxide electrode useful as a cathode in non-aqueous coin cells.
183616. Domino Printing Sciences PLC., England (1248/Del/93) An ink jet printer.
183617. SBL Ltd, India (242/Del/95) A process for preparing a synergistic homeopathic composition for the treatment for hair, falling, dandruff, premature greying, itching scalp, irritation and dryness of scalp.
183618. CSIR, New Delhi India (286/Del/95) An improved process for selective separation of optically active enantiomers from racemic mixture of chiral isomers.
183619. Indian Drugs & Pharmaceuticals Ltd., (461/Del/95) A process for the preparation of triazole benzoxa (Thia) zines compounds.
183620. SBL Ltd., India (847/Del/95) A process for preparing a synergistic homeopathic composition for the treatment of pimples acne blackheads blotches associated with or without gastro-intestinal problems.
183621. UOP, USA (657/Del/91) A process for production of alkyl aromatic compounds.

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International News

American Inventors Protection Act of 1999, which reformed the US patent system in a number of ways.

(www.uspto.gov)

During the year 1999 USPTO granted a total of 169,154 patents as against 163,208 in 1998. This includes 153,493 utility patents, 14,732 design and 421 plant patents. 55.6% of all US patents were received by the US resident inventors. The ten foreign countries that received the most US patents in 1999 are listed below:

| Rank 1999 | No. of Patents | Country | Rank 1998 |
|-----------|----------------|-------------|-----------|
| 1 | 32515 | Japan | 1 |
| 2 | 9896 | Germany | 2 |
| 3 | 4526 | Taiwan | 4 |
| 4 | 4097 | France | 3 |
| 5 | 3900 | UK | 5 |
| 6 | 3679 | South Korea | 7 |
| 7 | 3678 | Canada | 6 |
| 8 | 1686 | Italy | 8 |
| 9 | 1542 | Sweden | 11 |
| 10 | 1396 | Netherlands | 9 |

(www.uspto.gov)

A patent suit is going on between four of the largest newspaper groups in the US and the company CIVIX-DDI LLC. Two of the patents of the company based on electronic mapping systems are in use without permission by the four newspapers. By using this technology, the newspapers help

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| 183622. CSIR, New Delhi, India (764/Del/91) | A device for making polymeric membranes from casting solutions having a wide range of viscosities |
| 183623. CSIR, New Delhi, India (770/Del/91) | A crossed-cylinder wear testing machine. |
| 183624. Kameshwar Nath Mallik, New Delhi (855/Del/91) | A fuel composition. |
| 183625. CSIR, New Delhi, India (946/Del/91) | An improved process for the preparation of flocculent yeast. |
| 183626. CSIR, New Delhi, India (1024/Del/91) | A process for the extraction of zinc from zinc ferrite |
| 183627. CSIR, New Delhi, India (1028/Del/91) | An improved process for the production of alkyl sulfoxide and/or arylsulfoxides and sulfones. |
| 183628. CSIR, New Delhi, India (1158/Del/91) | An improved process for the formation of self setting soil slurry piles |
| 183629. CSIR, New Delhi, India (20/Del/92) | A process for the preparation of iron-manganese catalysts useful for the production of lower hydro carbon from synthesis gas. |
| 183630. CSIR, New Delhi, India (310/Del/92) | A composition for preparing heat and UV light sensitive paper and a process for the preparation of heat and UV light sensitive and thermal recording paper. |
| 183631. Domino Printing Sciences PLC, England (350/Del/90) | A combined nozzle and valve for use in inkjet printer & writing instruments. |
| 183632. Aerospatiale Societe National in Dustrielle, France (260/Del/91) | A device for manoeuvring a flying machine |
| 183633. Zeneca Ltd., England (611/Del/91) | A process for obtaining a substantially dry particulate solid. |
| 183634. CSIR, New Delhi, India (018/Del/93) | A process for the preparation of 6-acetamido-5-bromo-1-substituted 9h-pyrido (3 4-b) indoles. |
| 183635. CSIR, New Delhi, India (19/Del/93) | A process for the preparation of 5-bromo 6-methane sulphonamido -1-phenyl -9h-pyrido (3 4-b) indole useful as antifungal agents. |
| 183636. CSIR, New Delhi, India (288/Del/95) | An improved process for the preparation of purified podophyllotoxin from commerical podophyllin/crude commercial podophyllotoxin (45-90% podophyllotoxin content). |
| 183637. Hercules Incorporated, America (818/Del/95) | Process for the extraction of soluble polysaccharides. |
| 183638. Chong Kun Dang Corp., Korea (1835/Del/95) | A novel process for manufacturing alkali melt salt of clavulanic acid. |

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International News

visitors to their web sites locate restaurants and business. The company alleges infringement of its 2 patents and seeks an injunction and damages to be compensated for.

(World Patent Information, Vol 21, No 3, Sept 1999)

For the first time, the UK Patent Office has received a patent application titled 'Myself' from a lady, Donna Rawlines Maclean. Maclean, a poet and a casino waitress from Bristol in Western England has taken this step to express her anger at the patenting of gene sequences by the business.

(Business Line, 2 March 2000)

Domestic News

The Vittal Mallya Scientific Research Foundation (VMSRF) has filed a patent in India and abroad for making a water soluble neem based pesticide. The organic pesticide called Soluneem when injected into trees, becomes a systemic pesticide. Two major pests in coconut— the black headed caterpillar and the eriophyid mite— have been found to be successfully controlled by this pesticide. Soluneem uses neem in its entirety and not just the active ingredient. Being organic in nature, this pesticide is ecofriendly, does not leave behind any toxic residues and the taste of the nuts of the treated trees

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| 183639. CSIR, New Delhi, India (2450/Del/95) | A process for the preparation of purified rice bran oil by simultaneous dewaxing and degumming. |
| 183640. CSIR, New Delhi, India (1049/Del/89) | A process for the manufacture of oxide nitride composite. |
| 183641. Gerd Stoffel, Germany (390/Cal/95) | A method to manufacture a two chamber pressure packing. |
| 183642. James Russell Powell, USA (499/Cal/95) | A guideway for a vehicle |
| 183643. Combustion Engineer Inc. USA (528/Cal/95) | A fluidized bed system. |
| 183644. Siemens Aktiengesellschaft, Germany (773/Cal/95) | Method and device for producing a basic unit for a communications cable and a basic unit produced thereby. |
| 183645. SICPA Holding SA, Switzerland (822/Cal/95) | Ink for continuous jet ink printing. |
| 183646. Transphere Systems Ltd, New Zealand (960/Cal/95) | A method of preserving produce from deterioration during storage or transportation of said produce and a transportable container therefor. |
| 183647. Krupp Koppers GMBH, Germany (990/Cal/95) | Coke oven door unit including sealing membrane. |
| 183648. Siemens Aktiengesellschaft, Germany. (1153/Cal/95) | Data transfer system having at least one terminal and having at least one portable data carrier arrangement. |
| 183649. Cawas Phiroze Nazir, India. (1133/Cal/95) | A birobic bike. |
| 183650. S.Sclavos S.A. Egaleo Greece (991/Cal/95) | Jet dyeing apparatus for dyeing textile materials in rope form. |
| 183651. Gist-Brocades BV., Netherlands (921/Del/95) | An improved process for the production of milk based sweets. |
| 183652. Piaggio Veicoli Europei SPA, Italy (337/Del/90) | Braking system for two wheelers. |
| 183653. Deknatel Technology Corp., USA (942/Del/90) | Apparatus for draining bodily fluids. |
| 183654. The Gillette Co., USA (499/Del/91) | A safety razor. |
| 183655. First Green Park Pvt. Ltd., Australia (737/Del/91) | A method and apparatus for forming a wrapped unitized container for liquid powder granules or solid material. |
| 183656. MIDTEC Inc, USA (875/Del/92) | Device to be used in constructing a fluid manifold. |
| 183657. CSIR, New Delhi, India (317/Del/94) | A process for the preparation of novel poly functional imido acids. |
| 183658. SBL Ltd., India (995/Del/95) | A process of preparing a synergistic homeopathic composition for treatment of anaemia variable appetite grinding of teeth itching of anus abdominal pain. |

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Domestic News

remains the same as before.

(AIBA News Letter, Nov-Dec 99, Vol 6 No. 6)

The Indian Drug Manufacturers Association (IDMA) has won a patent battle in the Mumbai High Court against the Patent Office regarding the patent rules. The Mumbai High Court has read down four specific provisions under the amendments to the patent rules of 1972. IDMA had moved to the court in May 1999 against certain objectionable clauses in the amendments to the patent rules. IDMA claimed that these clauses went beyond the TRIPS requirements and even attempted to supersede the basic Patent (Amendments) Act, 1999. These clauses include among others the clause 33(G) which included "appropriate tests" to be done on and after the cut off date of January 1, 1999 for patent claims. IDMA however expressed that enforcement of cut off date for appropriate tests would create difficulties.

(Financial Express, 3 March 2000)

A patent has been obtained by Central Institute of Medicinal and Aromatic Plants (CIMAP) for a herbal pesticide that can effectively check the pest menace against a variety of stored pulses. Small tablets of the pesticide inserted in bullet shaped sockets, have been found to be very effective against strains of pulse beetle *Callosobruchus chinensis*, which eats away

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| 183659. SBL Ltd, India (1076/Del/95) | A process for preparing a synergistic homeopathic composition for the treatment of general weakness and loss of appetite. |
| 183660. CSIR, New Delhi, India (2439/Del/95) | An improved process for the isolation of oryzanol from crude dark acid oil (Rice bran) |
| 183661. The Procter & Gamble Co., USA (313/Del/91) | A bleach granule for hard and soft laundering |
| 183662. CSIR, New Delhi, India (680/Del/92) | A process for the preparation of poly (1 4-benzoate-Co-1 3-phenyl octanoate) A thermoplastic liquid crystalline copolymer. |
| 183663. CSIR, New Delhi, (318/Del/94) | A process for the preparation of a novel trifunctional amino acid based pendent chain linked biodegradable polymers. |
| 183664. The Procter & Gamble, USA (1238/Del/94) | A process for preparing urethane-containing aminosteroid compounds |
| 183665. Indian Drugs & Pharmaceuticals Ltd. (1536/Del/94) | A process for the preparation of triazolbenzoxa (Thia) ZIN- 1- ones compound |
| 183666. Plurichemie Anstalt, Liechtenstein (64/Del/95) | An inhaler for dispensing powered medicament. |
| 183667. Lin Jin-Chen, Taiwan (431/Bom/95) | A method of manufacturing a bearing retainer with an integral cup for a bracket axle unit of a bicycle. |
| 183668. Raptakos Brett & Co Ltd., India (498/Bom/95) | A process for manufacture of low-fat high-fiber carrots granules using aqueous system |
| 183669. Lendl Wilhelm Germany. (520/Bom/95) | A foldable table unit for use in automobile vehicle. |
| 183670. Crompton Greaves Ltd., India (538/Bom/95) | A fluorescent tube packing machine. |

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Domestic News

stored chickpea, lentils mung and beans. This herbal pesticide is safe to use and can be used against insects which have developed resistance against synthetic pesticides.

(AIBA Newsletter, Nov-Dec 99, Vol 6 No 6)

Research Foundation for Science, Technology and Ecology had filed a petition charging the Centre with failure to protect the country's biodiversity despite giving an assurance in this regard. The petition was filed after the US patent obtained by Cromak Research Inc which made use of jamun, karela and brinjal was brought to the public notice. The Supreme Court has issued notice to the Union Agriculture Ministry asking to file its response in four weeks. The notice has been issued by a three-judge bench, comprising Justice A.S. Anand, Justice R.C. Lahoti and Justice Doraiswamy Raju.

(Financial Express, 19 March 2000)

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

NEXT ISSUE

- **Patenting in Electronics**
- **Case Study**
- **Patents for Opposition**

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