

A BULLETIN
FROM
TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 7 NO. 10 OCTOBER, 2001

Plant Patents

Readers would recall that plants can be protected in two different manners namely through (i) plant breeder rights (PBR) and (ii) patents. The former is covered under the UPOV Convention. The rights provided under the PBR are quite different from those available in patents. For example, the protection periods under two regimes would be different and the criteria for granting rights would also be different. We have no law at present, in India to protect a new plant variety. The Bill on "Protection of New Plant Variety and Farmers' Rights" has been passed by both Houses of Parliament but the Act has not been implemented as the rules are being framed. This Act is not meant to grant plant patents but would provide rights to plant breeders. Plant patents are granted by some countries and the USA is one of them. We present the salient features of the US laws in respect of plant patents.

Types of plants patentable

A plant invented or discovered and asexually reproduced leading to a distinct and new variety of plant (including cultivated sports, mutants, hybrids and newly found

seedlings) other than a tuber propagated plant or a plant found in an uncultivated state will be patentable subject to certain conditions.

Conditions to be satisfied

- The plant was invented or discovered and, if discovered, that discovery was made in a cultivated area.
- The plant is not one excluded by the law (like potato).
- The plant has not been sold or released in the USA more than one year prior to the date of application.
- The plant has not been put into public domain through publications or sale more than one year before the application for patent.
- The plant is shown to differ from known related plants by at least one distinguishing characteristic, which is more than a difference caused by growing conditions or fertility level etc.

Scope of protection

- A living plant organism which expresses a set of characteristics by its size, genetic makeup or genotype,

which can be duplicated through asexual reproduction, but which cannot otherwise be 'made' or manufactured.

- Sports, mutants, hybrids, and transferred plants are comprehended; sports or mutants may be spontaneous or induced. Hybrids may be natural, from a planned breeding program, or somatic in source.
- Algae and macro fungi are regarded as plants.

Asexual reproduction

Asexual reproduction is the propagation of a plant to multiply the plant without the use of genetic seeds to assure an exact genetic copy of the plant being reproduced. This could include rooting cuttings, apomictic seeds, grafting and budding, bulbs, directions, layering, runners, tissue culture, slips, rhizomes, corms & nucellar embryos. The reproduction exercise should be performed over a sufficient period of time prior to filing application for patent rights.

Rights available to the right holder

Grant of a plant patent precludes others from asexually

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reproducing or selling or using the patented plant. A plant patent is applicable only to one plant or genome. *A sport or mutant of a patented plant would not be considered to be of the same genotype and hence would not be an infringement of the patented plant.* The sport or mutant may be a subject matter of a separate patent provided patentability conditions are satisfied.

Essential features of the specification

The complete specification should have a title of the invention, cross references to related applications, background of the invention, description of relevant prior art, summary of the invention, brief description of drawing, botanical description of the plant, claims and abstract. Parents of the claimed plant or the known plants to which the claimed plant is related are discussed under the prior art. It is essential to describe how the plant was obtained. A drawing or drawings should show the plant with the most distinguishing characteristic of the plant in sufficient scale to be identifiable when reduced by as much as 50%. Drawings should be photographic and must be in colour where coloration is a distinguishing feature. Botanical description of the plant is an important feature. Specification of the genus, species and market class may begin this section and parents of the claimed patent may be specified. The growth habit of the plant should be described as to the shape of the plant at maturity and branching habit. A complete botanical description of bark, buds, blossoms, leaves and fruits should be a part of the disclosure. The details should be sufficient to prevent others from attempting to patent the same plant at a later date by simply describing the plant in more detail. Other characteristics like resistance to disease, drought, cold, dampness, etc., fragrance, coloration, regularity and time of bearing, quantity or quality of extracts, rooting ability, tuning or duration of flowering season etc. should also be described.

Criteria for patenting

Like all other inventions, a plant patent application is also examined for novelty, non-obviousness and utility. Therefore, the description in the specification should clearly determine the novelty of the claimed invention.

Turmeric Related Patents

It may be recalled that PFC had for the first time brought the turmeric related patent on its wound healing property to the national attention in 1996. A list of patents granted since 1979 in this area was published in the IPR Bulletin, Vol 3 No 9, September 1997. This issue brings to light a list of patent applications filed and accepted in India for the period 1995 to 2000. A total of 10 applications have been filed and 2 notified for opposition.

A. Patent Applications Filed

S. No.	Applicant	Title	Date of Filing	Application No.
1.	Dr Sumit Vasudeo	A process to prepare medicinal preparation containing extracts of turmeric catechu/ khairsaal and betel leaf	3/30/95	154/Bom/95
2.	Pravat Kumar Mukherjee	A process of preparation of oil from oleum adepiss goat meat and oil of curcuma longa/domestica arachies hypogaea margosa oil madhuca latifolia moringa pterygosperma allium sativum syzgium aromaticum chinamo-nium casia comphora citranela eucalyptus	5/26/95	597/Cal/95
3.	Chandra-sekar Balagopal	A process for the recovery of active principles from curcuma longa having antiviral applications	7/25/96	1315/Mas/96
4.	CSIR, New Delhi	A process for the preparation of translucent paper from turmeric plant curcuma longa	2/26/98	506/Del/98
5.	Ittadwar Abhay Madhaw	Isolation of isoflavonoids from the rhizomes of curcuma longalinn family zingiberaceae and their anti-cancer activities	7/12/99	502/Bom/99
6.	CSIR, New Delhi	A process for extraction of curcuminoids from curcuma species	9/16/99	1241/Del/99
7.	Surendra Nath Agarwal, UP	Leaf oil of curcuma domestics	3/6/00	185/Del/2000
8.	Johnson & Johnson Ltd	A turmeric based bandage and a method of making the same	1/3/00	4/Mum/2000
9.	Johnson & Johnson Ltd	A turmeric based bandage and a method of making the same	1/3/00	5/Mum/2000
10.	Hindustan Lever Ltd	Turmeric as an anti-irritant in compositions containing hydroxy acids or retinoids	5/25/00	474/Mum/2000

B. Patent Applications Accepted

S.No.	Applicant	Title	Patent No.
1.	Council of Scientific & Industrial Research, New Delhi	An improved process for the preparation of enriched spice oleoresing such as turmeric and pepper	182518
2.	Council of Scientific & Industrial Research, New Delhi	A process for the extraction of an immunomodulating fraction from curcuma longa	182515

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Case Study

This case study deals with a patent entitled "An Improved Method and Device for Spinning Yarn from Sliver" of M/s Schubert & Salzer Maschinenfabrik, Germany, accepted by the Indian Patent Office on January 19, 1991. It would be seen from the description and claims that the patent is for an improvement in the drawing method in a textile mill. The invention relates to an improved method for spinning yarn from sliver which is subjected to a preliminary draft and a main draft in a drawing unit and subsequently spun into a yarn in a pneumatic torsion device.

Prior Art

In a known device, the sliver to be spun is drawn to the required thickness by a drawing unit and then spun into yarn. Yarn spun by this device has the following four disadvantages:

1. Yarn has low bulk.
2. The tensile strength of the yarn is low
3. Uniformity of the yarn is inferior to that obtained from ring spun yarn.
4. The yarn is therefore suitable only for a limited range of applications.

Description

According to the invention, during the draft, the sliver is condensed to a minimum width, which is at least about 1.5 times the diameter of the torsion device before being twisted while retaining the aforementioned diameter. This width should in no case be more than 2-5 times

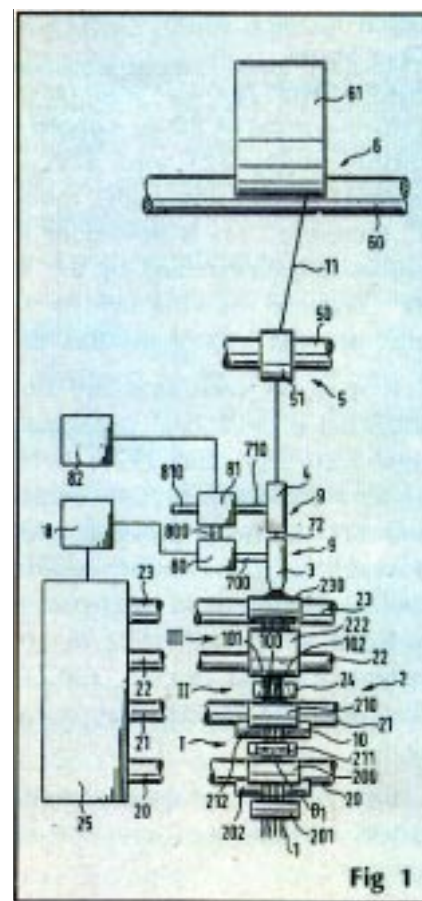
the diameter of the torsion device. This method has been shown to produce controlled spreading of the surface fibres, which wind round the yarn core during the subsequent torsion process, so that when wrongly - twisted yarn core is untwisted, the surface fibres are partly tied into the core but do not all surround the core equally tightly. This results in bulky yarn similar to the ring spun yarn. In order to maintain the required ratio (width to diameter), the sliver before entering the preliminary draft is condensed only to a width which is greater than the width to which the sliver is condensed before entering the main drafting zone.

It has been found that the strength of the yarn is improved if notches are formed at the inlet of the torsion device.

Fig 1 is the plan view of the spinning unit including the drawing unit. The drawing unit comprises of four pairs of roller in i.e 20 and 200 and 21 and 210, 22 and 220 and the delivery cylinder 23 and 230, roller 22 and 220 being associated with respective leather tapes 221 and 222 at the beginning of the main drafting zone III. A compressor 201, 211 respectively are disposed in front of rollers 20, 200 and 21, 210 of preliminary drafting zones I and II. A compressor 24 having a C cross-section is disposed in Zone II between roller 21, 210 and 22, 220.

The drawing off device 5 comprises a driven drawing off roller 50 and a pressure roller 51.

The spooling device 6 comprises a driven spooling roller



60 which drives spool 61 mounted in a known manner.

During undisturbed spinning, a sliver 1 is supplied to the drawing unit 2. During the draft the strip of fibre material is spread out between rollers 20, 200 and 21, 210 by the pressure exerted by roller 200 and 210.

The condensers 201 and 211 condense the sliver 1 to a width B_1 which is greater than the width B_2 to which the fibre material 10 is condensed in the preliminary drafting zone II immediately in front of the main drafting zone II. The width B_1 and B_2 are so adjusted that $B_1 = 1.3 B_2$.

After leaving the condenser 24, material 10 in the main drafting zone III is subjected to the main

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Case Study

draft rollers 22, 220 and delivery cylinders 23, 230, the material 10 is stopped from spreading by leather ropes 221 and 222. The drafted fibre material leaving the outlet rollers 23, 230 of unit 2, therefore, has a minimum width B_3 which is substantially determined by the internal width B_2 of the condenser 24. The fibre is then supplied to the inlet opening 300 of the torsion device 9.

It may be seen that the fibre material 10 is subjected to additional preliminary drafting between rollers 20, 200 and 21, 210 before reaching the preliminary drafting zone between rollers 21, 40 and 22, 220 being provided with condenser 24. As a result of this double preliminary draft, the preliminary draft at condenser 24 can be further reduced without affecting the main draft between rollers 22, 220 and 23, 230. The first preliminary draft is made smaller than the second preliminary draft.

One of the two embodiments described in the patent specification give the following numerical values:-

Peripheral speed of roller 20	1.2 m/min.
Peripheral speed of roller 21	4.8m /min
Peripheral speed of roller 22	6 m/min
Peripheral speed of delivery cylinder 23	150m/min
Draft in preliminary drafting zone I	1:4.224.
Draft in preliminary drafting zone II	1: 1.25
Draft in the main drafting zone III	1: 1.25
Table draft	1:1.32

$B_1 = 7$ mm $B_2 = 5$ mm
Diameter D of the torsion unit 2.5 mm

Claims

The patent has 24 claims and the claim 1 is reproduced:

An improved method of spinning a silver which is subjected to at least one preliminary draft and a main draft in a drawing unit and subsequently spun into a yarn in a pneumatic torsion device, wherein during the draft the sliver is condensed to a minimum width (B_2) which is at least 1.5 times the diameter (D) of the torsion device, and after being condensed the sliver is not additionally condensed before being twisted while retaining the aforementioned diameter (D).

Book Review



Socio Economic Benefits of Intellectual Property Protection in Developing Countries by Shahid Alikhan, Published by World Intellectual Property Organization, 34, chemin des Colombettes P.O. Box 18 CH-1211 Geneva 20, Switzerland
Fax: 41 22 733 5428 e-mail:

wipo.mail@wipo.int

Indians have had their share of contribution in the UN system and put their stamp of creativity and excellence. Shri Shahid Alikhan, served the World Intellectual Property Organisation for over two decades in different capacities including service in the rank of Undersecretary General in the United Nations. Who else other than him could have written a book on the utility of intellectual property protection for the developing countries.

The very distinguishing feature of the book is the coverage on copyright and related rights as applied to cultural industry which has not found favour in recent books on intellectual property rights published in India as most authors seem to be obsessed with patents when it comes to IPR. How many of us knew that the copyright industry which includes publishing, films including documentaries and music, contributes significantly to GNP, for example, in Australia it was 3.1% of GNP (1993), in Germany 2.9% (1993), Netherlands 4.5% (1993), USA 4.3%, UK 3.6% (1993) GDP and India 5.09% (1997). When converted into dollars, all these could amount to a total trade of a few billion dollars.

At this level of trade, protection and enforcement of copyrights become extremely important, in fact, unavoidable. No industry could afford to take such high risks. In long run, if enforcement is not timely, complete and effective, countries having high stakes in this industry will have to sacrifice on creativity, innovation and original thinking having its immediate negative effects on the trade. The data presented in the book about the copyright industry in over 20 developing countries of Asia, Latin America and Africa is an eye opener and people who are addressing the issues related to protection of traditional knowledge and folklore must include

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Book Review

this information in the thought process to arrive at alternative models for protection. There are many useful policy suggestions for maximising the benefits to the copyright industry, which need to be looked into by the planners.

The book would have been incomplete if the impact of IT, electronic commerce, internet etc. on copyright matters was not discussed in simple and lucid terms. Practitioners of IPR have often been found lacking in addressing the economic issues associated with IPRs; a relationship so essential to understand. Discussions on the new information society driven by new technologies with digital technologies playing a central role, are worth reading and understanding. It has been aptly mentioned that the information society "will be predominantly based on the collection, organization, distribution and exploitation of information".

Complexities arising out of information including multimedia, transaction on internet or other networks or other digital media like CD-ROM, due to new issues ranging from protection of the information (encryption and decryption) to enforcement of rights internationally including the jurisdiction matters, compatibility among various national laws and design of an international law, have been very well discussed. Readers will find it quite easy to

comprehend these issues if they could patiently establish relationships among many of the things said above. While explaining these, the author goes on to explain the concept of collective management organizations, working of international organizations and the perception of industry about reproduction of information.

Many important issues of IPR have been discussed and presented in a crisp manner such as innovation management, technology acquisition and licensing, modernizing IP system and effective enforcement of IPR. As enforcement is the key parameter for harnessing the benefits of IPR, Shri Alikhan dwells quite elaborately on this subject. He is clear in his perception and writes "No amount of good legislative provisions even for technical protection could deliver results if the penalty provisions are inadequate, or yet if enforcement procedures are cumbersome, slow and costly; these latter need to be strengthened and modernized nationally." Enforcement is in the ultimate analysis, a question of implementation by the public services, consistency of local magistrates and an understanding by the concerned national offices.

Some policy considerations and directions have been suggested, as found in most UN publications, which are applicable to all developing countries. As always happens, all the

recommendations may not be applicable to all countries; some will be applicable to some countries and some to others and so on. Many developing countries may not be in a position to modernize and update their legislation in the face of technological developments as they may not have the necessary accumen to perceive and imbibe the new developments. All countries could possibly implement the recommendations of setting up national society of authors and composers with a good computerized administration. The requirement for a modern user friendly and value added patent information without doubt should be immediately fulfilled. Similarly, there could be no two views about IPR awareness creation in all the countries; PFC will always vouch for this.

The Chapter on IP System- A Catalyst for Development would have had more impact if data and experience of some countries were given. However, the need for a strong IPR system has been well brought out to meet the challenges posed by globalization and new economic order. Complex and intricate issues have been handled beautifully. Expressing complex matters in a simple and easy language is not an easy task. The book is excellent for libraries and personal use. *Highly recommended.*

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. 25 August, 2001

186401. The Procter & Gamble Co, USA (264/Del/93)	A cleaning composition
186402. CSIR, India (299/Del/93)	A process for the preparation of desulphurised coal
186403. The Chief Controller of Research and Development, Ministry of Defence, Delhi (366/Del/93)	A stable aqueous foam composition
186404. Stein Industrie, France (387/Del/93)	A circulating fluidized bed reactor
186405. Telemecanique, France (425/Del/93)	Circuit breaker
186406. Allan James Yeomans, Australia (426/Del/93)	Radiant energy collecting apparatus
186407. Indo-French Centre for the Promotion of Advanced Research, Delhi (443/Del/93)	An improved process for the conversion of alkanes into alkenes
186408. Ceeco Machinery Manufacturing Limited, Canada (456/Del/93)	Apparatus for twisting telephone cables unwound from multi-wire reels
186409. The Gillette Co, USA (468/Del/93)	A razor blade assembly
186410. Lal Shirish Pandya, India (478/Del/93)	A weighting and packing machine
186411. Tioxide Group Services Limited, England (487/Del/93)	A process for producing a composite particulate pigmentary material
186412. Zeneca Limited, England (502/Del/93)	A process for the preparation of a water-soluble triphenodioxazine dye
186413. CSIR, India (514/Del/93)	A process for the extraction of copper nickel cobalt & zinc metal values as by products from carbonate cake
186414. Lonza Inc, USA (517/Del/93)	A method for producing solid anhydrous methylolhydantoin
186415. ETI Technologies Inc, UK (519/Del/93)	A device for counterbalancing a rotating shaft
186416. The Procter & Gamble Co, USA (619/Del/93)	A concentrated liquid detergent composition
186417. Shell Internationale Research Maatschapij BV, Netherlands (635/Del/93)	A process for the preparation of mixture of carbon monoxide and hydrogen
186418. The Procter & Gamble Co, USA (714/Del/93)	A stable dispersoidal semi-solid soap cleansing and moisturizing composition
186419. Sandeep Jaidka, India (249/Del/94)	Air pollution control device

Litigation Watch

- A software piracy lawsuit filed by Microsoft against Simon Bailey of Australian Computing & Bookkeeping Service has resulted in a fine of \$ A 424, 000 payable by Bailey to Microsoft. Microsoft accused the South Australia reseller of advertising and selling pirated copies of Office 97 and Windows NT 4.0 to individuals and resellers through internet newsgroups.
- Canon Inc has filed a suit in Seoul court against Samsung Electro Mechanics Co alleging that 2 of Canon's patents were being infringed by Samsung's act of manufacturing and selling printer components.
- Roche Holding AG and Schering – Plough have resolved their patent dispute over peginterferon products. Under the agreement, the two groups would cross-license each other with regards to peginterferon products, allowing them to market their respective products and also to have them marketed by others.
- The European Patent Office has revoked the Swiss pharmaceutical giant Hoffman-La Roche's patent on native Tag polymerase. It has now been established that native Taq (n-Taq) enzyme was isolated in the US and Russian labs before the scientists at Centre Corp, which transferred the patent to Roche in 1992.
- AT & T Corp has settled a patent dispute with Ronald A Katz Technology Licensing LP by paying an undisclosed sum for global rights for services such as calling cards, teleconferencing and services. The settlement also includes rights to sublicensing agreements that will permit it to provide services to business customers without its customers to obtain an independent license from Katz.

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186420. Lucas Industries Public Limited, A vehicle braking device
England (420/Del/94)

B. 1 September, 2001

186421. Rhone Poulenc Agrochimie, France (556/Del/97) A process for preparing an alkyl dicyanopropionate
186422. CSIR, India (1264/Del/97) An improved process for the production of catalase
186423. The Chief Controller Research And Development, Delhi (1696/Del/97) A process for preparation of nicotinanilide hydrochloride
186424. Queens University, Canada (1699/Del/97) A process for preparing a polypeptide
186425. CSIR, India (1871/Del/97) An improved process for the preparation of 4 n methylamino sulfonylmethyl aniline
186426. CSIR, India (1987/Del/97) An improved process for the preparation of aryl n alkyl carbamate esters
186427. CSIR, India (1989/Del/97) An improved process for the preparation of solid phase with increased sensitivity useful for rapid elisa of biologically important molecules
186428. Gist Brocades B V, Netherlands (2237/Del/97) A process for preparing natural vitamin B12
186429. Nycomed Imaging, Norway (2367/Del/97) A method for the purification of crude iohexol
186430. CSIR, India (2934/Del/97) An improved process for the preparation of novel crosslinked macroporous glycidyl methacrylate divinyl benzene copolymers
186431. CSIR, India (641/Del/94) A culture medium useful for the production of penicillin V acylase using B sphaericus
186432. Celia, France (644/Del/95) A process for the production of dairy products from a liquid retentate derived from ultrafiltration of milk
186433. Department of Biotechnology, Ministry of Science and Technology, Government of India, New Delhi (1316/Del/95) A process for the preparation of chemically modified enzymes for use in the synthesis of organic compounds in routine chemical analysis and for catalysing chemical processes
186434. Smithkline Beecham Corp, USA (1210/Del/96) A process for preparing an imidazol compounds
186435. Jamshid Ashourian, USA (16590/Del/96) A process for producing pourable fruit product
186436. CSIR, India (1952/Del/96) A process for the preparation of novel antifungal metabolites from novel strain of pseudomonas fluorescence useful for controlling fungal disease
186437. Abburri Ramaiah, Delhi (586/Del/97) A composition capable of administering of active agent
186438. Daikin Industries Ltd, Japan (756/Del/97) A blocked isocyanate emulsion and method for producing the same
186439. Astra Aktiebolag, Sweden (1060/Del/97) A process for the production of enantiomerically pure axetidine 2 carboxylic acid
186440. Yuhan Corp, Korea (1094/Del/97) Process for preparation of pyrimidine derivatives
186441. Sundip Sureka And Jotibdra Sureka, Delhi (245/Del/93) A method for producing galvanized steel tubes
186442. Elf Antar, France (994/Del/93) Process for the preparation of bitumenpolymer composition

International News

The World Trade Organization General Council has taken decision in respect of only three Uruguay Round implementation issues so far. The number of unresolved issues has gone up to 97.

(Financial Express, 19 Oct 2001)

The Boeing Company and a group of Japanese companies including Mitsubishi Corp. have planned to invest £ 17 millions for supporting venture business to commercialise dormant patents held by Japanese corporations, universities and research institutes.

(Patent World, Iss 136, Oct 2001)

In Germany, the Regional Court of Stuttgart has ruled that copyright levies shall have to be paid for CD writers also as they allow digital copying of protected works.

(Copyright World, Issue 114, Oct 2001)

In a bid to prevent digital copying a 'Security Systems Standards and Certification Act (SSSCA)' is being introduced in the US. Under this bill, it would be a civil defence to create or sell any kind of computer equipment that "does not include and utilize certified security technologies" approved by the federal government. If passed this legislation would cover nearly all consumer electronic devices including music, video and e-books. This bill also has a provision for five years imprisonment and fine up to £ 375,000 for any one who distributed copyright material with 'security measures' disabled or

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186443. CSIR, India (482/Del/93)	An improved device for making chapathi
186444. Bharat Heavy Electricals Limited, India (498/Del/93)	Process for manufacture of carbon free silica rich white ash from rice husk in a fluidised bed combustor and the equipment for carrying out the process
186445. Kul Bhushan Lal Wadhwa, Lucknow (515/Del/93)	A disinfectant flushing valve
186446. Imperial Chemical Industries Plc, England (575/Del/93)	A process for the production of hydro halo fluorocarbon
186447. Honda Giken Kogyo Kabushiki Kaisha, Japan (581/Del/93)	Rear fork for a motorcycle
186448. The Procter & Gamble Co, USA (0597/Del/93)	A disposable absorbent articles
186449. The Goodyear Tire And Rubber Company, USA (664/Del/93)	Apparatus for detecting defects in pneumatic tires
186450. The Lubrizol Corp, USA (712/Del/93)	An improved grease composition
186451. Uniroyal Chemical Company, USA (582/Del/97)	A process for the preparation of hydrazide derivatives
186452. Gisi Brocades B V, Netherlands (1961/Del/97)	A process for the production of an n acylated cephalosporin derivative
186453. Osi Industries Inc, USA (2656/Del97)	Method of processing fully cooked and breaded bone in poultry product
186454. CSIR, India (2935/Del97)	An improved process for the continuous production of cheese free from aspartic protease
186455. CSIR, India (2946/Del/97)	An improved process for the production of immobilized d amino acid oxidase
186456. Slovakofarma A S, Slovakia (3039/Del/97)	A method of preparing omeprazole
186457. CSIR, India (3060/Del/97)	A process for the preparation of 20R 20hydroxy 3 b tosyloxypregna 5 en 22 aldehyde
186458. CSIR, India (3070/Del/97)	A process for the preparation of 3, l, 5, cyclo 6b methoxy 20r 20 hydroxypregna 22 aldehyde
186459. CSIR, India (3072/Del/97)	A process for the preparation of chiral 2 3 substituted propyloxt substituted 2 2 dialkyl 3 4 diarylchromans and their salts
186460. Celia, France (2679/Del/98)	Apparatus for the production of dairy product
C. 8 September, 2001	
186461. Weston Medical Limited, British (710/Mas/94)	An actuator for using in conjunction with a cartridge to form a needleless injector
186462. Mederer GmbH, Germany (2357/Mas/97)	A process for producing a sweet toy
186463. Howard Podell David L Podell Albert Goldstein (59/Mas/98)	A flexible sheet of elastomeric material
186464. Schering Corporation, USA (600/Mas/98)	A process for preparing a tricyclic pyridine derivative
186465. F Hoffmann La Roche, Switzerland (467/Mas/98)	Process for the manufacture of an alkali metal or alkaline earth metal salt of l ascorbic acid 2 monophosphate
186466. Sumitomo Chemical Company, Japan (1478/Mas/98)	A method for producing a pyrazolinone compound
186467. Spic Science Foundation Centre, India (1130/Mas/98)	A process for the preparation of botanical fungistatic and insect repellent compositions

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International News

had a network attached computer that disables copy protection.

(Copyright World, Iss 114, Oct 2001)

A European patent granted to a Canadian company Seabright Corporation for a genetic tweak that can make salmon grow eight times larger than normal has been condemned by an ecologist group Greenpeace. Patents on living beings are not allowed under the European Patent Convention, still EPO has granted this patent using the EU legislation on 'Biotechnology Inventions'.

(WISTA IPR Biotechnology, Vol 3 Iss 4, Oct 2001)

A Japanese firm Privee Zurich Securities Co Ltd plans to set up world's first 30 billion yen patent fund aimed at profiting from patent enforcement through litigation. Wealthy individuals and institutional inventors abroad have signed up to invest in the fund. The fund would acquire patents from companies that believe their patents have been infringed and go to court seeking damages and royalties for future use.

(Journal of Intellectual Property Rights, Sept 2001)

The German Patent and Trademark Office has launched its free new DEPATIS net service which includes all German patents since 1877, plus a wide range of patent documents from around the world, totaling some 25 million records. Full text searching is available for all German application documents and granted patents from 1987 onwards.

(EPIDOS News, 3 March 2001)

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186468. F Hoffmann La Roche Ag, Switzerland (1213/Mas/98) A process for conversion of non tocopherols into tocopherol
186469. Bracco Spa, Italy(1253/Mas/98) A process for the preparation of 5H 9bH 2a, 4a, 7, 9a octahydro tetraazacycloocta [cd] pentalene
186470. Bracco Spa, Italy(1252/Mas/98) A process for the preparation of 1, 4, 7, 10 tetraazacyclododecane 1, 4, 7, triacetic acid
186471. Daewoo Electronics Co Ltd, Korea (1761/Cal/95) Apparatus for detecting motion vectors for use in a segmentation based coding system
186472. Daewoo Electronics Co Ltd, Korea(11/Cal/96) An array of M X N thin film actuated mirrors and a method of manufacturing the same
186473. Windmoller And Holscher, Germany (108/Cal 96) An apparatus for manufacturing cross bottom sacks or bags
186474. General Electric Co, USA (211/Cal/96) A turbine
186475. Macrovision Corporation, USA (209/Cal/96) An apparatus for incorporating source identification data into the active picture of a video signal
186476. Mcneil PPC Inc, USA (117/Cal/99) An absorbent tampon comprising an absorbent core
186477. American Cynamid Company, USA (539/Cal/99) A process for the manufacture of a pyridine 2 3 dicarboxylate derivative
186478. Braunschweigische Maschinen Bauanstalt Ag, Germany(582/Cal/99) Method and device for extracting sugar from chopped sugar cane
186479. Danieli And C Officine Meccaniche Spa, Italy(1754/Cal/95) Electric arc furnace with alternative sources of energy
186480. Indian Association For The Cultivation Of Science, Calcutta (2016/Cal/98) A continuous growth process for preparing boron doped p type hydrogenated amorphous silicon

D. 15 September, 2001

186481. Gould Electronics Inc, USA (713/Del/92) A laminate for use in making printed circuit board
186482. Davy Mckee Stockton Limited England (818/Del/92) An apparatus and a process for the manufacture of granulated slag
186484. De La Ruegiori S A, Switzerland (892/Del/92) An improved wiping device for an intaglio printing machine
186485. Shell Internationale Research Maatschappij B V, Company (1183/Del/92) An improved process for the manufacture of selctively hydrogenated conjugated diolefin polymers
186486. L Air Liquide Societie, France(1210/Del/92) Process and apparatus for the production of impure oxygen
186487. CSIR, India (1284/Del/92) A device for the measurement of volume change of trixial soil samples during compressibility cross sectional area and stress at failure
186488. The Goodyear Tire And Rubber Company, USA (43/Del/93) An improved pneumatic drive tire for agriculture use
186489. Alanross, USA (55/Del/93) A communications line measuring apparatus
186490. Norwegian Concrete Technologies Coporation, Norway (222/Del/93) An improved electrochemical process producing anti-corrosion steel reinforcement embedded in reinforced concrete
186491. Loesche Gmbh, Germany (1304/Cal/95) A roller mill with a horizontal grinding path on a rotary grinding bowl
186492. LG Electronics Inc, Korea (1513/Cal/95) A microwave oven incorporating an induction heating cooker
186493. Horstmann Timers And Controls Limited, United Kingdom (49/Cal/96) An electrical measuring apparatus especially for current measurement power measurement and watt hour metering

Domestic News

Awareness about IPRs is increasing in the corporate sector as well is evident from the fact that a Delhi based company, Nucleus Software Export Ltd is planning to invest approximately \$ 2 million over the next two years in product related intellectual property rights. Nucleus Software specializes in software and services for the banking and the financial sectors.

(Financial Express, 8 October 2001)

A research carried out by World Agricultural Forum shows that India is far behind in terms of filing patents pertaining to herbal, medicinal and agricultural wealth. Of the 416 herbal patents filed with the US between 1996-01, only 18 belonged to India while US and Canada had 134 and 66 respectively to their credit. Plants for which maximum number of patents were filed included ginger, tea and aloe vera.

(Financial Express, 3 Sept 2001)

The dispute settlement body (DSB) of the World Trade Organization (WTO) has received a total of 236 requests for consultation from members since 1995. Of these 13 have been filed by India and an equal number filed against the country. India has won five of these cases, lost three, reached amicable settlement in eight cases and the remaining are in various stages of processing by

Contd on...10

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186494. Degussa Hulsag, Germany (142/Cal/96)	Granules based on purogenically prepared silicon dioxide and method of preparation thereof
186495. Chih Ching Hseh, China (182/Cal/96)	Box and wrench
186496. Koninklijke Philips Electronic, Netherlands (281/Cal/96)	Electric reflector lamp
186497. Matsushita Electric Industrial Co Ltd, Japan (290/Cal/96)	An optical disk
186498. Dr Niharendu Bikas Sinha, West Bengal (1708/Cal/98)	Process for preparation of composition of chelates for detoxification of toxical elegents poisoning in environmental pollution in human animal and to some extent in plant kingdom
186499. E I Du Pont De Nemours, USA (2008/Cal/98)	A process for producing a dialkali metal salt of an aromatic hydroxycarboxylic acid
186500. Danieli And Officine Meccaniche Spa, Italy (669/Cal/99)	Method for the continuous casting of thin slabs of high steels
E. 22 September, 2001	
186501. Simens Aktiengesellschaft, Germany (34/Cal/96)	Compact coupling panels in enclosed medium voltage switchgear
186502. Siemens Ag, Germany (51/Cal/96)	Transformers for the panel terminal of enclosed medium voltage switching ensulations
186503. E I Du Pont De Nemours And Company, USA (64/Cal/96)	A novel process for producing poly ethylene terephthalate polymer
186504. Chih Ching Hsieh, China (183/Cal/96)	Improved screw
186505. Tapat Paul, Calcutta (1592/Cal/95)	A novel plant for obtaining purified water by removing contaminants from oil well drilling effluents and process therefor
186506. Metallgesellschaft Aktiengesellschaft, Germany(742/Cal/96)	Process of producing methanol
186507. Forschungszentrum, Germany (946/Cal/96)	A process for the preparation of a novel modified pyruvate decarboxylase pdc
186508. Controlled Environmental Systems Corporation, USA (1330/Cal/98)	A continuous method for production of solutions of sugar and acid free from heavy metals
186509. Dr Niharendu Bikas Sinha Of Villkharor, West Bengal (1707/Cal/98)	Process for preparation of novel detoxifying composition containing chelates
186510. E I Du Pont De Nemours & Company, USA(2223/Cal/98)	A process for preparing a novel catalyst precursor
186511. Agharkar Research Institute, India (471/Bom/95)	A method for the treatment of industrial waste water with help of constructed systems
186512. Agharkar Research Institute, India (473/Bom/95)	A method for the removal of chromium selenium and tellurium from aqueous solutions using microorganisms
186513. Miss Kashimira Dara Poonawalla, India (547/Bom/95)	An improved fuel supply system for the carburetted internal combustion engine
186514. Hindustan Lever Ltd Hindustan, India (16/Bom/96)	Detergent composition
186515. M/S Hindustan Organic Chemicals Limited, India 158/Bom/96)	A process for the recovery of mononitrochlorobenzenes from the waste mixture of nitrochlorobenzenes obtained from nitrochlorobenzene manufacturing process
186516. Chakor Gandhi, India (160/Bom/96)	A metered fax paper roll

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Domestic News

the DSB.

(Financial Express, 17 Oct 2001)

The modernization of patent offices in India is certainly bearing fruits. The number of preliminary scrutiny reports (PSRs) cleared by the office has doubled in Delhi Patent Office. In case of Chennai Patent Office, 407 applications have been accepted as compared to 342 in 1999-2000. Also, 2917 PSRs were issued in 2000-01 as against none in 1999-2000. The patent office is also in the process of recruiting 140 patent examiners to clear a backlog of 36,000 pending patent applications filed in last six years.

(Business Standard, 12 Oct 2001)

World Intellectual Property Organization has stressed the need for an efficient program for eradicating the unfavorable intellectual property environment in India and other developing countries. WIPO is launching a program to strengthen the IPR regime in India and developing nations, which includes training and advisory services, seminars and provision of equipment. This was told by the WIPO senior counselor at a training programme on "Patent, Trademarks and Patent Information" organized by CII in collaboration with WIPO and Japan Patent Office (JPO).

(Financial Express, 5 Sept 2001)

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186517. Dr Meka Papa Rao, Maharashtra (363/Bom/96)	A method of making harbours on the shore line which is made of soil or a combination of rock and soil
186518. Hindustan Lever Ltd, Maharashtra (39/Bom/97)	A pump dispenser
186519. Crompton Greaves Limited, Maharashtra (42/Mum/97)	A centrifugal pump of fractional horse power
186520. Er Deep Chandra Jain, India (242/Bom/97)	An air cooling apparatus
186521. Kameshwar Nath Mallik, India (745/Del/91)	A process for the preparation of a fuel saver liquid
186522. CSIR, India (621/Del/92)	A device for making spirally wound membrane module
186523. The Procter & Gamble Co, USA (760/Del/92)	A package for storing and dispensing potentially dangerous material
186524. Bausch And Lomb Inc, USA (798/Del/92)	A method and apparatus for manufacturing lens by molding
186525. CSIR, India (0074/Del/93)	An improved method for the preparation of extreme pressure industrial gear oil
186526. Maerz Ofenbau Ag, Switzerland (103/Del/93)	An improved shaft kiln for burning a mineral charge
186527. General Electric Co, USA (148/Del/93)	Vitreous light transmission arc chamber
186528. Classic Profit Limited, Hong Kong (170/Del/93)	Wind turbine
186529. Laxmark International Inc, USA (180/Del/93)	An improved printer device
186530. Honda Giken Kogyo Kabushiki Kaisha, Japan (200/Del/93)	Scooter type vehicle
F. 29 September, 2001	
186531. Rohm And Haas Company, USA (407/Del/93)	A process for preparing cross linked methacrylic anhydride spherical copolymer beads
186532. CSIR, India (662/Del/93)	A composition useful and for preparing metal coated paper
186533. Oliver Rubber Company, USA (640/Del/93)	Apparatus for retreading a prepared tire carcass
186534. Industrie Meccanotessili, Italy (811/Del/93)	Stop device for the spindless of a textile spinning machine
186535. CSIR, India (993/Del/93)	A process for the manufacture of refractory fireclay bricks from low grade fireclays
186536. Montell North America Inc, USA (0257/Del/94)	Process for making catalysts for the polymerization of alpha olefins
186537. CSIR, India (1729./Del/94)	A process for the preparation of bony material useful for the restoration of bony structures
186538. National Institute of Immunology, Mysore (696/Del/97)	A process for the preparation of nitrocellulose strip coated with monoclonal antibody for the rapid detection of nuclear polyhedrosis in bombay x mori I
186539. Ranbaxy Laboratories Limited, India(2764/Del/97)	A process for the preparation of cefuroxime axetil in an amorphous form
186540. CSIR, India (3073/Del/97)	A process for the preparation of chiral 2, 3 substituted propyloxy substituted 2, 2 dialkyl 3, 4 diarchromenes and their salts
186541. Jeeng Neng Fan, China (328/Cal/95)	A simple and energy saving device for use in cycles

PFC on the move...

PFC's reputation is on the rise. A workshop on "New IPR Regime: Challenge and Opportunities before Indian Industry" organised by PFC and West Bengal Council on S & T on October 10 in Kolkata was inaugurated by the Chief Minister of West Bengal, Shri Budhdev Bhattacharya. In his inaugural address he emphasized the need to face the new global challenges by appropriate strategies including exploiting the opportunities provided by generation and protection of intellectual property. The Minister of Commerce and Industry, Shri Nirupam Sen delivered a thought provoking address. It was an honour and privilege for PFC to have the two illuminaries as guests during the workshop.



*(Hon'ble Chief Minister,
Shri Budhdev Bhattacharya inaugurating
the workshop in Kolkata)*

PFC conducted two more workshops at the Regional Engineering College, Calicut on October 1 and Delhi University, South Campus on October 15. These three workshops were attended by about 300 scientists, technologists and policy makers.

Efforts of PFC in networking with other agencies continue. This time PFC joined hands with Ministry of Small Scale Industries in organising workshops for small scale industries in different parts of the country. Four such workshops were conducted at Pune, Mumbai, Hyderabad and

Contd on...12

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186542. Hokuriku Seiyaku Co Ltd, Japan (974/Cal/95)	Process for preparation of 5 amino 8 methyl 7 pyrrolidinylquinoline 3 carboxylic acid derivative
186543. Alpha Metals Ltd, England (1625/Cal/95)	A process for forming an adhesion promoting coating on a bare board of a printed circuit board
186544. Samsung Electronics Co Ltd, Korea (1723/Cal/95)	An apparatus for providing a paging service in wide area paging system
186545. The Trustees of Princeton University, USA (17/Cal/96)	Process for preparing a multilayered catalyst composition having a plurality of pillared metal complex disposed on a supporting substrate
186546. General Electric Co, USA (95/Cal/96)	A cooling circuit for turbine rotor components
186547. LG Electronics Inc, Korea (414/Cal/96)	Exhaustion noise suppressing apparatus for hermetics compressor
186548. Siemens Aktiengesellschaft, Germany (479/Cal/96)	Waste heat steam generator for a gas turbine and steam turbine station
186549. Kumiai Chemical Industry Co Ltd, Japan (699/Cal/96)	Process for production of benzylsulfide derivative
186550. Cosmat Corporation, USA (1374/Cal/98)	Communication unit
186551. The Pillsbury Company USA (07/Del/97)	A method for producing storage stable refrigerated dough composition
186552. IBM, USA (656/Del/90)	Data processing apparatus
186553. IBM, USA (661/Del/90)	Data processing apparatus
186554. The Procter & Gamble Co, USA (0957/Del/92)	An extensible absorbent article
186555. CSIR, India (774/Del/93)	An improved device useful for precise control of gap between tip and sample in a scanning tunneling microscope
186556. General Electric Co, USA (782/Del/93)	A process for making a high purity martensitic stainless steel alloy
186557. Avtar Singh Suden, Delhi (1471/Del/93)	A process for preparing of improved mild steel
186558. Panacea Biotec Limited, New Delhi (2048/Del/95)	Process for the preparation of novel therapeutic injectable analgesic composition containing nimesulide
186559. Fuisz Technologies Ltd, USA 125/Del/96	A method of making a confectionery
186560. CSIR, India (3064/Del/97)	A process for the preparation of 20R, 20, 22, biethoxy 3b hydroxypregna 5 ne

Contd from...11

PFC on the move...

Chennai on October 3, 5, 17 and 22
respectively.



(Workshop in Hyderabad in
association with Ministry of SSI)

Seminar on

*"New Dimensions of Intellectual Property
in Changing Scenario"*

The Patent Facilitating Centre (PFC) of
Technology Information Forecasting &
Assessment Council (TIFAC) jointly with
Institute of Intellectual Property Research &
Practice (IIPRP) is organizing two
international seminars on **"New
Dimensions of Intellectual Property in
Changing Scenario"**. The seminar would
be an opportunity to interact with and listen
to eminent patent officials from the
European Patent Office (EPO) and leading
patent attorneys from attorney firms in the
US and Europe. The seminar would cover
patenting on heterocyclic chemistry,
biological processes, software and
business methods, besides other forms of
IPR protection such as trade secrets and
geographical indications.

The first one will be held at Hotel Grand
Hyatt, New Delhi on 21-22, January, 2001
and the second one at Hotel Taj Krishna,
Hyderabad on 24-25, January 2001. The
registration fee will be Rs. 7000/- per
participant. Interested persons may write to
Shri R. Saha, Adviser (DST) and Dir (PFC)
for more details and registration.

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

NEXT ISSUE

- Herbs Related Patents
- Case Study
- Patents for Opposition

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