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Patenting in Electricals

PFC has conducted a study of patent applications related to the electrical engineering filed in India in the last five years from 1997 to 2001. The data for the patent analysis has been extracted from the Ekaswa –A patent database of PFC. A total of 2202 patent applications have been studied. These applications include patent applications filed in India, the PCT applications which have come into National Phase in which India is one of the designated countries and the PCT applications filed in India itself. The main areas in which most of the applications have been filed include batteries, transformers, transmission, insulation mechanisms, protection devices, generators, motors, rotors, connectors of different types, relays and electrical gadgets. 21.4% of total applications have been filed by Indian companies and individuals and 60% of these applications have been filed by individuals alone.

The year-wise break up of

applications from 1997-2001 is given in Table – I.

Table I

Year	1997	1998	1999	2000	2001
No. of Applications	683	538	303	340	338

Some of the other highlights of the analysis are presented below for quick review.

- 1) Total No. of applications filed 2202
- 2) Applications filed by foreigners/foreign companies 1729
- 3) Applications filed by Indian companies/ individuals 473
- 4) Applications filed by Indian individuals 288
- 5) Convention applications filed 1208
- 6) PCT applications in National Phase 297
- 7) PCT applications filed in India 12

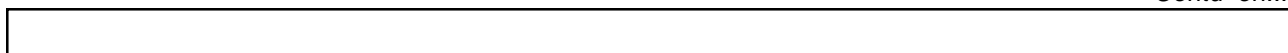
A list below in Table II shows the number of convention applications from various countries.

Table II

Country	No of Applications
USA	353
Germany	246
Japan	236
France	99
Australia	98
UK	65
Korea	59
Sweden	56
Italy	21
EPO	15
Austria	11
Switzerland	8
Finland	6
Netherlands	3
Denmark	3
Spain	3
Malaysia	2
Canada	2
China	2
USSN	2
PCT	2
Czechoslovakia	1
Hungary	1
Sri Lanka	1
Israel	1
Norway	1
Brazil	1

USA, Germany and Japan have been the major players, filing most of the convention applications, followed by France,

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Australia, Great Britain, Korea and Sweden.

Filing by Indian Companies/ Institutes

Total number of applications filed by Indian companies and R&D institutions is 185. Individuals have contributed major part in the Indian filings. Indian companies and institutions filing 2 or more applications are listed in Table III.

Table III

Company/Institute	No of Applications
BHEL	18
Larsen & Toubro Ltd	15
CSIR	9
Datar Switchgear Ltd	8
Electrex (India) Ltd	6
IIT	6
Crompton Greaves Ltd	5
Indian Institute of Science	5
SPIC Science Foundation	5
Exide Industries Ltd	4
ISRO	4
Phoenix Lamps India Ltd	4
Department of Atomic Energy	3
Gem energy Industry Ltd	3
Texas Instruments India Ltd	3
AMCO Batteries Ltd	2
Birla Institute of Technology	2
Boam R&D Co Ltd	2
Kirloskar electric Co Ltd	2
Lucas TVS Ltd	2
M K Electric (India) Crescendo	2
Orient Fans	2
DRDO	2
DST	2
Silicon Automation Systems Ltd	2
Indian Nippon electricals Ltd	2

BHEL's 18 applications mainly relate to circuit breakers, high voltage high energy generator devices, gas insulated hybrid transformers, induction motors, solid oxide fuel cells, inverters for snubberless operation and couplers for monitoring of electrical discharge. Most of the applications by **Larsen and**

Toubro Ltd are for circuit breakers. These include design of secondary isolating contacts in circuit breakers, way to secure arc chutes in circuit-breakers, design of combination housings for circuit breaks, design of under voltage release for circuit breakers. **CSIR** has applications for improved super capacitor, lithium cells, batteries, uninterrupted safe power supply for use in hazardous areas, electrolytic cells and solid state pH meters. **Datar Switchgear Ltd** also has applications for circuit breakers which include electromechanical combination of earth leakage circuit breakers and miniature circuit breaker, combination of circuit breaker with higher capacity, miniature circuit breaker with trip-on-fault position, permanent magnet relay and earth leakage circuit breaker. **Electrex (India) Ltd** has filed applications for compact electric portable planer, brushless alternator with shiftless rotor, heavy duty drill, compact marble cutter, heavy duty impact drill and electric and portable orbital sander. **Crompton Greaves** has applications for centrifugal pump of fractional horse power, inexpensive transformer power conversion system, electric ceiling fan suspension shackle and motor having improving controller. **Indian Institute of Science** has applications for invertors and switched mode power supplies. **Exide Industries Ltd** has applications for lead acid battery, leak resistant automotive battery, vented type leak resistant motor cycle battery and leak retardant automotive battery. **Orient Fans** has 2 applications for stator and

a speed regulator for use with an electrical load. **Phoenix Lamps India Ltd** has patent applications for incandescent electric lamp assembly. **SPIC Science Foundation** has applications for fuel cells and porous electrodes for use in electrochemical cells.

Filing by Indian Individuals

Table IV gives the list of individuals who have filed 2 or more applications.

Table IV

Individuals	No. of Applications
Bhanu Prakash Vishwakarma	9
Lingaraj Patnaik	6
Majoj Hansraj	4
R.A. Patel	4
Chitaranjan Mukherjee	3
E.V. Thooran	3
J.S. Nirody	3
K.A. Zalavadia	3
Nathan Santhivel	3
R.A. Dhariwal	
Kunjithapatham and et al	2
A P Sunitha	2
Anne Vijaya	2
Arulandasamy Joseph	2
Baddam Anantha Reddy	2
D. Vijayagopal Reddy	2
D.B. Chavan	2
Dr. Jose	2
Dr. Ramchandran	2
G.S. Narayan	2
G.P. Ganesh	2
Kulwant Rai	2
M.C. Gupta	2
M.C. Dwivedi	2
V T Sheth	2
Mysore Krishnamurthy	2
Mysore Seshadri	2
P.M. Dixit	2
Purna Bahadur	2
R.V. Khopkar	2
Sanjeev Khosla and et al	2
Amitabh Roy	2
Sushant Gupta	2
V.K. Sharma	2
Vinod Chintamani	2

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Individuals have filed applications in a variety of areas in the field of electricals. These include safe earth electrode, domestic power controller, electric cycle rickshaw, generation of electric current using ferro electrics, electrostatic current generator, electro dynamic power unit, device for sterilizing water by electrical means, air pressure machine to produce energy from gravity within increased atmospheric pressure, electrical switch with multi-operating facility, wind energy converter, battery operated tri-color torch and many more.

Filing by Foreign Companies

Foreign companies filing 10 or more than 10 applications have been listed in Table V.

Table V

Company	No of Applications
Siemens Aktiengesellschaft	140
Asea Brown Boveri	94
General Electric Co	77
Schneider Electric Industries SA	53
Honda Giken Kabushiki Kaisha	49
Matsushita Electric Industrial Co Ltd	48
Eaton Corp	36
Patent-Treuhand-Gesellschaft Fur Elektrische Gluehlampen MBH	35
Eveready Battery Co	30
Duracell Inc	23
Hitachi Ltd	22
Mitsubishi Denki Kabushiki Kaisha	20
Alstom	19
Sony Corp	19
Kabushiki Kaisha	17
Samsung Display Devices Co Ltd	17
GEC Alstom	15
Molex Inc	14
Westinghouse Electric Corp	14
Emersom Electric Co	13
Koninklijke Philips Electronics	13
Philips Electronics NV	13
Robert Bosch GMBH	13
Sanyo Electric Co Ltd	12
ABB	10
Telefonaktiebolaget LM Ericsson	10

Siemens Aktiengesellschaft has filed applications in the areas of switched mode mains power supply unit, circuit breakers, electromagnet relays, gas turbine plant, steam power plant, actuators, switching arrangement for voltage polarity, converter systems, encapsulated installation, mains power supply unit, discharge apparatus and others. **Asea Brown Boveri** has applications for switchgears, transformers, convertor circuit, hydro-generator plant, synchronous compensator plant, rotating electric machine, electrical switching device, magnetic energy storage, traction motor and drive system, power induction device, wind power plant, protection devices, switching devices, gas-cooled electric machine, rotating electrical machine parts, power circuit breakers, over voltage suppressor and short-circuit resistant IGET module. **General Electric Company** has applications for relays, discharge lamps, transformers, electronic electricity meter, stator bonding nib, electrical terminal arrangement induction motors, stators, rotors, electric motors, RF body coil, batteries and others. **Schneider Electric Industries SA** has applications related to ball actuator, switchgears, protection devices, electromagnetic switching module, circuit breakers and power supplies. **Honda Giken Kabushiki Kaisha** has applications for battery charging apparatus, brushless motor, magnetic driving pump, electric motor driven vehicle, vehicle light

bulb, engine-operated generator, battery rental apparatus, engine generated unit, turn signal for motor vehicle and power unit for motor cycle. **International Fuel Cells LLC** has filed applications in the area of fuel cells alone. Other companies have also filed few applications in this area.

Table VI shows the area-wise distribution of the applications filed.

Table VI

Area	No of Applications
Motors	136
Battery	131
Lamps	130
Circuit breakers	101
Generators	82
Protection Mechanism	59
Transformer	57
Insulation	57
Transmission Lines	44
Meters	39
Switchgear	36
Connectors	34
Fuel cells	28
Relays	21
Fans	18
Installation	18
Ballasts	7

Areas like motors, batteries, lamps, transformers, switchgears have been dealt with by many companies and individuals. Then ballasts, regulators, installation devices, fans, fuel cells, meters have been specific to few companies.



A Case Study on a Patent Related to a Water Efficient Toilet

The present invention relates to an improved water efficient toilet that minimizes the volume of water required during the flushing operation, while improving the performance compared to typical toilets. A patent to this invention was granted in October 2002 by the US Patent and Trademark Office and it stands assigned to Perfecteau LLP.

Prior Art

The typical toilet, usually referred to as "gravity tank-type toilet", relies on the principle of gravity to drain the water contained in the tank or reservoir into the toilet bowl, thus raising the level of water in the bowl. Once the water level is raised to its designed level, a siphon effect will pull the water and contents into the drain. This flushing process uses a considerable volume of water to achieve its goal, and to date, the most basic way to reduce water usage when using such "gravity tank-type toilets" is by storing a

reduced volume of water in the reservoir.

The lowest known flush rates demanded in the USA are currently 1.6 gpf or 6 lpf, reduced from 3.5 gpf or 13.2 lpf. This reduction has been achieved by reducing the water volume stored in the reservoir (tank), at the expense of introducing significant performance issues, often requiring multiple flushing.

An alternative solution has been to propose pressurized water toilets. Such a toilet has at least a pressurized water supply, valve means and a flush valve actuator. These known pressurized water toilet flushing systems have improved the performance of toilets at the 1.6 gpf or 6 lpf flush rate.

Nevertheless, such prior art pressurized water toilets exhibit operating characteristics that can be improved and they are still using a significant volume of water to effectively flush the toilet.

The present invention claims that a toilet can be flushed in 5 seconds by consuming only 2 litre per flush.

Description of the Invention

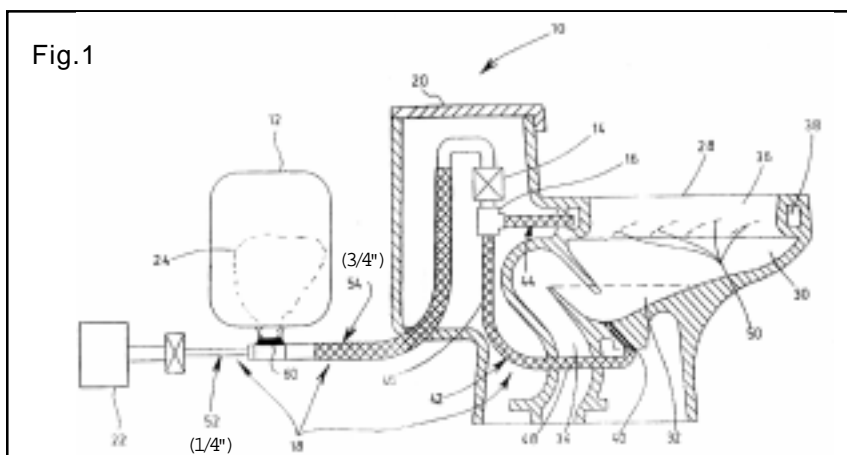
Figure 1 presents a cross-sectional view of the toilet 10. It includes valve means (14) and connection means (16) which are operatively connected to conduit means (18), and a specifically designed toilet assembly (20). The connection means (16) is disposed downstream of the valve means (14), the latter being preferably a ball or cylindrical valve.

The self pressurized tank (12) comprising a flexible membrane (24), attached to a connection fitting (60), is connected, preferably in parallel, to a water supply (22) through conduit means (18).

The toilet assembly (20) has a bowl (28) with inner walls (30). The bowl (28) further has a lower reservoir (32) connected to a trap way (34) and an upper rim (36) with a channel (38) therein. The channel (38) is provided with a plurality of openings (50) and the lower reservoir (32) of the bowl (28) has at least one through hole (40), but advantageously two.

When a user flushes the toilet (10) of the present invention by actuating the valve means (14) in an open position, a phased inflow of water into the toilet (10) is induced. Once the valve means (14) are opened, water inflow from the 1/4" connection is initiated and the water contained in the self-pressurized tank (12) is pushed out by the pressurized air in the tank (12), thereby providing the conduit means (18) with a large volume of water in a very short period of time.

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A Case Study...

The phased inflow of water includes an initial and intermediate inflow of water. The initial inflow of water passes into the first conduit (42) and through the at least one through hole (40) of the lower reservoir (32) to initiate the evacuation of the contents of the lower reservoir (32) through the trap way (34) into the drain pipe. When the water reaches the at least one through hole (40), which preferably have a diameter smaller than the diameter of the first conduit, a pressure build-up is initiated within the first conduit (42). As the pressure builds up in the first conduit (42), water will start to flow into the second conduit (44) and into the channel (38) of the upper rim (36). Therefore, the intermediate inflow of water flows into the bowl (28) through the openings (50) of the channel (38) to wash the inner walls (30) of the bowl (28) and to complete, in conjunction with the continuing initial flow of water through the at least one through hole (40) of the lower reservoir (32), the evacuation of the contents of the lower reservoir (32) through the trap way (34) into the drain pipe.

Immediately after the closing of the valve means (14), a final inflow of water is induced. A small amount of water will leak through the openings (50) to complete washing the inner walls of the bowl. The rest of the water remaining in the channel (38) of the upper rim (36), the

first (42) and the second conduit (44), and the connection means (16) will drain via gravity, through the hole (40), into the lower reservoir (32) thus refilling the lower reservoir (32), re-establishing the water seal and completing the flush cycle. Meanwhile, after the closing of the valve means, water which is still supplied by the water supply refills the self-pressurized tank until an equilibrium, in terms of pressure, is obtained.

Claims

The patent has 26 claims in all. Claim 1 is reproduced below:

1. A water efficient toilet including:

a self pressurized tank being connected to a water supply through conduit means, said water supply supplying said toilet with water through said conduit means;

valve means operatively connected to said conduit means;

a toilet assembly having a bowl with inner walls, said bowl having a lower reservoir connected to a trap way and an upper rim having a channel therein, said channel being provided with a plurality of openings, said lower reservoir of the bowl having at least one through hole, said at least one through hole of the lower reservoir and said channel of the upper rim of the bowl being connected to the valve means by a first and a second conduit,

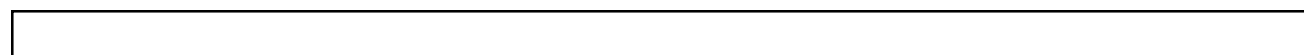
respectively,

wherein said toilet is flushed by actuating said valve means between:

an open position of said valve means so as to induce a phased inflow of water in said toilet, said phased inflow of water including an initial and an intermediate inflow of water, said initial inflow of water passing into the first conduit and through said at least one through hole of the lower reservoir to initiate evacuation of the contents of the lower reservoir through the trap way into a drain pipe, and, subsequently, said intermediate inflow of water passes into the second conduit and into the channel of the upper rim, said intermediate inflow of water washing the inner walls of the bowl and completing, in conjunction with the initial inflow of water, the evacuation of the contents of the lower reservoir, and

a closed position of said valve means so as to induce a final inflow of water by releasing, via gravity, a predetermined volume of water into the lower reservoir, said predetermined volume of water being contained in the channel of the upper rim, and in the first and the second conduits;

and wherein said self pressurized tank has enough capacity to provide a large volume of water in a short period of time so as to assist the flush.



Case Law

Abandoned patent application may also constitute prior art

Patents granted before the date of filing of a patent application constitute prior art. Also the patent applications which have been filed but still not granted can form prior art provided they have been published after few months. For example, in the case of European Patent Office every patent application filed is published within eighteen months of the date of filing. Such publications then become the prior art for any of the patent applications filed after that date. What happens to the patent applications, which have been abandoned or withdrawn by the inventor or the assignee before publication. Do they form prior art? Presented below is a case decided in the UK Patent Office *in which an abandoned application also became prior art although it was withdrawn before the publication date.*

A patent application (A) concerning an illumination method and device was filed by Mr. Leslie Adrian Alfred Woolard on 3 June 1997 and was published on 12 August 1998. A previous application (B) of Mr. Leslie relating to a very similar subject matter was filed on 1 December 1995 and published on 4 June 1997. At the substantive examination stage, this earlier application (B) was cited by the examiner under section 2 (3) of Patents Act 1997 of UK against

present application (A). The applicant alleged that he had abandoned the application 'B' before publication. So it cannot form a prior art for the application 'A'. The main questions at dispute in this case are whether the withdrawal of application 'B' will have the intended effect of nullifying the publication as per Section 2 (3) and whether the word application in Section 2 (3) be construed as limited to applications which are pending (not withdrawn or refused) when published.

Section 2(3) states :

"The state of the art in the case of an invention to which an application for a patent or a patent relates shall be taken also to comprise matter contained in an application for another patent which was published on or after the priority date of that invention, if the following conditions are satisfied, that is to say-

(a) that matter was contained in the application for that other patent both as filed and as published; and

(b) the priority date of that matter is earlier than that of the invention."

The applicant had instructed his agent to abandon the earlier application 'B' on 26th March 1997. But the agent didn't act upon the instruction in time and on 8 May 1997 the agent received a notice from the Patent Office stating that the application would be published on 4 June 1997. On 12 May 1997 the

Patent Office received letter from the agent for withdrawal of the application 'B'. The examiner however was of the opinion that the intimation for withdrawal was received after the preparations for publication were complete. **According to section 16 (1) of the Act "The controller shall, unless the application is withdrawn or refused before preparations for its publication have been completed by the Patent Office, publish it as filed.** The agent felt it appropriate to involve common sense to the meaning of the Act and said that if an application is withdrawn before preparations and by some administrative error it is published, then any action after withdrawal should be considered not to have happened. The examiner refuted this 'common sense' argument stating that a statute should only be interpreted on its own words. The agent further argued that the word 'application' in section 2 (3) means 'live' application i.e. one that contains a request for the grant of a patent and when withdrawal is requested, one is asking for the withdrawal of the request for grant of a patent and after withdrawal the application ceases to be an application as defined by section 2 (3). To this argument the examiner replied that when a term is used in different places in a statute it has the same meaning unless there is express indication to the contrary. Finally, the agent cited the E P O practice according to which it does not consider a

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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. 5 October, 2002

188481. Kimberly Clark Worldwide Inc, USA (305/Cal/96)	A dispensable folded unitary web product
188482. NGK Insulators Ltd, Japan (374/Cal/96)	High pressures discharge lamp and method of producing the same
188483. Siemens Aktiengesellschaft, Germany (722/Cal/96)	Multi8ser data processing system with memory protection
188484. Fiitz Stahlecker and Hans Stahlecker, Germany (730/Cal/96)	A clearer roller for a drafting arrangement of a textile machine
188485. Koyo Sangyo Co Ltd, Japan (788/Cal/96)	A laminated material of vegetable stalks
188486. Recordati S A, Switzerland (822/Cal/96)	A process for the preparation of lercanidipine hydrochloride
188487. Bosch Siemens Hausgerate Gmbh, Germany (956/Cal/96)	Heat insulating housing based on a vacuum insulation
188488. Walter Ag, Germany (847/Cal/96)	Bell type countersink device in particular for machining arc shaped groove in work pieces and a process for the formation of arc shaped undercut groove
188489. Kawasadi Steel Corp, Japan (1337/Cal/96)	A ladle cover for vacuum oxygen decarbonization equipment
188490. Daikin Industries Ltd, Japan (1638/Cal/96)	Process for preparing a filler containing polytetrafluoroethylene granular powder
188491. Hindustan Lever Ltd, India (307/Bom/97)	Process for the preparation of rinse conditioner
188492. Nisshinbo Industries Inc, Japan (319/Bom/97)	A method for shrink proof treatment of cellulosic fiber textile
188493. A S Bhagat And Shakuntala Anirudha Bhagat, Maharashtra (320/Bom/97)	An improved connector for connecting members of a structure machine or the like
188494. Aquaform Inc, USA (330/Bom/97)	Apparatus and method for hydroforming
188495. A S Bhagat And Shakuntala Anirudha Bhagat, Maharashtra (342/Bom/97)	A pref abricated prestressed structural module/system for superstructures of bridges and the like and the supestructure comprising the same
188496. Hindustan Lever Ltd, India (365/Bom/97)	Powdered cosmetic compositions containing silicone elastomers

International News

- Provision for additional damages in an action for patent infringement has found place in a Bill introduced in the UK Parliament to amend the Patents Act 1977. The additional damages shall take into account the flagrancy of the infringers.

(Patent World, August 2002)

- According to a ruling given by a German Court, collection of hyperlinks made available on the internet can constitute a database and therefore are eligible to be protected under the copyright law.

(Copyright World, August 2002)

- An anti-piracy group called Taiwan Anti-piracy Alliance has been inaugurated in Taipei. The group consisting of workers in the music, film and software industries aims at lobbying with the government to improve efforts to wipe out unauthorized reproduction of copyright materials.

- A non- profit organization in Singapore, The Copyright Licensing and Administration Society of Singapore (Class) has begun negotiations with a number of educational institutions in Singapore to collect copyright fees on behalf of publishers and authors, who are its members, whose printed works are copied by students in educational institutions.

- In a major development in China, foreign copyright owners will now receive legal protection equal to that of their Chinese counterparts. The new regulation, which came into effect on

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188497. China Petrochemical Corp, China (381/Bom/97)	A process for preparing a distillate hydrocracking catalyst
188498. China Petrochemical Corp, China (382/Bom/97)	A process for preparing distillate hydrofining catalyst
188499. Hindustan Lever Ltd, India (391/Bom/97)	A bar composition
188500. The Ensign Bickford Co, USA (395/Bom/97)	Fissile shock tube and method of making the same
188501. Paul Wurth S A, Luxembourg (1391/Del/93)	A method for producing granulated slag and device for implementing the method
188502. The Gillette Co, USA (1406/Del/93)	A method for manufacturing staples
188503. CSIR, India (1484/Del/93)	A process for the production of the resist ant chemical composition useful for the production of asphaltic paper board
188504. Morgan Construction Co, USA (1488/Del/93)	A rolling mill
188505. Wei Sheng Development Co Ltd, Taiwan, Republic Of China (0003/Del/94)	A vertical conveyor
188506. Voest Alpine Industrieanlagenbau GmbH, Austria (013/Del/94)	A continuous casting apparatus for production of a hot rolled strip of steel
188507. Isap Omv, Italy (0014/Del/94)	Pick up and transfer head for hollow objects especially for thermoformed articles
188508. Motorola Inc, USA (043/Del/94)	A communication apparatus
188509. The Procter & Gamble Co, USA (64/Del/94)	A cat amenial device for preventing leakage of menses
188510. Rollatainers Ltd, Faridabad (0070/Del/94)	A pouch forming machine
188511. Sree Chitra Tirunal Institute For Medical Sciences & Technology, Trivandrum (137/Mas/95)	The ventilator alarm
188512. Elf Atochem S A, France (162/Mas/95)	A process for the separation of hydrogen fluoride and difluoromethane from a mixture containing hydrogen fluoride and difluoromethane
188513. Ciba Specialty Chemicals Water Treatments Ltd, England (163/Mas/95)	A method of making a solid product in form of dispersion particles
188514. Tyco Electronics Corp, USA (222/Mas/95)	A curable polymeric composition
188515. Best Foods, USA (841/Mas/99)	A process for producing stock cubes
188516. Sega Enterprises Ltd, Japan (948/Mas/99)	An information storage medium
188517. KCP Sugar & Industries Corp Ltd, Tamil Nadu (964/Mas/99)	An apparatus for reducing the viscosity of highly viscous fluid such as massequite
188518. KCP Sugar & Industries Corp Ltd, Tamil Nadu (965/Mas/95)	A device for obtaining clear decolourised sugarcane juice from crude sugar cane extract
188519. Institut Francais Du Petrole, France (984/Mas/99)	A process for catalytically producing high octane highly branched paraffin compounds

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International News

September 15, 2002 mainly deals with the handling of administrative disputes over copyrights concerning foreign parties, ownership and practice of copyrights and punishment for copyright infringement. The regulation further states that protection of the copyright held by foreigners or stateless persons whose works were first published in China starts from the day their works are published. The same level of protection will be given if their works are published in China within 30 days after being first published outside China.

- The full texts of the Taiwanese patents from the Taiwan Intellectual Property Office are now covered in the CA/CPlus family of files of the STN databases.

- Thomson's News - Edge at www.derwent.com is providing a free of cost daily news service on patents related to biotechnology, medical devices and pharmaceuticals and intellectual property. The site has the search facility and one can choose to print articles of internet, and/ or e-mail them to colleagues.

- The US authorities have recently caught the largest international software piracy ring, arresting 27 people, many of whom were Taiwanese who allegedly duplicated software, including Microsoft Office 2000 and Microsoft Windows NT in Taiwan and then sold the pirated versions in the US and

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188520. Societe Des Produits Nestle SA, Switzerland (1065/Mas/99)	A process for preparing a cereal based dehydrated food in the form of precooked flakes
B. 12 October, 2002	
188521. Siemens Aktiengesellschaft, Germany (850/Cal/96)	Method of obtaining a deaerated condensate of a gas and steam turbine plant
188522. PGS Ocean Bottom Seismic Inc, USA (908/Cal/96)	A system for acquiring seismic data for a survey
188523. Chiyoda Corp, Japan (918/Cal/96)	An apparatus for the desulfurization of a sulfurous acid gas containing waste gas
188524. Thomson Consumer Electronics Inc, USA (1056/Cal/96)	A signal processing apparatus for processing a signal having timing variation
188525. Spier Gmbh & Co Fahrzeugwerk Kg, Germany (1428/Cal/96)	A locking device for super structure walls of trucks
188526. Daewoo Electronics Co Ltd, Seoul Korea (1519/Cal/96)	Circuit for sensing communication state
188527. SEB SA, France (1797/Cal/96)	Removable handle for containers
188528. Sirona Dental Systems Gmbh, Germany (1988/Cal/96)	A device for the positively coupled adjustment of the seat and backrest of a dentist's chair
188529. Ross Operating Valve Co, USA (2114/Cal/96)	A reset lockout for a control device
188530. Graf & Cie Ag, Switzerland (249/Cal/97)	Apparatus for grinding card clothings and a method of manufacturing card clothings by the apparatus
188531. Centre Stephanois De Recherches Mechaniques Hydromecanique Er Frottement, France (649/Del/93)	Bearing shell for heavily loaded bearings operating in an abrasive environment
188532. CSIR, India (1483/Del/93)	An improved process for the preparation of esters of carboxylic acids
188533. Secretary, Department of Science and Technology, Government of India, New Delhi (0102/Del/94)	A process for the preparation of 3-(tetrabromopentadecyl) 2,4,6-tetrabromo-2,5-cyclohexadiene
188534. CSIR, India (124/Del/94)	A process for the preparation of high quality refractory by grade magnesita (containing more than 97% MgO) from bittern
188535. Eastman Chemical Co, USA (0150/Del/94)	Process for the preparation of a dimethyl cyclohexanedicarboxylate
188536. Sab Wabco Holdings BV, Holland (0279/Del/94)	A barrel head for slack adjuster of rail vehicles
188537. The Procter & Gamble Co, USA (0337/Del/94)	A package for compressed diapers
188538. CSIR, India (370/Del/94)	A process for the preparation of an improved supported catalyst
188539. CSIR, India (688/Del/94)	An improved process for the manufacture of syntax having limited degree of sulfonation
188540. CSIR, India (869/Del/94)	An improved process for the extraction of mixture of linear terminal olefin and linear paraffin

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International News

elsewhere.

- The International Trademark Association (INTA) is a not-for-profit world wide membership organization of trademark owners and advisors. INTA's 125th Annual Meeting has been scheduled to be held in Amsterdam, Netherlands from May 3-7, 2003. The premier meeting attracts more than 6000 participants for five days of educational presentations, committee meetings, exhibits, social events and other networking opportunities. It is also an ideal opportunity to conduct business

Domestic News

- It is heartening to learn that now India also has an International Depository Authority for the deposition of microorganisms for the purposes of patent procedure. The Government of India had deposited the Instrument of Accession to the Budapest Treaty on 17th September, 2001 and the Treaty came into force with effect from 17th December 2001. Subsequent to this development, Microbial Type Culture Collection Centre (MTCC) at the Institute of Microbial Technology (IMTECH), Chandigarh has been notified by the Director General of WIPO as an IDA with effect from 4th October, 2002. MTCC is the 34th IDA under the Budapest Treaty.

- Twelve patent applications have been filed by IIT Delhi since March 2002. These applications include torsionmeter,

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188541. Innomedia Technology Pvt Ltd, Mumbai (246/Bom/97)	A device for high speed transfer of multimedia data over TV channels by optimally separating the data into lossy and accurate components
188542. Innomedia Technology Pvt Ltd, Mumbai (247/Bom/97)	An interactive card for generating interactive channels at a cable TV head-end allowing users on the cable TV network to interact using just their TV and a telephone
188543. Navin Asu Chheda Hareesh Vasantraj Gandhi, Mumbai (267/Bom/97)	An improved shock protector switch
188544. Outokumpu Technology Oy Richitontuntie, Espoo (270/Bom/97)	Method and apparatus for recirculating a heavier solution from the separation part of two separable solutions into a mixing unit
188545. Lin Jin Chen, Taiwan (273/Bom/97)	A hub assembly for a bicycle wheel
188546. Dr Rajiv Kumar, Gujarat (280/Bom/97)	Process for preparing a composition to remove hydrogen sulphide and carbon dioxide from mixture of gases
188547. Kakoh Kiki Co Ltd, Japan (290/Bom/97)	Cutter knife for thermoplastic resin pelletizer and method of producing the same
188548. Filterwerk Mann+Hummel GmbH, Germany (291/Bom/97)	Suction device for internal combustion engines
188549. Karan Das Agrawal & Sushila Karan Agarwal, Mumbai (306/Bom/97)	An improved extrusion die for forming of aluminum collapsible tubes
188550. Unichem Laboratories Ltd, Maharashtra (741/Mum/2000)	An improved process for the preparation of secnidazole (-2-dimethyl-5-nitro-1-h-imidazole-ethanol)
188551. Kabushiki Kaisha Toyoda Jidoshokki Seisakusho, Japan (226/Mas/95)	An up/down motion apparatus for driving thread guide rail in spinning machine
188552. John Daniel Containers (Proprietary) Ltd, Republic of S. Africa (307/Mas/95)	A container for mounting on a load carrying vehicle
188553. Titan Industries Ltd, Tamil Nadu (315/Mas/95)	Slim quartz analog watch movement in a wrist watch having features of 2 hands
188554. Indian Institute of Technology, Chennai (317/Mas/95)	A process for the preparation of polyacetal/ethylene-propylene-diene terpolymer blends
188555. Institut Francais Du Petrole, France (377/Mas/95)	A process for producing lubricating oil from a hydrocarbon feed obtained from a fischer tropesch process
188556. Philip Morris Products Inc, USA (397/Mas/95)	Heater for use in a smoking article and a method for forming the same
188557. Moog Automotive Products Inc, USA (435/Mas/95)	Reinforced friction material
188558. Indian Institute of Technology, Chennai (545/Mas/95)	An apparatus for maintaining a steady plating current in pulse electroplating operations
188559. Foster Wheeler Energia Oy, Finland (633/Mas/95)	A superatmospheric pressurised filtering assembly
188560. BASF Aktiengesellschaft, Germany (811/Mas/95)	A process for the preparation of stable-colored dialkyl aminoethanol

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Domestic News

system for real-time detection of music content, intrinsically gain flattened erbium doped fiber amplifier, masonry brick/ block systems for automated masonry construction, a circuit of random number generation and others.

- The pharmaceutical company Cadila Pharmaceuticals is on an upswing of patent filing. Cadila has applied for 70 product patents in the United States. It has already received a patent of viable lacto bacilli and antibiotic combinations in Eurasia, United Kingdom and US.

- Bharat Biotech has developed a new expression system of mature lysostaphin molecule and obtained a patent covering more than 100 countries including the US. This molecule developed by the drug company has a wide range of applications in skin and tissue injection among others and reacts faster than the pro-lysostaphin.

- Aurobindo Pharma has obtained two patents in US for a process on sterile cephalosporin. This will enable the company to supply the active pharmaceutical ingredient to its joint venture in US, which will produce the formulations and market it.

- The 'Mini - ministerial' meet of 25 World Trade Organisation members including India is to be held in Sydney on November 13-14. Other countries which have been invited to the mini-ministerial include the US, EU, Japan, Brazil, China, Canada and South Korea. The meet shall deliberate on issues related to TRIPS in addition to other issues.

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Litigation Watch

- One of the US's largest carpet manufacturers, Masland Carpets has been ordered by the federal jury to pay \$50,000 for copyright infringement of a carpet design copied from Angela Adams Designs Carpets, Portland, Oregon. The jury has also ordered Masland to destroy any samples of the carpet and remove all catalogue images advertising its design.

- A major copyright battle was going on in London's High Court over the copyright ownership of a violinist. Robert Valentino, a musician and violinist claimed that he had written the violin part of the famous composition 'Young at Heart' which was a commercial success in 1993 in London. He was claiming the joint authorship in this composition. He won the case and was awarded \$153,000 as royalty for co-authoring the music composition.

- In a trademark infringement case, Mitsubishi has been awarded 500,000 RMB by the Beijing Higher People's Court. Mitsubishi had filed a suit against Jingdian, Jingling and Xinyun (defendants) for using its registered trade marks in product specifications and packaging without its permission and had also allowed others to use its marks in commercial advertisements, product display and souvenirs.

- Recently, Korean Court has given a decision that it is an infringement against the

trademark right to preoccupy a domain whose name takes after a well-known company. By this decision, the Korean court has abandoned the "the -first-come-first -served" principle and followed the international trend.

- In a copyright infringement case over a cartoon character 'Batman' in US, the court has rejected the copyright infringement claim of Jeffrey Sapon and has granted DC Comic's counter claims for copyright infringement on the ground that Sapon's concept of "the New Batman" was in fact based upon the legendary character of Batman whose copyright vested with DC Comics.

- Media companies Paramount, Universal, Disney, CBS, ABC and NBC have sued digital electronic company Sonicube on grounds that its Replay TV device violates copyright. The Replay TV digital video record set-top device can "autoskip ads" while recording from cable TV channels and also has file-sharing capacity. The device allows advertisement free sharing of pay-channel content.

- Internet Pictures Corporations (IPIX) in USA has received \$1.4 millions from infinite pictures in a patent lawsuit involving IPIX patents on immersive technology.

- Intergraph has won \$150 millions from Intel in a patent infringement case. Intergraph sued Intel in 2001 alleging that Intel's Itanium infringed on its parallel instructions computing technology.

- Adobe Systems Inc and Macro media Inc have reached a settlement agreement on all litigation between the two parties. The terms of settlement have not been disclosed. Adobe had claimed that Macromedia violated two of its patents on tabbed palates, which provide a user interface for displaying several sets of information in the same place.

- Nortel Networks and Extreme Networks have settled a lawsuit by cross-licensing agreement. Nortel had sued Extreme in March 2001 for the infringement of Nortel's six patents related to switching and routing.

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Case Law...

published withdrawn application to be a valid application. To this argument the examiner replied that Rule 48 of EPC differs from section 16 of the Act in the sense that according to this Rule the application shall not be published if it is withdrawn before preparations for publication are complete whereas section 16 says that the application shall be published as soon as possible after the prescribed period unless withdrawal is requested before preparations for publication are completed.

The judge held that the application 'B' did form a prior art for application 'A' as the application 'B' was withdrawn only after the preparations for publication were over.



PFC on the move

- A four day training programme on "Management of Intellectual Property" was organised jointly by PFC and Confederation of Indian Industry (CII) from October 23-26, 2002 in New Delhi. The training programme included lectures on evolution of IPR, introduction to various forms of IPRs and their



(Training Programme organised by PFC & CII)

implications, valuation of IP taxation, legal aspects of patents including opposition, infringement and revocation, drafting of patent claims, international treaties, maintaining of trade secrets, IP licensing and conducting patent searches. The programme had a half day session on advanced training on patent searches using various patent databases. Lectures on various search techniques including the International Patent Classification (IPC) were also included. There was also a session on hands-on training on patent searches involving formulation of different search strategies for novelty determination. The training programme was attended by 20 persons including researchers and R&D managers from leading pharmaceutical, automobile, information technology and other industries

- Three patent awareness workshops were organised by PFC in the month of October. The first one was organised at Nasik on October 6, 2002 in association with Science and Technology Park, Pune University, Pune and Karmveer Ravaheh Thorat Kala, Bhausaheb Hire Commerce and Annasaheb Murkute Science (KTHM) College, Nasik. The workshop was attended by 240 scientists and technologists from industry and academia. Another workshop was organised for agriculture scientists at Punjab Agriculture University (PAU), Ludhiana on October, 18 and had a participation of about 100 participants. A workshop was organised on October 19, 2002 at Bangalore in association with the Ministry of SSI. This was attended by about 130 delegates.



(Workshop at Punjab Agricultural University)

- Four patent applications were filed in India.

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

NEXT ISSUE

- **Case Study**
- **Case Law**
- **Patents for Opposition**

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