

## TOPICS: PATENT

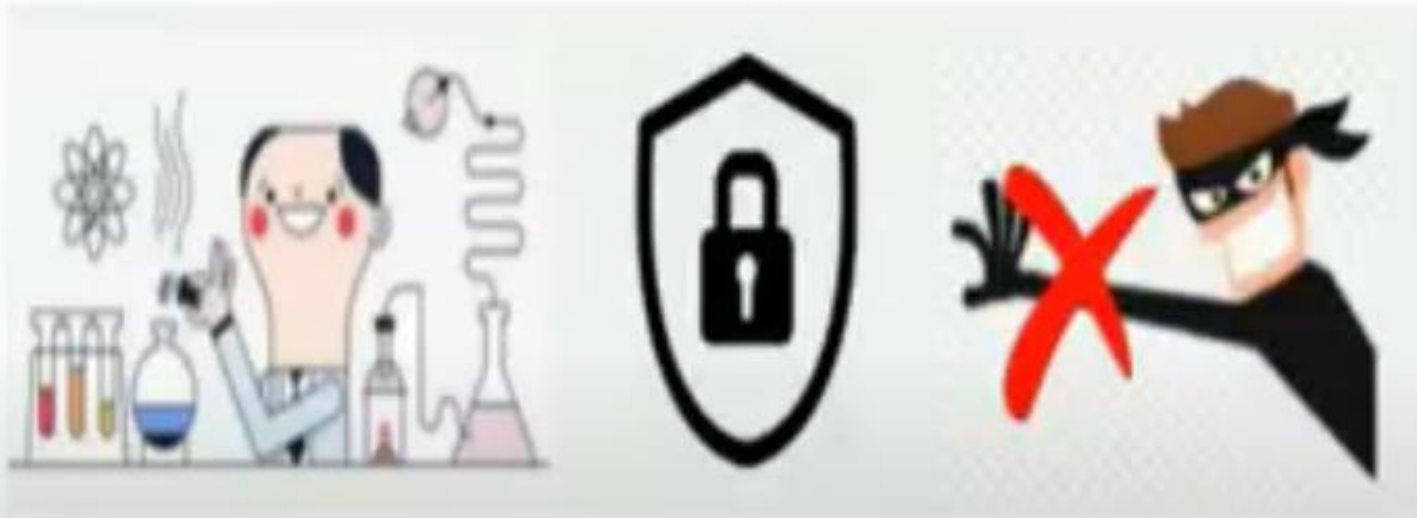
***Juwel Rana***

*Lecturer*

*Dept. of Nutrition & Food Engineering*

*Daffodil International University*

WHAT DOES MEAN THE PICTURE?



## PATENT

- A patent is a form of **intellectual property**.
- A patent is a **set of exclusive rights granted by a state** (national government) to an inventor or their assignee for a limited period of time in exchange for a **public announcement of an invention**.

Or

- A **patent** is an **exclusive right granted for an invention**, which is a product or a process that provides, **in general, a new way of doing something**, or offers a **new technical solution** to a problem.
- A patent gives its owner the right to exclude others from making, using, selling, and importing an invention for a limited period of time, **usually twenty(India) years**.

## TYPES OF PATENTS

1) **Utility patent**

2) **Design patent**

3) *Plant patents*

## TYPES OF PATENTS

- 1) **Utility patent** is a **patent** that covers the creation of a new or improved and useful product, process, or machine.

A **utility patent**, also known as a “**patent** for invention,”

- 2) **Design patent** is a form of legal protection of the unique visual qualities of a manufactured item.

A **design patent** may be granted if the product has a distinct configuration, distinct surface ornamentation or both.

- 3) **Plant patents** may be granted to anyone who invents or discovers and asexually reproduces any distinct and new variety of plant.

## WHICH TYPES OF PATENTS?



## PATENT INFRINGEMENT

- Patent infringement is the **unauthorized making, using, offering for sale, selling of any patented invention within a jurisdiction**, or importing into the jurisdiction of any patented invention during the term of a patent.





## TYPES OF PATENT INFRINGEMENTS

- Two basic types of patent infringements:
- **Direct patent infringement:** Anyone who makes, uses, or sells the patented invention
- **Indirect patent infringement:** A person actively encourages another to make, use, or sell the invention.





# DIFFERENCE BETWEEN DIRECT VS INDIRECT INFRINGEMENTS



## Types of Patent Infringement

### 1. Direct Infringement

- ◆ It directly states that the third party has willfully or intentionally stole the technology from the inventor without his prior permission.
- ◆ It occurs when someone directly makes, uses or sells the patented invention within the United States.

### 2. Indirect Infringement

- ◆ It refers to the unfair practice that does not give a clear indication that the patent is bought and sold in the market.
- ◆ It occurs, for instance, when a device is claimed in a patent and a third party supplies a product which can only be reasonably used to make the claimed device.



## WHY ONE SHOULD GO FOR A GETTING A PATENT

- Prevention against leaking of the invention through workmen of inventor.
- Prevent secret exploitation of invention by the competitor.
- To enjoy the exclusive rights over the invention.
- The patent is to ensure commercial returns to the inventor for the time and money spend ingenerating a new product.



# 4 LEGAL REQUIREMENTS TO GET A PATENT



## WHAT CAN BE PATENTED?

- Any invention which must be.....
  - Novel
  - Non-obvious
  - Capable of industrial application
  - Must not be declared as non-patentable under the patent act.



## WHAT CAN NOT BE PATENTED?

### What cannot be patented?

**Idea or suggestion**

**Scientific theories or mathematical formulae**

E.g.  $E=mc^2$

**Biological process for the production of plant or animal**

E.g. photosynthesis

**A method of treatment or diagnosis**

E.g. Biopsy

**Animal**

E.g. Your pet dog

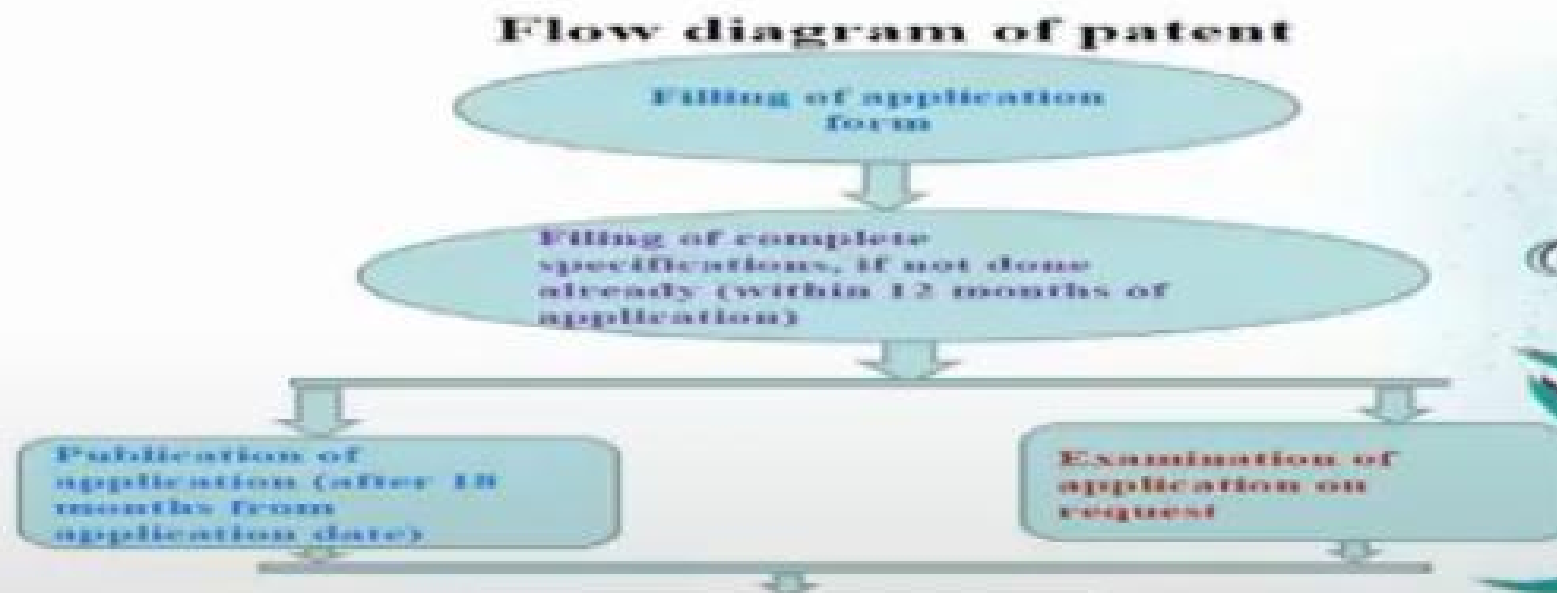
**Law of nature**

E.g. Gravity



## PATENT REGISTRATION PROCEDURE IN BANGLADESH(FLOWCHART)

For details: <https://supremeip.com/patent/>



## LIMITATIONS OF PATENT

- Cost
- Time
- Loss of information
- Infringers
- Exploitation of invention by inventor. (COVID-19 Vaccine)





## PATENT LAWS ARE PREVAILING IN BANGLADESH

- The Patent and Design Act 1911
- Patent and Design Rules 1933.



## DISCUSSION FORUM ACTIVITY?

- Patent provide ( ..... ) years protection from the date of filling the application.



**THANK  
YOU**

