

Intellectual Property: A Security to Brain Power

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ABSTRACT: *Intellectual property (whether collectively or individually) is key to compensation, since it is intangible properties that can be used financially because they can be sold or licensed much like physical property. If they know it or not, each company owns them. It is important to protect and preserve its intellectual property as a business establishes its role in the marketplace, as this may mean the difference between success and failure. Job is busy for researchers and scientists. The other side of the research is that it should be adequately preserved to harvest the fruits. Very few inventors are aware that they are maintaining their imagination. It's the work left for lawyers with intellectual property most of the time. But their payments are immense. In addition, if an inventor is very well aware of the procedures to be followed when maintaining and implementing his or her invention, then there can be a great deal of cost savings in the research and any inventor can become an entrepreneur or at least license the technology. This would certainly help to understand the Make in India idea.*

KEYWORDS: *intellectual property, inventors; make in India, research.*

INTRODUCTION

There are research institutes or research groups that churn out innovative ideas that can be turned into commercial inventions. Not all inventors are Thomas Edison, who knows very well the rules of patents. Huge attorney fees almost equal or exceed the fees needed to file to keep most inventions from approving inventions submitted. Inventors claim that patenting is a money game, and to protect and practice it, enormous sums are required. Patenting is a cash game for big fish, no doubt. Small inventors can do it by making proper use of the resources available and making some extra effort to protect them [1].

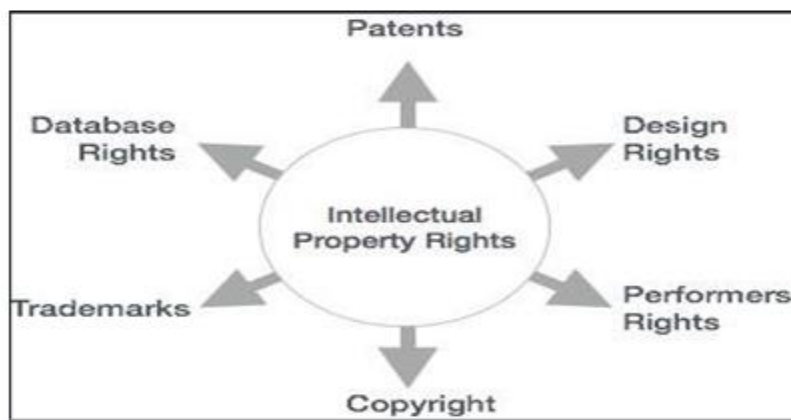


Fig. 1: Different Type of IP

Breakthrough inventions would definitely earn large amounts of money from their inventors. Misdirected policies that hinder universities' ability to generate information and attract and produce top talent are major threats to the nation's economy and regional development. The inventor is just as much a source of economic raw material as it was in the past, since each nation seeks to move towards a knowledge-based economy. If a nation and its regions are interested in improving the capacity to succeed in the information economy, they will have to do far more than just boost the ability of inventors to sell technology. We will have to build an ecosystem that is more talent-friendly.

As Donald E. Strokes said, only when we realize what is wrong with that view can we restore the relationship between government and the scientific community. Policymakers should learn a lot from the inventors themselves, who have for a very long time built conditions inside their walls that are conducive to technology staff [1] [2]. The need of the day is to channelize such research through proper strategy. Universities in the United States have expanded their patenting and licensing activities significantly since the early 1980s. This review paper makes an attempt to provide a conducive environment by addressing process of filing a patent, and inventors ' support for cost cutting themselves [3].

IMPORTANCE OF FILING PATENTS

The patent grants the applicant the right, for a term of twenty years from the date of the first application, to refrain from making, using, selling or importing his or her invention. The first filing date is the date of the first filing by the patent office. The inventor or claimant will have all the rights for a period of twenty years. After 20 years, the invention will be made public. Then, after that time, anyone can make, use or sell. The applicant has all the rights for a twenty-year life cycle to patent the invention. It may also occur that the inventor may not be the claimant, where the inventor has only the rights provided for in the contract between the applicant and the inventor. It is therefore critical that, when filing patent applications, the inventor is aware of all such contracts. No doubt many firms are also the applicants, as the inventors write contracts for service when they are employed by them [4].



Fig. 2: Different Step of Patent in Nutshell

Such businesses provide certain chances for their inventors to motivate their companies to do the job. Both patent-related rights are, however, with the employers being the patent holders. To find out if anyone ruins their inventions, one has to be very careful. One can sue them for infringement only after the patent has been granted. For patent infringement determined by statute, there may be huge fines. The applicant is entitled to make money through the patented invention in all of this patent registration and working process. Americans have a long tradition of having their inventors into heroes. There is growing concern among academics and university officials that greater participation in university research is causing a change from fundamental science to more applied study.

Thus the patent mechanism keeps the inventors motivated by granting them twenty-year monopoly for working with the invention. One cannot claim this privilege if not patented [5]. An inventor should be aware of a few terms relating to the filing and dealing with the patent procedure during the litigation process. In order to keep the writing as straightforward as possible and to make it understandable to the novice applicant or customer, the paper aims to avoid coding the sections of the Indian Patent Act 1970.

KEY STEPS DURING THE FILING FOR PATENTS

First, and perhaps most important, an inventor should know if it is possible to call his or her invention innovative. An innovation is therefore defined as an apparatus or process which has novelty (not anticipated in any form by publication), innovative phase (technical advancement over established technology) and industrial application (can be made or used in industry). An invention cannot be called an invention and cannot apply for a patent until all three conditions are met. Who can be the claimant now once there is an invention? An applicant may be an inventor or an employer or any other person entitled by the inventor to make a request. There are different fee forms for different applicants, however. If the applicant claims to be a small and medium-scale entity, it must provide a registration certificate as a small or medium-scale entity along with the form 28 in compliance with the 1970 Indian Patent Act.

Individual applicants are considered natural persons when applying for a patent and enjoy the lowest fee structure. Other organizations are considered to be large unless and unless they have issued a certificate of registration. For all the applications to be carried out, large companies need to pay the raised end fees to the patent office. An innovation can nevertheless be viewed as an interim application or as a complete application. If he or she needs more time to come up with the idea, one should go to file a provisional application. If experimental results are to be predicted, one must first protect the concept and then go to assert what actual security is. Such grace period in India, however, is only for 12 months. Within twelve months of provisional filing one must give the complete specification.

Representations to be made by the inventor should have a complete specification. Again, depending on the number of pages in the document and the number of claims, there are varying fees. Next are the forms required to be used by an applicant to apply for a patent. One has to use different shapes for different kinds of software. E-filing rules have been made by the patent bureau. E-filing also benefits from a reduction in fees of 10 percent compared to conventional filing.

During physical filing, the applicant must deliver the forms by post or carry them directly to the appropriate patent office. The correct patent office is the office in which the office or individual applicant's address falls. The four patent offices in Mumbai, Delhi, Chennai and Kolkata are situated in India. Jurisdictions for submission are determined accordingly. One must have an electronic signature for filings. This can be obtained from any of the approved digital signatures which provide legal firms as stated on the website of the Indian Patent office [6].

STEPS TO GET DIGITAL SIGNATURE FROM REGISTERED AGENCIES

To get digital signatures, there are numerous approved agencies identified by the patent office. The applicant will buy the digital signature, again. Class three categories of signatures are required for patent filings. Such signatures come for different periods of validity such as one year, two years etc [7]. There are also tokens that need to be bought by paying some extra amount. Token is nothing but a pen drive where you're kept and given your digital signature. Installing this digital signature on your desktop and using it for filing on the Indian patent office website is complete and comprehensive process [8].

The applicant will have to follow the process very carefully and make all correct sittings. All the steps require the internet access. Below is discussed the comprehensive process for adding a digital signature.

Step 1: Digital signature token comes as the pen drive. Connect this pen drive to your system.

Step 2: check for the internet connection and confirm that ipindia website is open on this system.

Step 3: find out the e-filing option on the site and download the digital signature manual [9].

Step 4: In the process you are asked to create a copy of the.dll file and store the folder for different operating systems in particular. Follow the directions carefully. To learn about your operating system right click on my computer and look at properties as shown in Figure 3. For example here the windows version is 8.1 and as shown in Figure 3 it is 64 bit operating system.

Step 5: Once the system settings are ready click on the e-filing link to sign up option. Fill in, and apply the data .Password user name and password are given. Save both the user name and password carefully so that you can recover it even if you forget [10].

Step 6: After create the login and password, one can login and proceed the filling.

CONCLUSION

This analysis paper offered guidance on the method of patent filing and kept the inventors excited about the work. This aimed to expose the inventor to the value of preserving and making money from their invention. It really tried to spark the inventors and lead to the idea of Make in India

being realized. It can only be rendered in India when it has arisen and been covered by the Indians. The future goal of this paper will be to raise intellectual property (IP) awareness and encourage each researcher to be IP literate and to promote their innovation or become a self-startup.

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