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Date: 23-08-2015

Subject Name: Patent Enforcement in India & International Patent Systems

Time: 02:30 pm - 05:30 pm

Total Marks: 100

Instructions:

1. Make suitable assumptions wherever necessary.
2. Figures to the right indicate full marks.

PART-A: CASE STUDY

Q-1: Prosecution at Indian Patent office on behalf of your client [30]

Vista LLP - A company registered as small entity (SME) having its head office at Mumbai, a factory is situated in Delhi and its R&D centre is located in Ankleshwar-Gujarat, desirous to file a Patent Application at an Appropriate Patent office. The invention happened at their R&D Centre i.e. Ankleshwar-Gujarat. The Patent Application prepared by them contains 35 Pages & 13 claims. Company also wishes to file a Request for early publication and Request for examination in order to expedite the process of granting the Patent Application. Company also desirous to protect the invention at several countries like US, Europe, Canada, Korea, Japan, China and many others. Based on the above hypothesis, answer the following questions in detail:

1. Which will be an appropriate office for filing a Patent Application? Explain.
2. Discuss the forms and the fees to be paid at the time of filing the Patent Application at an appropriate office?
3. Briefly discuss the importance of making a request for an early publication and a request for examination in the said process?
4. What are the possible ways through which Applicant can file the Patent Application in the countries other than India? Which will be the best way to protect the invention and why? Explain.

Q-2: PATENT DRAFTING

[30]

Two inventors named (i) Vishal Bhardwaj and (ii) Manoj Desai interested to file a Patent Application for their invention in India. Following information is provided by them. Based on the information, give an appropriate title to the invention. Draft the Complete Application along with Abstract and claims. Also explain the forms and fees (including the request for early publication and request for examination) to be paid at Indian Patent office.

The present invention essentially comprises, in combination, a rigid fork having a head, four spaced and aligned tines extended from the head, and a handle extended from the head remote from the tines for allowing a user a firm grip for taking a bite of food. Timer circuitry is connected to the handle of the fork and adapted for providing a cue after an elapsed period of time for indicating to user that another bite of food using the fork may be taken.

The timer circuitry includes a countdown timer adapted for counting down a pre-programmed period of time, transmitting countdown signals in sequence during this period of time, and transmitting an event signal when this period of time has elapsed with the countdown timer including automatic reset circuitry for resetting the pre-programmed period of time upon countdown completion for subsequent countdown during a subsequent period of time. The timer circuitry includes decoder/driver circuitry coupled to the countdown timer and adapted for receiving the countdown signals and event signals during and upon completion of a period of time, transmitting a "go" signal when an event signal is received, transmitting a "stop" signal when an event signal is not received, and transmitting timer display signals upon receipt of countdown signals. The timer circuitry includes a green light emitting diode and a red light emitting diode each coupled to the decoder/driver circuitry with the green light emitting diode activated when the "go" signal is received and deactivated otherwise, the red light emitting diode activated when the "stop" signal is received and deactivated otherwise, whereby when a period of time has elapsed, the green light emitting diode is activated and the red light emitting diode is deactivated, and when a period of time has not elapsed, the red light emitting diode is activated and the green light emitting diode is deactivated. Lastly, the timer circuitry includes display circuitry coupled to the decoder/driver circuitry with the display circuitry having a numeric display for transmitting a visual indication of elapsed time based upon receipt of timer display signals.

A replaceable power source is connected to the fork and coupled to the timer circuitry with the power source adapted for energizing the timer circuitry. Lastly, a switch is connected to the handle of the fork and coupled between the power source and the timer circuitry with the switch having one orientation for energizing the timer circuitry and another orientation for de-energizing the timer circuitry.

The present invention has the following objectives:

- (i) To provide a new and improved fork with timer, which has all the advantages of the prior art forks, and none of the disadvantages.
- (ii) To provide a new and improved fork with timer, which may be easily and efficiently manufactured and marketed.
- (iii) To provide a new and improved fork with timer, which is of durable and reliable construction.
- (iv) To provide a new and improved fork with timer which is susceptible of a low cost of manufacture with regard to both materials and labor, and which accordingly is then susceptible of low prices of sale to the consuming public, thereby making such a fork with timer economically available to the buying public.
- (v) To provide a new and improved fork with timer for providing a cue to a user after an elapsed period of time for indicating that another bite of food using the fork may be taken.

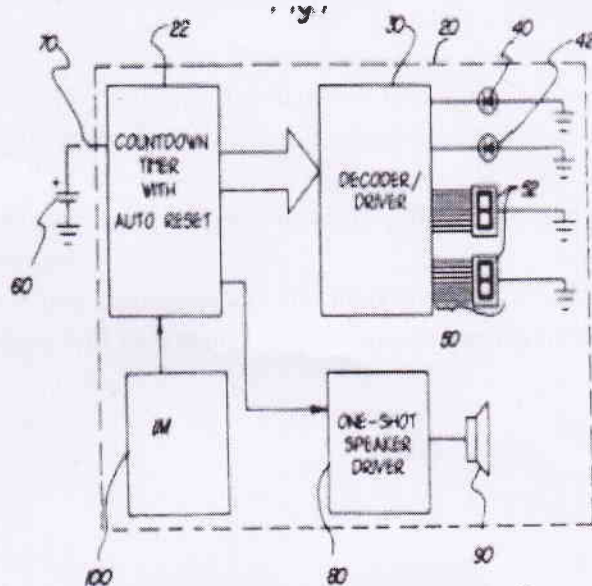
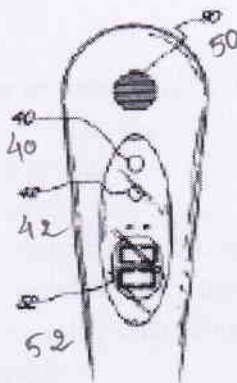
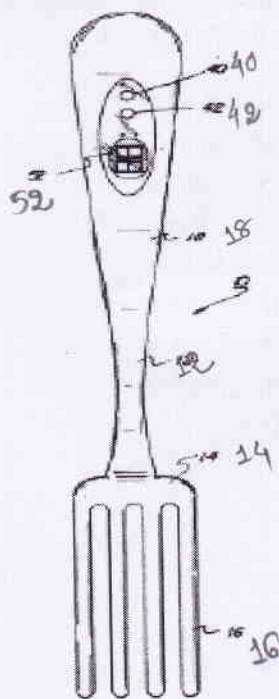
Inventors have also provided the following drawings to structurally explain their invention.

- Fig-1 is a plan view of the preferred embodiment.
- Fig-2 is an alternate embodiment of the present invention including a speaker coupled to the handle for providing an audible indication of when another bite of food using the fork may be taken.
- Fig-3 is a functional block diagram of the timer circuitry of the present invention in which one shot speaker driver and speaker are not included.

Figure-1

Figure-2

Figure-3



PART- B

Que. 3 Viva voice

[40]
