



**Gandhinagar Institute of Technology**  
A Report on  
“Intellectual Property Rights and Patents”  
Sponsored by GUJCOST and DST  
(21<sup>st</sup> – 22<sup>nd</sup> June 2021)

**Objective:**

The objective of the webinar is to aware of Intellectual Property Rights for faculties and students. This webinar focused on patent, design patent, copyright, trademark, trade secret, the commercialization of patents, and IP laws applicable in India.

- To create awareness about IPRs, especially patents and copyrights among faculty members.
- To guide researchers/inventors in respect of patenting their inventions.
- To provide insight into practical applications of IP such as patent drafting, freedom to operate search, validity/invalidity of search, evidence of use and analysis.

**About Webinar:**

The importance and ownership of tangible properties are well established in human society since immemorial. But the significance of intellectual property in a modern technological society is not fully realized. Understanding Intellectual Property Rights will help academicians, researchers, scientists, and technocrats in the development. In view of the above facts, GIT is organizing a two days workshop on Intellectual Property Rights and Patent for the professionals who are engaged in research and development. The course will broadly cover the following points:

- The historical and philosophical background of patents and other intellectual property
- Fundamentals of patent protection for design and plant patents
- Legal fundamentals of copyright, Trademarks, Trade Secret, GI.
- Critical differences between a design patent and process/product patent
- Intellectual property law, competition law and international trade law
- The legal requirement of non-obviousness
- Patent Prosecution in India & Filing a PCT Application
- Patent Commercialization

**About the Institute**

Gandhinagar Institute of Technology has been established by Platinum Foundation in 2006. The Institute is affiliated with Gujarat Technological University and approved by AICTE New Delhi. The Institute aims to be a leading centre for research and engineering study, pursuing knowledge in both fundamental and applied areas, and collaborating closely with business and industry in promoting technological innovation and economic development. It offers a bachelor's Program in ME/CE/IT/EC/EE/CL. It also offers M.E. in Mechanical Engineering with specialization in Thermal Engineering and CAD/CAM and M.E. in Software Engineering in Computer Engineering. It also offers MBA Program with a specialization in Marketing, Finance, Human resources and Information Technology. It runs an active local chapter of NPTEL, IIT Madras, ISHRAE, SAE, 4-star rated Open-Source Technology Club, Mobile, and Wireless Technology Club. GIT always strive to focus on real-time dynamic problems for

projects and laboratory work and as a result, recently, our student's team performed well and won a smart India Hackathon at IIT Kanpur, MHRD, Govt. of India initiation.

The GUJCOST and GIT signed MoU for the Establishment of IPR Cell at Gandhinagar Institute of Technology by PIC GUJCOST, Gandhinagar. This center is providing regional level services regarding various Intellectual Property Rights. Patent Information Centre in collaboration with GUJCOST is facilitating for the patent search and patent registration for the Academic and Research Institutes.

Patent Information Centre (PIC) is also providing general awareness on patent & specific issues related to other IPRs by organizing Seminar, Conference etc. and publication of Information material on Intellectual Property Rights to create a strong IPR base in the Institute environment, to enhance the quality of Invention, innovation to increase the number of Intellectual Property Registration from the state. The objective of cell is creating awareness and understanding relating to patents and the challenges and opportunities in this area including arranging workshops, seminars, conferences etc. Providing patenting facilities to scientists and technologists in the country for Indian and foreign patents on a sustained basis Keeping a watch on developments in the area of IPR and make important issues known to policy makers Scientists, Industry etc. Introducing patent information as a vital input in the process of promotion of R&D program sustained basis

#### **Day-1 (21/06/2021) Inauguration Session**

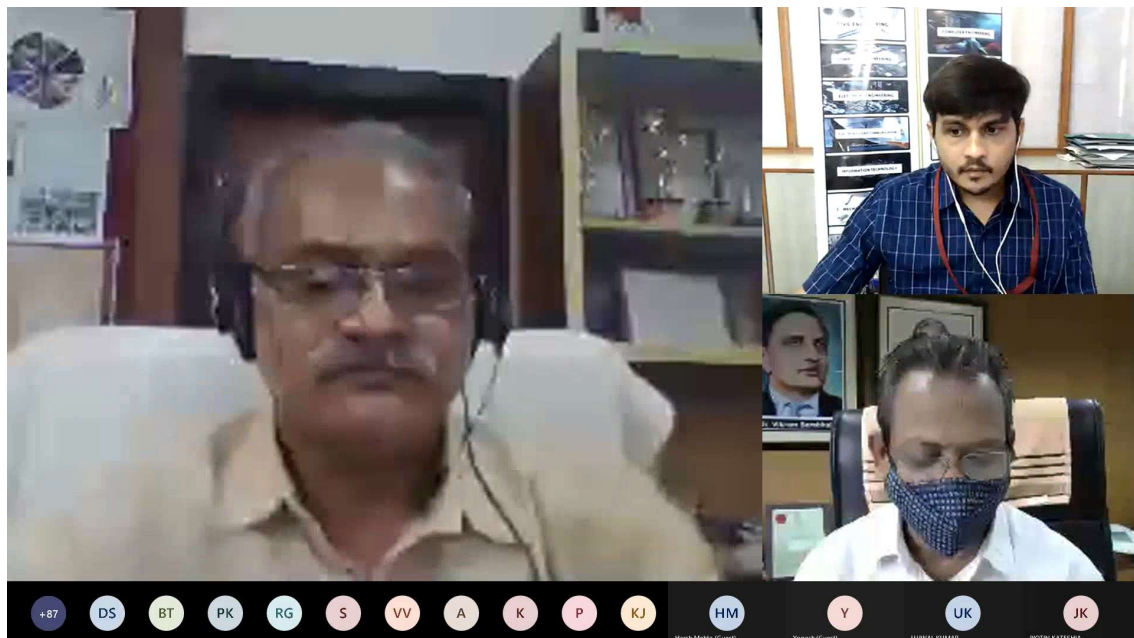
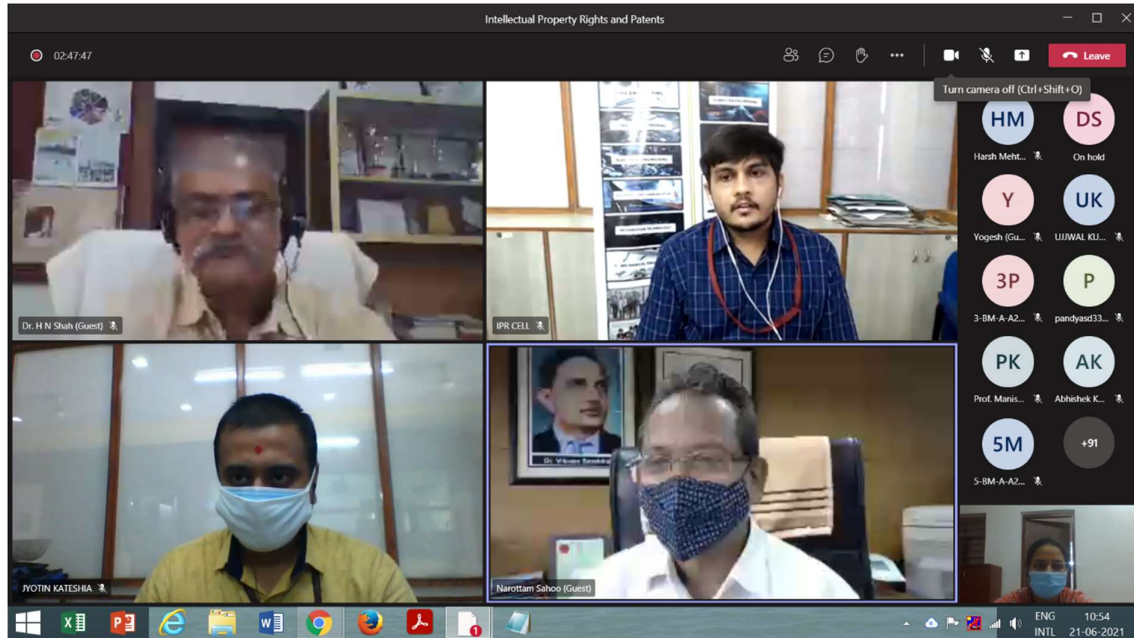
The webinar started with an Inaugural speech by Prof Jyotin Kateshia, Coordinator, GIT IPR Cell. Chief guest Dr. Narottam Sahoo, Member secretary and Advisor, Gujcost, A keynote speaker, Dr. Manish Kumar Gupta, Professor, production, and industrial engineering, JNV University, Jodhpur and Patron Dr H N Shah, Director, Gandhinagar Institute of Technology, and, Head of the departments, faculty members and my dear students. He informed objective and the major thrust area covered during the webinar. The diversified participation observed in the national level webinar from 39 Institutes and Universities across India.

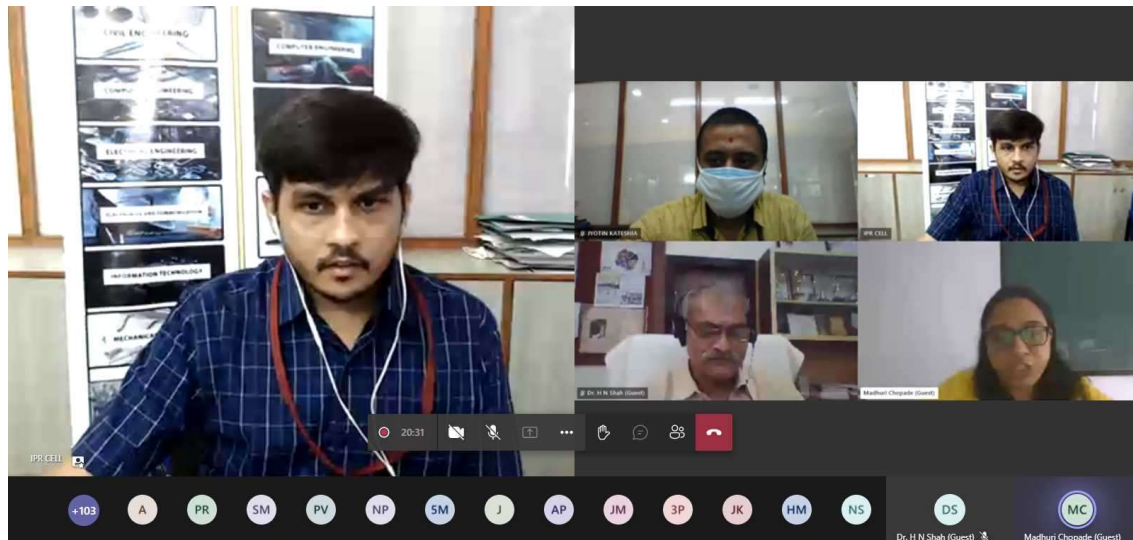
The Patron Dr H N Shah, Director, Gandhinagar Institute of Technology, discussed with participant about the Institute and the current IP Scenario of India. He discussed about the “how the innovation can be convert in to the Patent?”. The chief guest, Dr Narottam Sahoo sir recognized to Dr Shah sir for planning and execution of such state-of-the-art webinar. He also emphasized current need for and importance of the IP laws and IP Rights. He also mentioned that GIT IPR cell and GUJCOST have signed MOU for the PIC support at GIT Institute.

Intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time. The IPR helps to Encourages innovation, enhance Economic growth, Safeguard the rights of creators, it promotes ease of doing business and it facilitates the transfer of technology in the form of foreign direct investment. This webinar will discuss about patent, design patent, copyright, trademark, trade secret, the commercialization of patents, and IP laws applicable in India. This webinar helps faculties, students, researchers, and scientists for their protection of intellectual creations.

The concluding remarks were given by prof. Madhuri Chopade, IQAC Coordinator and then the session was beginning.

### Day 1: Inauguration Session





**Day 1 - Session 1 Dr. Manish Kumar, Professor “The historical and philosophical background of patents and other intellectual property” and “Fundamentals of patent protection for design and plant patents”, Department of Production & Industrial Engineering, Faculty of Engineering J.N.V. University, Jodhpur, Rajasthan.**

Dr Manish kumar gupta sir, JNV university, Jodhpur he discussed about “the historical and philosophical back ground of patents and other intellectual property and fundamental of design patent and patent” where he discussed about the patents, copy right, design patent, GI. He also discussed about the positive and negative rights about the patent, he also give information about various one products having 3M patent, Gillet Mach 3 is having 22 patents and nano car is having 37 paten. He also emphasized India is obtaining as revenue only 10 % of total invested money where as US is generating revenue about at least 1000 time.



# INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS (21<sup>st</sup> June, 2021)

Dr. Manish Kumar  
Professor  
Department of Production and Industrial Engineering  
MBM Engineering College  
Faculty of Engineering  
JNV University, Jodhpur

24:22

Prof. Manish Kumar

+109 PR SM PV NP J AP JM 3P JK PK HM IC

## STATISTICS

### CHARGES FOR THE USE OF INTELLECTUAL PROPERTY

Country	Receipts (\$ million)	Payments (\$ million)
US	129,175	3,449
JAPAN	3,597	2,289
UK	12,487	2,056
GERMANY	12,588	2,056
FRANCE	11,556	2,056
ITALY	11,556	2,056
SPAIN	11,556	2,056
CHINA	11,556	2,056
RUSSIA	11,556	2,056
BRAZIL	11,556	2,056
INDIA	446	3,904

**INDIA \$446m**  
India's receipt was about 11.4% of the payments made for the use of intellectual property

### WHOSE PROPERTY?

Protection of intellectual property – which includes patents, trademarks and copyrights – has been a contentious issue. Some argue that protecting intellectual property rights promotes innovation by giving incentives to inventors. Others point out that the resultant monopolies have a negative impact. For instance, they can make drugs expensive. The World Bank calculates charges for the use of intellectual property as payments and receipts between a country's residents and non-residents. In 2013, total receipts of the US for intellectual property were about \$129 billion, the highest in the world. Japan, UK, Germany and France also had higher receipts than payments for intellectual property. China, Russia, Brazil and India, in contrast, had much lower receipts than payments.

Source: World Bank | Research: Atul Thakur | Graphic: Sajeer Kumaraswami

+94 VV S K KJ IC UK HM 3R DS JK

## Day-1 Session-2 Legal fundamentals of copyright, Trademarks, Trade Secret, GI by Prof. T C James

Prof T C James sir discussed about the “Legal fundamental of copy right, trademarks, trade secret and GI” where he emphasized on the copyrighted material cannot be design patent. He mentioned about the leagal issues in India for copy right, Trademarks, Trade secrets and GI. He also discussed about the srevice mark and trade mark for the Companys.



# Cinematograph Film

- Producer **NOT** Director



G P Sippy,  
producer of  
*Sholay*

21 June 2021



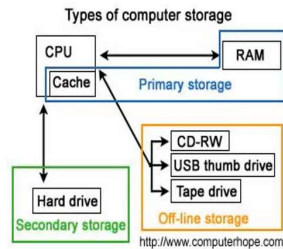
Ramesh Sippy,  
Director of Sholay

prof.tjames@gmail.com

48



## Storage in a computer is Reproduction



21 June 2021

prof.tcjames@gmail.com

31

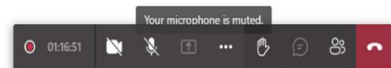


## Sound Recording

- Producer



HMV



21 June 2021

prof.tcjames@gmail.com

49



## Day 1 Session 3 Critical differences between a design patent and process/product patent Dr. Anish Gandhi

Dr. Anish Gandhi discussed about the “Critical differences between a design patent and process/product patent”. The industrial design protects only outer view of the object. The design protection only required the outer view of the objects like top view, front view, side view and back side view. The design patent can be easily filed compared to the patent. Dr. Gandhi also shows critical comparison of the patent and design patent. The object whose design patent filed can also filed as patent. For the filing patent the function of the object is essential,

where non obviousness and novelty are compulsory. If two technologies club together and provide synergic effect, then it can be patented.

The screenshot shows a Zoom meeting window with a presentation slide. The slide is titled "WEBINAR ON INTELLECTUAL PROPERTY RIGHTS & PATENT" and is organized by the "IPR Cell, Gandhinagar Institute of Technology". The topic is "Critical differences between a design patent and process/product patent, 21 June 2021". The slide also mentions "IPsecuR Services PATENT & INDUSTRIAL DESIGN" and lists "Dr. Anish Gandhi" as the speaker, with his credentials: "Registered Patent Agent [IN/PA 3035], PhD (Mechanical Engineering), PG Diploma (IPR), MBA (Marketing)". Contact information includes an email "anishgandhi2002@yahoo.co.in" and a mobile number "9374519605". The Zoom interface at the bottom shows a grid of participants: +98, NS, JK, RG, SP, DL, JB, AP, JP, RJ, KJ, MK, IC, and DG (Dr. Anish Gandhi).

The screenshot shows a Zoom meeting window with a presentation slide. The slide is titled "Case study" and features the "IPsecuR" logo in the top right corner. The main heading is "Pen Torch" in red. Below it, the text reads: "19-06 MATERIALS AND INSTRUMENTS FOR WRITING BY HAND, FOR DRAWING, FOR PAINTING, FOR SCULPTURE, FOR ENGRAVING AND FOR OTHER ARTISTIC TECHNIQUES". An image of a black Nivecor pen torch is shown. At the bottom of the slide, it says "26-02 TORCHES AND HAND LAMPS". The Zoom interface at the bottom shows a grid of participants: +100, RG, SP, DL, DS, JB, SM, AP, JP, RJ, KJ, MK, and DG (Dr. Anish Gandhi).



WIPORTAL MENU LOCPUB Covid-19 Update HELP ENGLISH LOGIN WIPORTAL

LOCATING HOME PAGE: DOWNLOAD

EDITION: LOC (13)

OTHERS

CLASS INDEX: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

LANGUAGE: English, French, English/French, French/English

LINKS TO DESIGN OFFICES

VIEW MODE: LOC

SHOW

Class 26  
Lighting apparatus

- 26-01 CANDLESTICKS AND CANDELABRA
  - 104150 Candle drip rings
  - 104161 Candle holders
  - 104565 Candle jars
  - 104162 Candle lights for graves
  - 104159 Candlesticks
  - 104160 Holders for garden candles
- 26-02 TORCHES AND HAND LAMPS AND LANTERNS
  - 104164 Battery lamps
  - 104171 Chinese lanterns
  - 104168 Electric torches
  - 104828 Flaming torches
  - 104163 Grill-protected portable lamps
  - 104166 Hand lamps

44:35


Dr Anish Gandhi (Guest)

KALPESH KISHOR JIN... MIRTUNJAY KUMAR... Dr Anish Gandhi (Guest)

IPsecuR

Specimen of Representation Sheet

Name..... Total sheet....  
Sheet No.....



Perspective View

The novelty resides in the shape & configuration of the 'TEA POT' as illustrated.

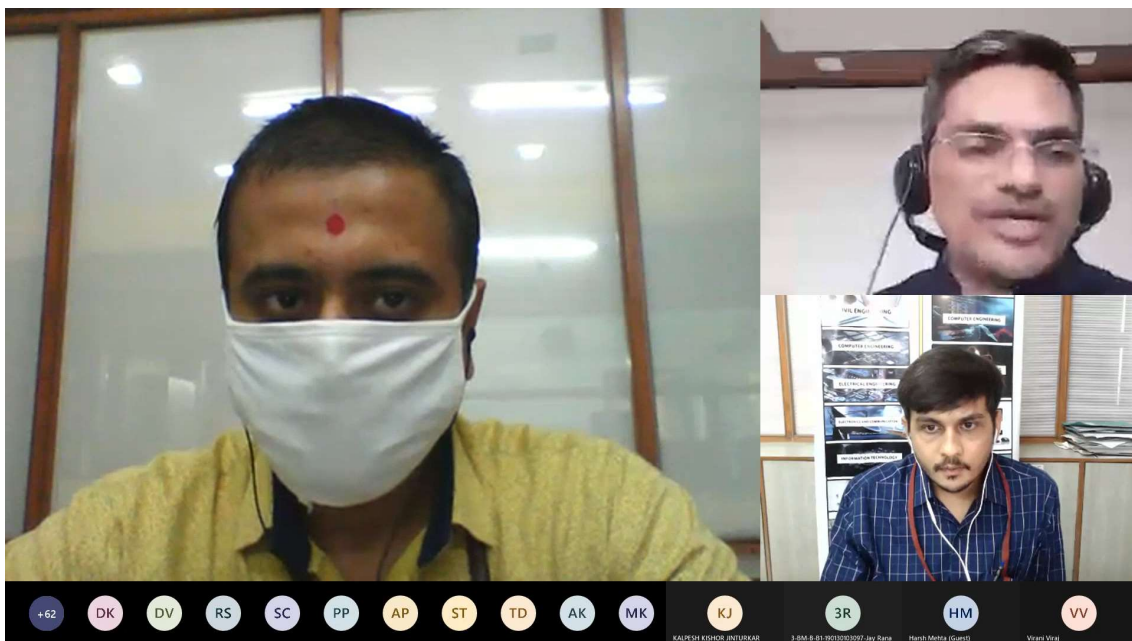
No claim is made by virtue of this registration in respect of any mechanical or other action of any mechanism whatever or in respect of any mode or principle of construction of the Article.

No claim is made by virtue of this registration to any right to the exclusive use of the words, letters, numbers, or trade marks appearing in the representation.

55:51

Dr Anish Gandhi (Guest)

KALPESH KISHOR JIN... MIRTUNJAY KUMAR... Dr Anish Gandhi (Guest)

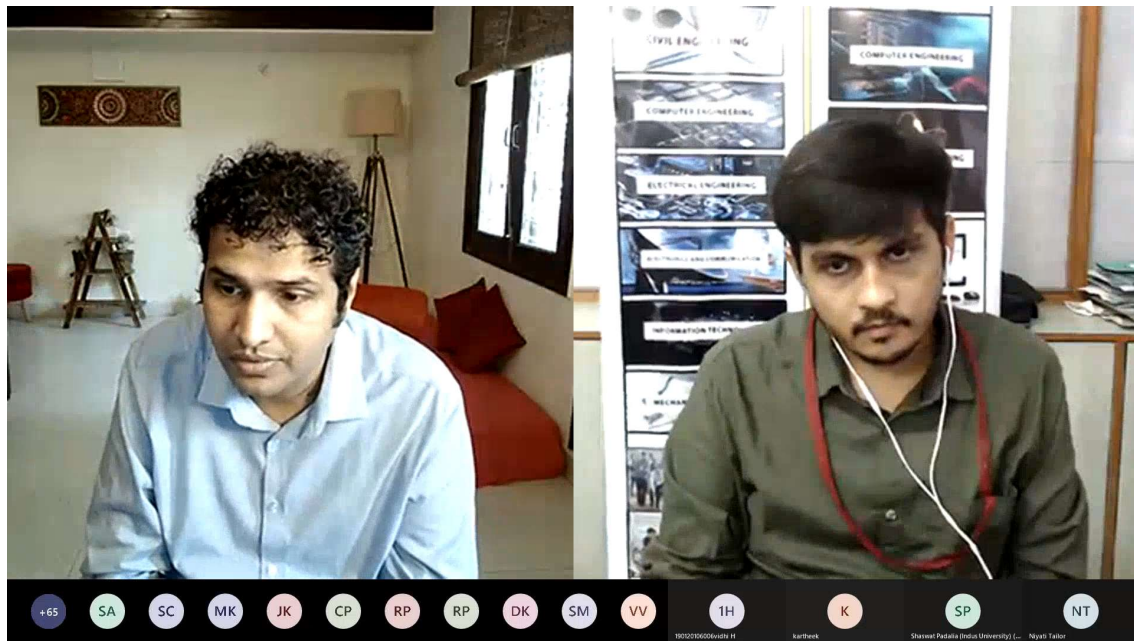


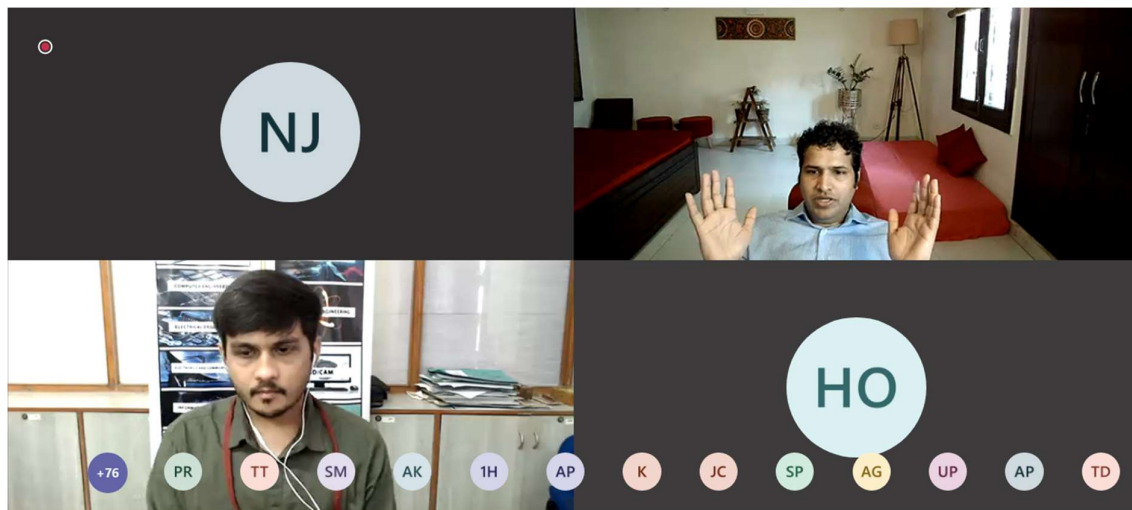
+62 DK DV RS SC PP AP ST TD AK MK KJ 3R HM VV

KALPESH KISHOR INTURKAR JBM-B-01-39012002097 Jay Rana Harsh Mehta (Guest) Venu Viji

**Day 2 Session 1: Dr Yogesh Pai, National Law Delhi University, “Intellectual property law, competition law and international trade law and The legal requirement of non-obviousness”**

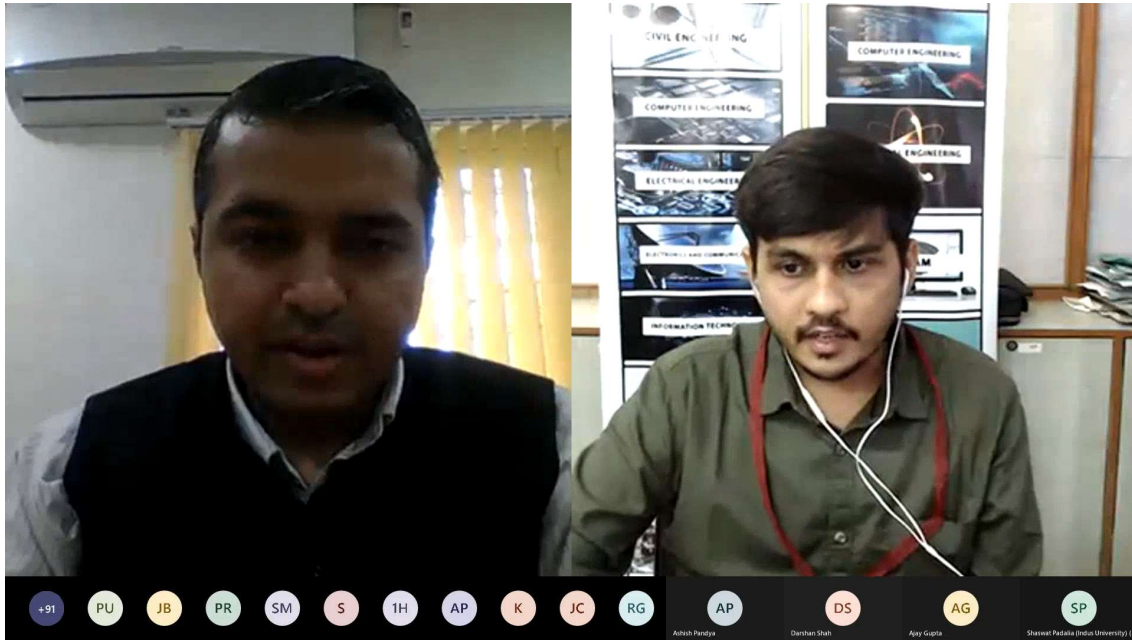
He mentioned about modern competition law has historically evolved on a national level to promote and maintain fair competition in markets principally within the territorial boundaries of nation-states. National competition law usually does not cover activity beyond territorial borders unless it has significant effects at nation-state level. Countries may allow for extraterritorial jurisdiction in competition cases based on so-called "effects doctrine". The protection of international competition is governed by international competition agreements. In 1945, during the negotiations preceding the adoption of the General Agreement on Tariffs and Trade (GATT) in 1947, limited international competition obligations were proposed within the Charter for an International Trade Organisation. These obligations were not included in GATT, but in 1994, with the conclusion of the Uruguay Round of GATT multilateral negotiations, the World Trade Organization (WTO) was created. The Agreement Establishing the WTO included a range of limited provisions on various cross-border competition issues on a sector specific basis.





## Day 2 Session 2: Mr Amit Patel “Patent Prosecution in India & Filing a PCT Application”

Mr. Patel discussed about the Indian patent procedure, and he also mentioned about PCT procedure. Firstly, he mentioned the difference between research paper and the patent procedure. He also described the proper procedure of the patent application. The procedure of the Form 1, Form 2, Form 3, Form 5, Form 9, Form 18 and Form 26. The total fees paid for the individual is 8,100/- and for the organization fees is 40,500. The research trend for the science paper is also mentioned.



## Types of Patent Search

Sr. No.	Type of Search	Scope of Search
1	Novelty Search/ Patentability Search	<ul style="list-style-type: none"> <li>Patents (worldwide)</li> <li>Publications</li> </ul>
2	Validity Search	<ul style="list-style-type: none"> <li>Claims of Patents (worldwide)</li> <li>Publications (Before priority date)</li> </ul>
3	Infringement Search	<ul style="list-style-type: none"> <li>Claims of Patents (specific country) (last 20 years data only)</li> </ul>
4	Clearance Search/Freedom-to-Operate Searches	<ul style="list-style-type: none"> <li>Claims of Patents (worldwide)</li> <li>Publications</li> </ul>
5	State-of-the-art search	<ul style="list-style-type: none"> <li>Patents (worldwide)</li> <li>Publications [For whole technical field]</li> </ul>
6	Patent Landscape Search	<ul style="list-style-type: none"> <li>Analysis of State of the art Search</li> </ul>

22-06-2021 PATectual IP Law Services LLP - Copyright@AmitCPatel, 2021 12

**Example: PCT International Search Report**

C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 50-144535 B (NCR CORPORATION) 28 May 1975 (28.05.75), column 4, lines 3 to 27	7-9, 11
X	GB 392415 A (JONES) 18 May 1933 (18.05.33) Fig. 1	1-3
Y	page 3, lines 5-7	4, 10
A	Fig. 5, support 36	11-12
X	GB 2174500 A (STC) 5 November 1986 (05.11.86) page 1, lines 5-15, 22-34, 46-80; Fig. 1	1-3
Y		4
A	US 4322752 A (BIXTY) 30 March 1982 (30.03.82) claim 1	1
A	GREEN, J.P. Integrated Circuit and Electronic Compass, IBM Technical Disclosure Bulletin, October 1975, Vol. 17, No. 6, pages 1344 and 1345	1-5

Symbols indicating which aspect of patentability the document cited is relevant to (for example, novelty, inventive step, etc.)

Documents relevant to whether or not your invention may be patentable

The claim numbers in your application to which the document is relevant

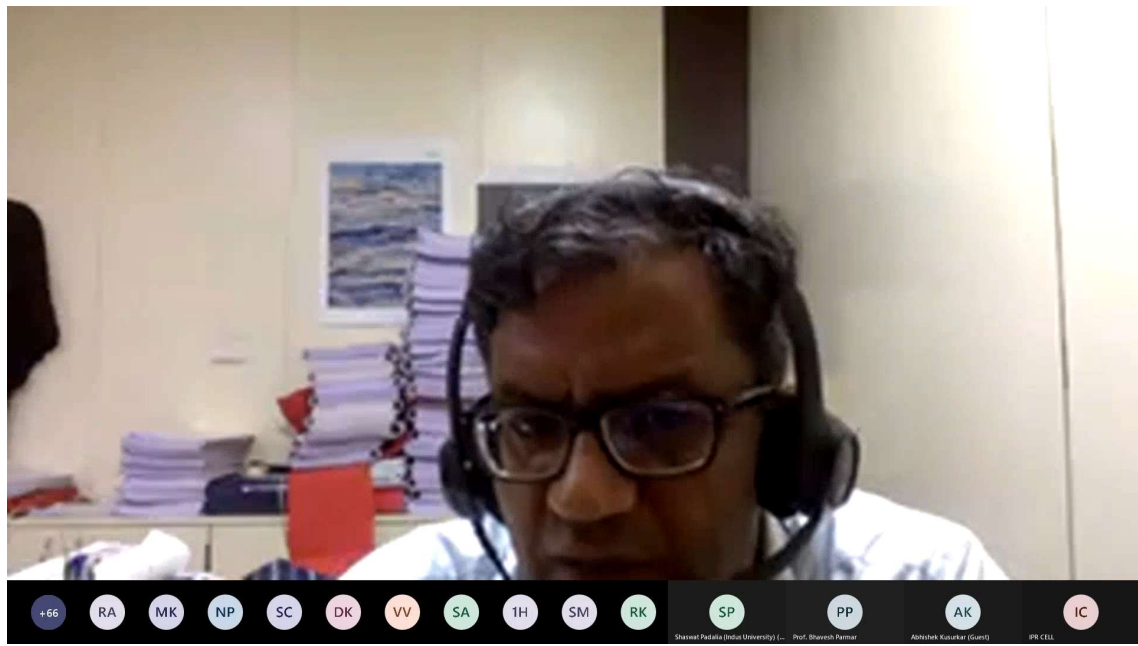
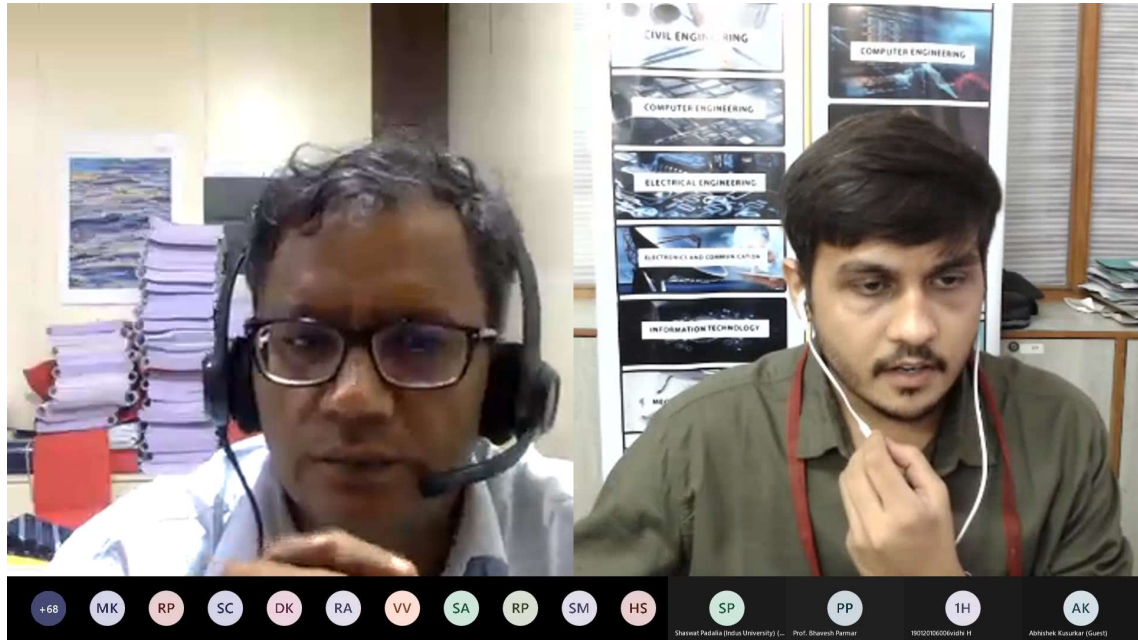
+76
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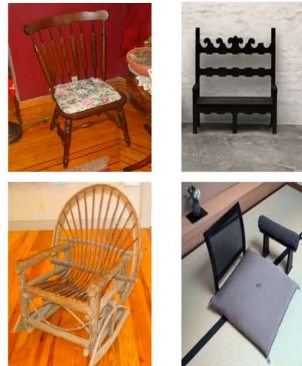
**Day 2 Session 3 Mr. HASIT B. SETH Counsel, HLaw Chambers “Patent Commercialisation”**

Mr Sheth discussed about the importance of commercialisation where it enables the inventor to seek its fair share from the society in exchange for disclosing his creation to the public at large. Commercialisation of a Patent that has been granted can be achieved in two major ways. It can either be assigned or licensed. Assignment of a Patent involves a complete transfer of ownership of Patent by virtue of a contract which is similar to sale of a "real property". Analogy with lease of a real property can be drawn with licensing of Intellectual Property. By means of a license, ownership rights can be withheld while transfer of other rights can be precisely controlled. A greater degree of control that is conferred upon the licensor of the inventor by virtue of a licensing agreement, and hence it makes more sense as to why a licensor or an inventor must go for it in order to commercialise the patent.



## Example: Patent Infringement

- CLAIM
- A seating apparatus comprising:
  - a vertical support portion;
  - a horizontal seating portion attached to the vertical support portion; and
  - at least three support bases attached to the horizontal seating portion.



Source: Image Source - Wikipedia.org

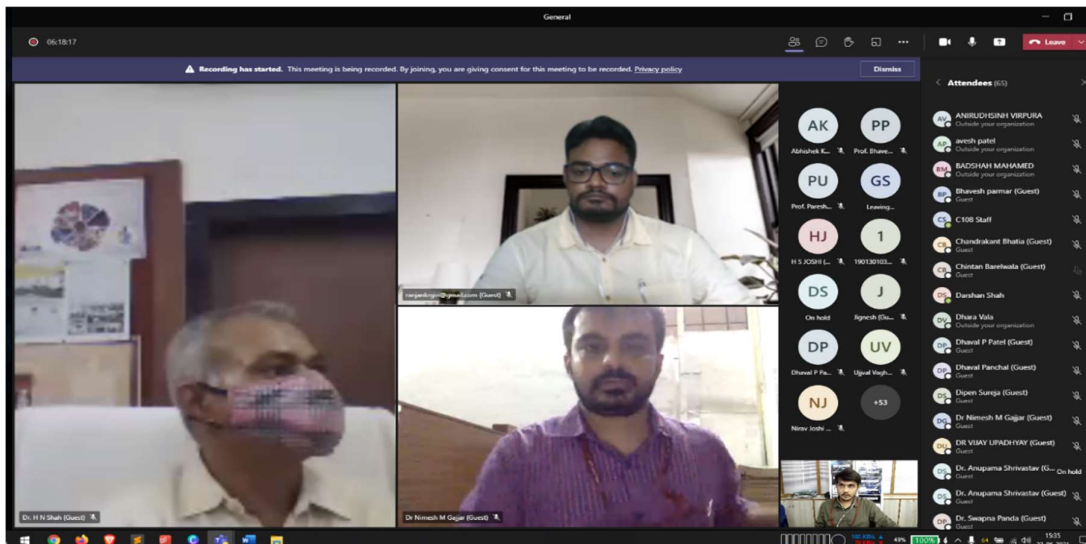
(c) Hasit Seth, 2021

## Valedictory Function

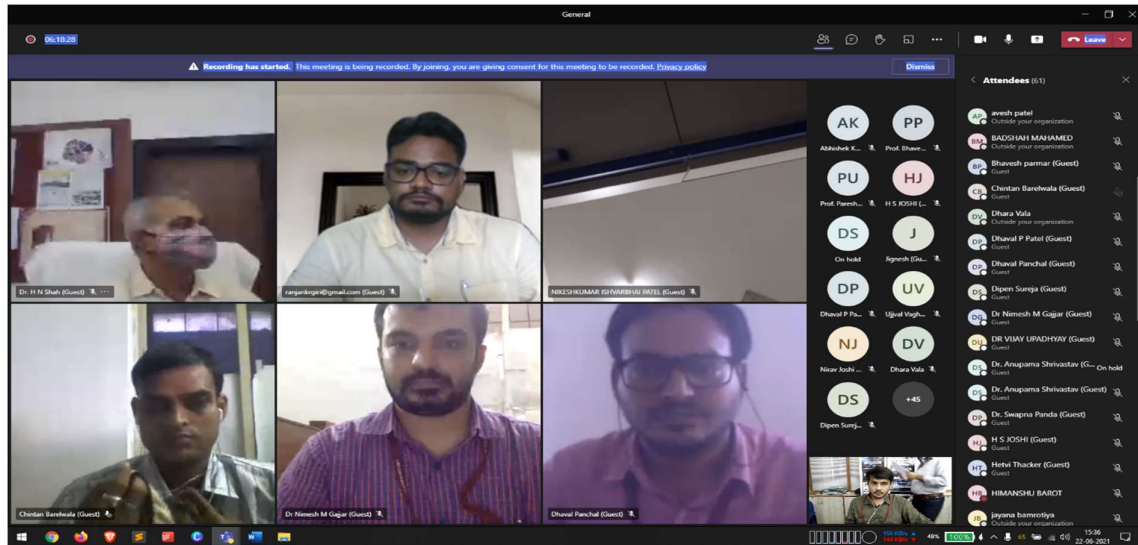
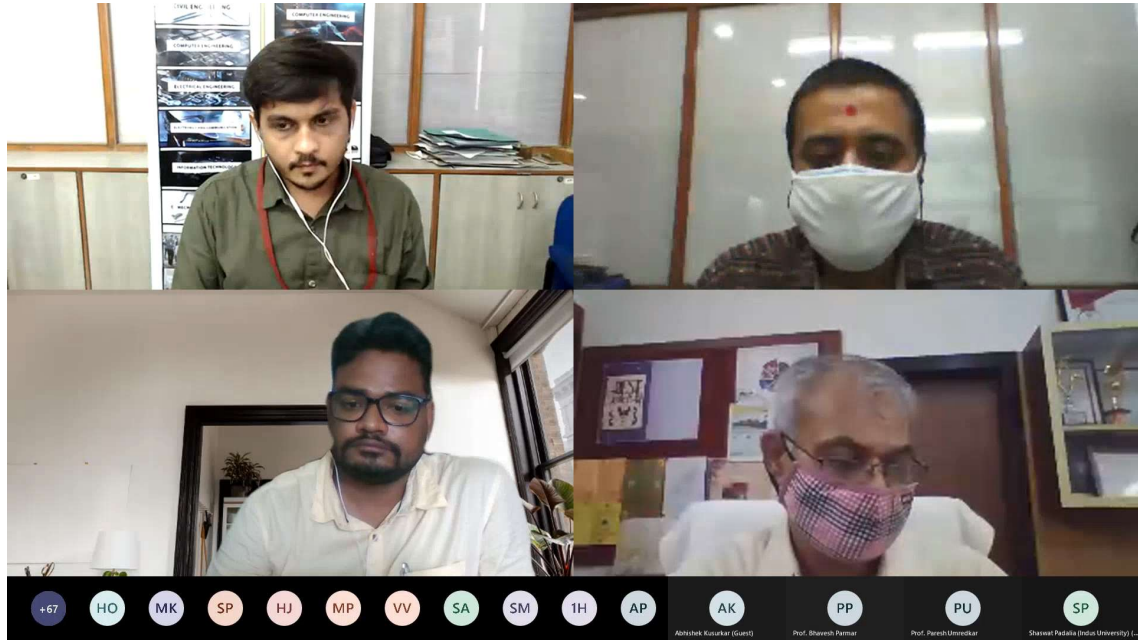
The valedictory function begun at 03:00 PM and the chief guest for the valedictory function was Prof S.D. Panchal, Professor and director, GSET, Gujarat Technological University, Ahmedabad for the valedictory function and concluded event by his blessings. Dr Panchal mentioned about the importance of IP in engineering field and also told the scenario of Gujarat state in IP. Prof. Madhuri chopade, IQAC Coordinator, mentioned about the IQAC cell activities of the institute and also discussed congratulated to coordinator about successful completion of the event. Prof. Mrugesh Khatri gave vote of thanks and he thanked to all the speakers, coordinator, director.

The screenshot shows a Zoom meeting interface. At the top, it says "Recording has started. This meeting is being recorded. By joining, you are giving consent for this meeting to be recorded. Privacy policy". Below this, there are four video thumbnails of participants. On the right side, there is a "Participants" panel showing a list of attendees with their names and roles. The list includes: AK (Abhishek K.), PP (Prof. Panchal), PU (IPR CELL Organizer), MC (Dr. H N Shah (Guest)), SP (Prof. Panchal), 1H (Madhuri Chopade), MK (GIT SSIP (Guest)), SA (Machhri Chopade (Guest)), RK (sdpanchal), SP (Sajal Bhanar), HJ (MRTULUJ...), SA (Sofia Ahmed...), and +70. The bottom of the screen shows the Windows taskbar with various icons and the system clock.

# Feedback







06:18:48

Recording has started. This meeting is being recorded. By joining, you are giving consent for this meeting to be recorded. Privacy policy

Attendees (59)

The image shows a Zoom meeting interface. The main area is a 3x3 grid of video thumbnails. The top row shows three participants: Dr. H.N. Shah (Guest), a man with glasses in a white shirt, and a man with glasses in a white shirt. The middle row shows Chintan Barehwa (Guest), Dr. Nimesh M. Gajjar (Guest), and NIKESH KUMAR GHAWRIYAN PATEL (Guest). The bottom row shows Sahch (Guest), a woman in a red top, and Nisak Kapatla (Guest). To the right of the grid is a list of attendees, including: Ansh Patel, BADSHAH MAHAMMED, Bhavesh Parmar (Guest), Chintan Barehwa (Guest), Dhara Vata, Dhaval P. Patel (Guest), Dhaval Panchal (Guest), Dipen Suresh (Guest), Dr. Nimesh M. Gajjar (Guest), DR. VIJAY UPADHYAY (Guest), Dr. Anupama Shrivastav (Guest), Dr. Anupama Shrivastav (Guest), Dr. Swarna Pande (Guest), H.S. JOSHI (Guest), Hetal Thacker (Guest), HIMANSHU BARTI, and Jayana Bamrotiya. The Windows taskbar is visible at the bottom, showing the time as 15:36 on 22-06-2021.

Participant Name	Role
Dr. H.N. Shah	Guest
Chintan Barehwa	Guest
Sahch	Guest
Dr. Nimesh M. Gajjar	Guest
NIKESH KUMAR GHAWRIYAN PATEL	Guest
Nisak Kapatla	Guest
Ansh Patel	Guest
BADSHAH MAHAMMED	Guest
Bhavesh Parmar	Guest
Chintan Barehwa	Guest
Dhara Vata	Guest
Dhaval P. Patel	Guest
Dhaval Panchal	Guest
Dipen Suresh	Guest
Dr. Nimesh M. Gajjar	Guest
DR. VIJAY UPADHYAY	Guest
Dr. Anupama Shrivastav	Guest
Dr. Anupama Shrivastav	Guest
Dr. Swarna Pande	Guest
H.S. JOSHI	Guest
Hetal Thacker	Guest
HIMANSHU BARTI	Guest
Jayana Bamrotiya	Guest

