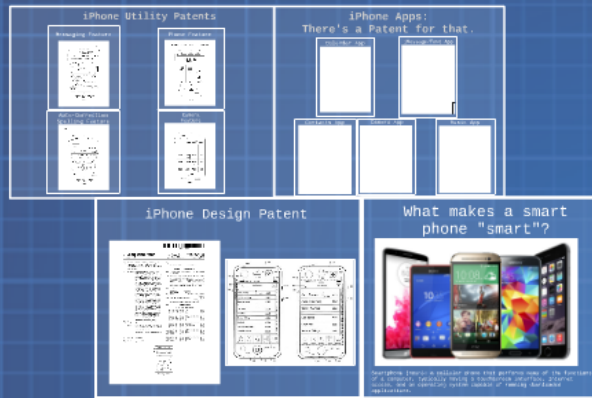


# Remedies for Patent Infringement under U.S. Law

Fig. 2

## Patent Case Study: SmartPhone (iPhone)



## PATENTS

Fig. 1

## Patent- Introduction

Fig. 3

## Licensing: How Patent Owner's Make Money

Fig. 4

## Litigation: Defending Patent Rights

Fig. 5

## Patent News:

Kiyun Baigle  
BFT/15/N245  
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BFT/15/  
Pratibha Toser  
BFT/15/

# Remedies for Patent Infringement under U.S. Law

Fig. 2

## Patent Case Study: SmartPhone (iPhone)

**iPhone Utility Patents**

**iPhone Apps: There's a Patent for that.**

**iPhone Design Patent**

**What makes a smart phone "smart"?**

Smartphone design is a collection of many different parts of the hardware and software, including features of hardware, software, design, and user interface.

## PATENTS

Fig. 1

## Patent- Introduction

**What is Patentable?**

**Patent Holder Rights**

**Types of Patent**

**UNION PATENT OFFICE**

Fig. 3

## Licensing: How Patent Owner's Make Money

A license grant generally conveys the patentee's permission to enjoy exclusively or non-exclusively now or all of the statutory and customary rights under 35 U.S.C. §111 for a limited time and territory within a geographic area, and in certain distribution classes.

**License v. Assignment**

An assignment usually passes the transfer of the owner's legal title and all rights in the patent to the assignee. The assignee has free title with the patent and any §101, 102, and 103 rights from infringement in the patent.

Fig. 4

## Litigation: Defending Patent Rights

**Apple v. Samsung**

Apple filed suit to seek damages for patent infringement against Samsung. Samsung counter-sued claiming Apple's design was copied.

**Apple v. Samsung Case Overview**

**International Patent Rights**

Fig. 5

## Patent News:

**Patent Reform**

**Patent Reform: 11th Congress Responds to Patent Issues**

**Patent Reform: 11th Congress Responds to Patent Issues**

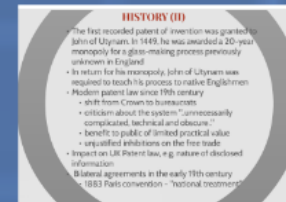
Kiyon Sogla  
 BF/15/M245  
 Nikita Boms1441  
 BF/15/  
 PratiBha Tona  
 BF/15/

## HISTORY

- Some form of patent rights was recognized in Ancient Greece
- The word patent comes from the Latin 'litterae patentes' -an open letter.
- Such letters were used by medieval monarchs to confer rights and privileges. With a royal seal, the letters served as proof of those rights, for all to see
- the first informal system was developed in Renaissance Italy
- The system was introduced into the rest of Europe by émigré Venetian glass-blowers to protect their skills against those of local workers



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## Patent Holder Rights

The Patent Holder has the right to:

## What is Patentable?

These classes of subject matter taken together include practically everything that is made by man and the processes for making the products.

### Examples of Patentable Subject Matter

- Business Methods
- Computer Hardware

# Patent Holder Rights

The Patent Holder has the right to:

- Make
- Use
- Sell or Offer to sell
- Distribute
- Import
- Manufacture
- Sue for patent infringement

a product covered by the patent.

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# What is Patentable?

These classes of subject matter taken together include practically everything that is made by man and the processes for making the products.

**1. PROCESS:** A process, act, or method, and primarily includes industrial or technical processes.

**2. MACHINE:** Refers to articles that are made, and includes all manufactured articles.

**3. COMPOSITION OF MATTER:** Relates to chemical compositions and may include mixtures of ingredients as well as new chemical compounds.

## Examples of Patentable Subject Matter

- Business Methods
- Computer Hardware
- Algorithms
- Smartphones
- Medical Diagnostic Equipment

## Examples of Non-Patentable Subject Matter

- Natural Laws
- Scientific Principles
- Abstract or general ideas
- Math formulas

**WEBSITE: WWW.IPINDIA.NIC.IN**

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# HISTORY OF INDIAN PATENTS

The first legislation in India relating to patents was the Act VI of 1856 to encourage inventions of new and useful manufactures.

The Act was subsequently repealed by Act IX of 1857 since it had been enacted without the approval of the British Crown .

Fresh legislation for granting 'exclusive privileges' was introduced in 1859 as Act XV of 1859 which also granted exclusive privileges to useful inventions.

In 1888, an Act was introduced to consolidate and amend the law of patents as certain modifications in the patent law were made in UK and it was considered that those modifications should also be incorporated in the Indian law.

The Indian Patents and Designs Act, 1911, (Act II of 1911) replaced all the previous Acts bringing the patent administration under the management of Controller of Patents for the first time.

After Independence, it was felt that the Indian Patents & Designs Act, 1911 was not fulfilling its objective , In 1952 an amendment was made to provide compulsory licence in relation to patents in respect of food and medicines, insecticide, germicide or fungicide and a process for producing substance or any invention relating to surgical or curative devices.

The Patents Act, 1970 was passed. This Act replaced the 1911 Act so far as the patents law was concerned. However, the 1911 Act continued to be applicable to designs.

Patents (Amendment) Act 2005 (Act 15 Of 2005 ) on 4 th April, 2005 was brought into force from 1-1-2005.

The last amendments are made effective from 5 th May 2006.

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## Patent Term




A patent term is 20 years. After patent term expires, the invention goes into the public domain for the public to freely use.  
[cite statute]

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# INDIAN PAT





A patent for an invention is the grant of a property right to the inventor. Patents are granted for new, useful and non-obvious inventions for a period of 20 years from the filing date of a patent application, and provide the right to exclude others from exploiting the invention during that period.



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**Types of Patents**

