

Possibilities for protection of technical solutions in the Czech Republic

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2013

Forms of protection

Patent

1. territoriality
2. limited period of time
3. right to prevent others from production, commercial use, sale or import of products into country where protection was granted

Utility model

Neither patent nor utility model give exclusive right to use the invention !!

The „social contract“ implicit in the patent system

Reveal
invention



Get
exclusivity



... so that others can learn from it and improve upon it.

What can be patented (in Europe)

- **Technical solutions that are:**
 - New (no previous publication)
 - Inventive (not an „obvious“ solution)
 - Susceptible to industrial application
- **What you can not patent:**
 - Ideas and scientific theories
 - Software as such
 - Business methods
 - Treatment methods for people and animals, plant varieties

Exclusions from patentability

- Technical solutions in conflict with public order or good manners
- Plant varieties, animal breeds and biological methods of plant growing or animal farming (not applicable for microbiological methods and products obtained by those)

What to do when you consider filing patent application



Various ways to patent protection

National route



European patent



Patent Cooperation Treaty - PCT



There is no such thing as international patent!

Advantages and disadvantages of patenting

Advantages

- Exclusivity enables investment and higher returns of investment
- Strong, enforceable legal right
- Makes invention tradeable (licensing)

Disadvantages

- Reveals invention to competitors (after 18 months)
- Can be expensive
- Patent enforceable only after grant (this can take up to 4-5 years)

Alternatives to patenting

Information disclosure (publication)

<ul style="list-style-type: none">• Cheap• Prevents others from patenting the same invention	<ul style="list-style-type: none">• Does not offer exclusivity• Reveals the invention to competitors
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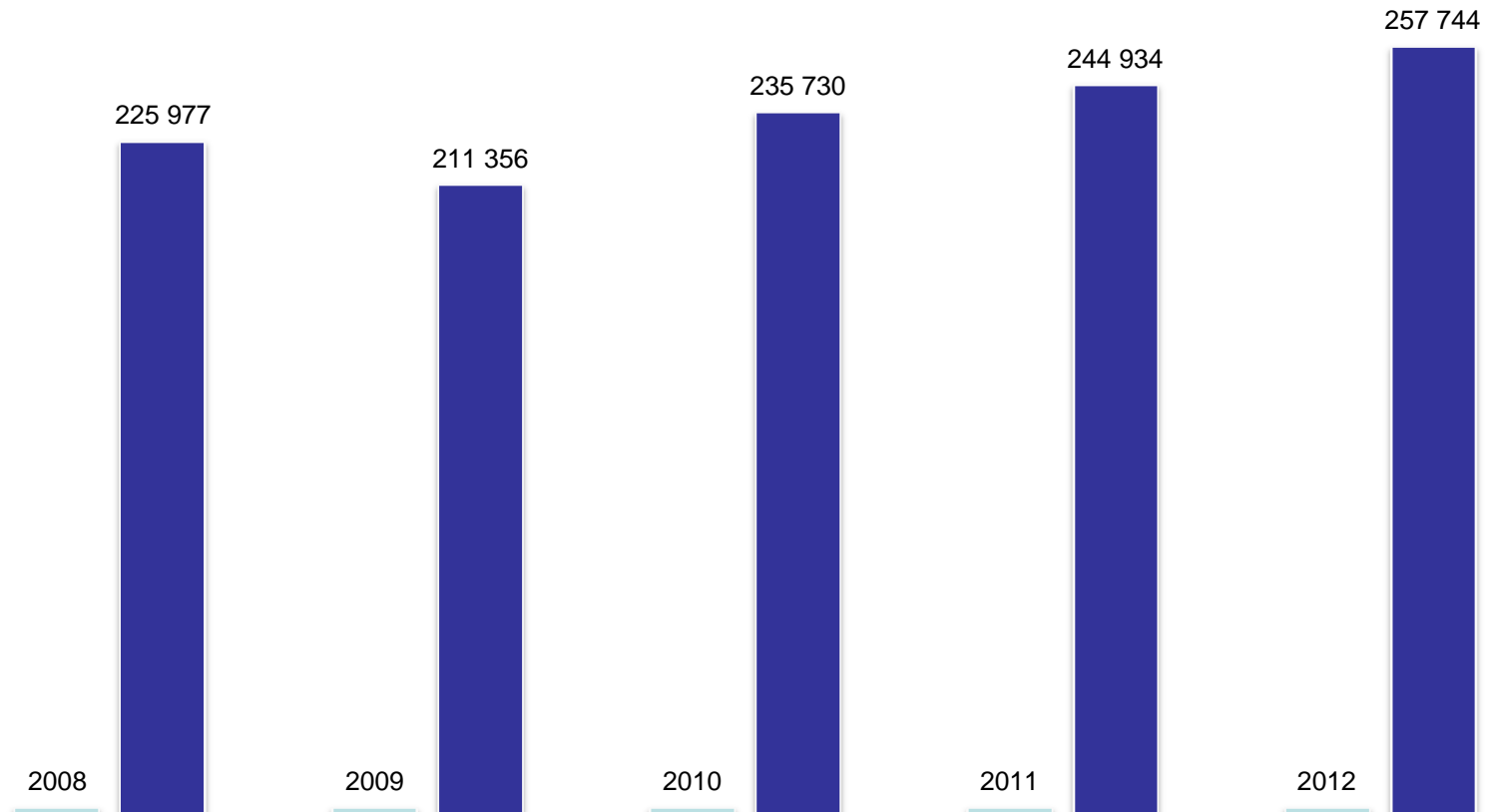
Secrecy (creating a trade secret)

<ul style="list-style-type: none">• Cheap (but there is the cost of maintaining secrecy)• Does not reveal the invention	<ul style="list-style-type: none">• No protection against reverse-engineering/duplication of invention• Difficult to enforce• „Secrets“ often leak quite fast
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Do nothing

<ul style="list-style-type: none">• No effort required	<ul style="list-style-type: none">• Does not offer exclusivity• Competitors will often learn details
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Number of patent applications filed with the EPO

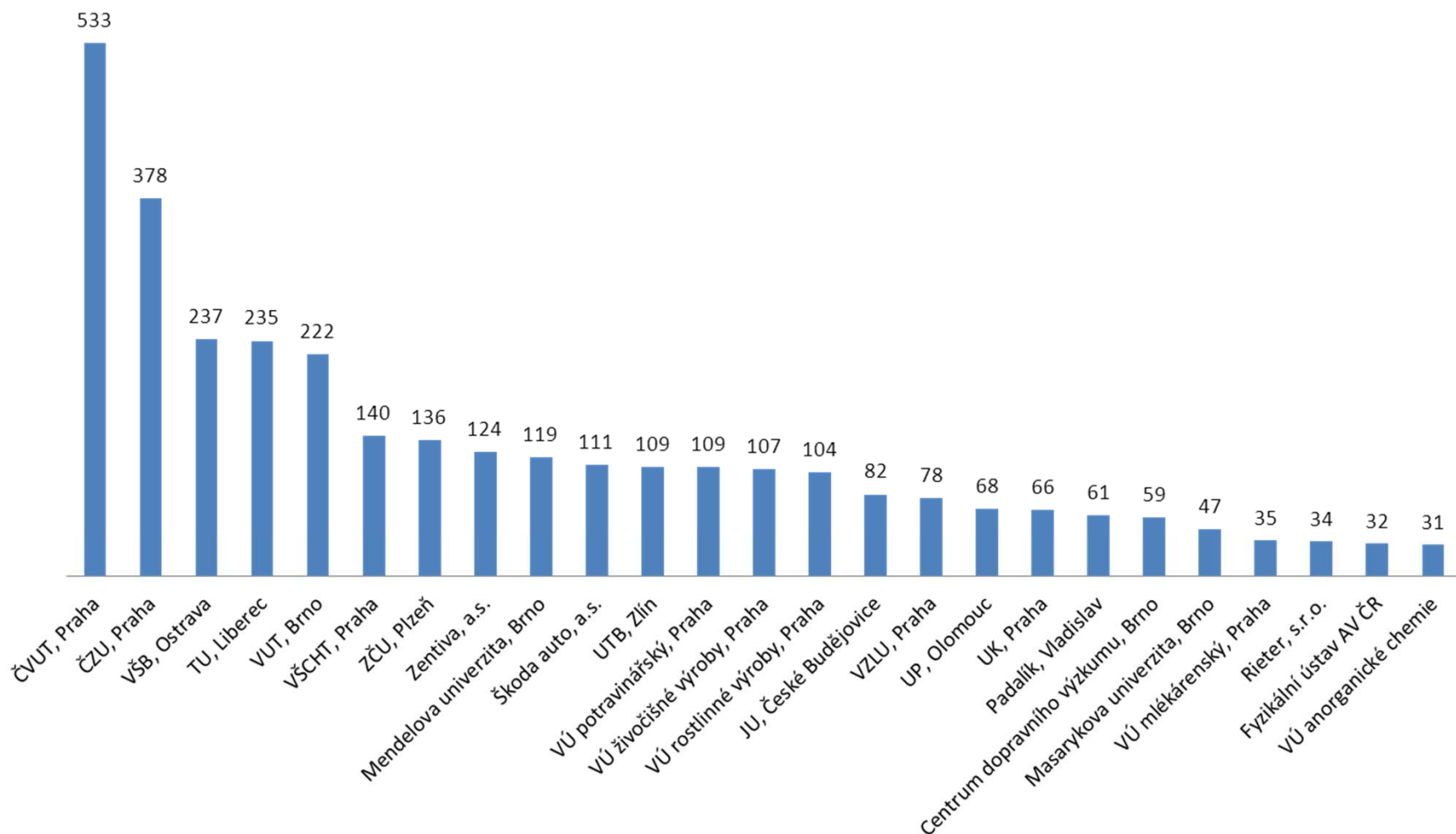


Number of patent applications filed with the IPO CZ

	2008	2009	2010	2011	2012
Total	854	881	982	880	973
Domestic applicants	712	789	868	783	867
Foreign applicants	142	92	114	97	106
from that: PCT applications which entered the national phase	88	52	48	44	41

The most active Czech applicants

Počet přihlášek patentů a užitečných vzorů v letech 2008-2012



20 % of all R&D efforts...

...are wasted each year on inventions that have already been invented.

A thorough search is highly recommendable prior to any R&D.

Reinventing the wheel

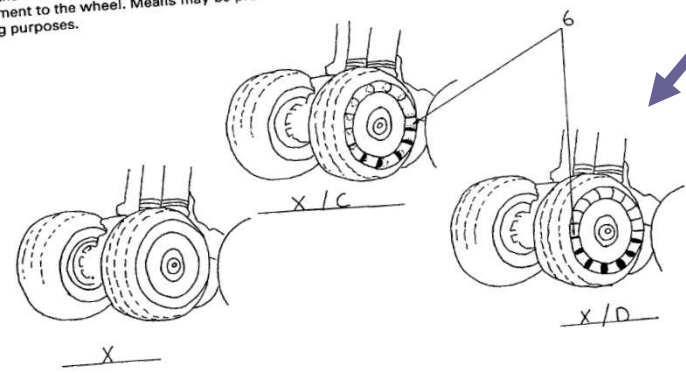
GB-A-2365393

(12) UK Patent Application (19) **GB (11) 2 365 393 (13) A**
 (43) Date of A Publication 20.02.2002

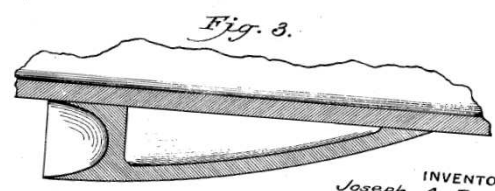
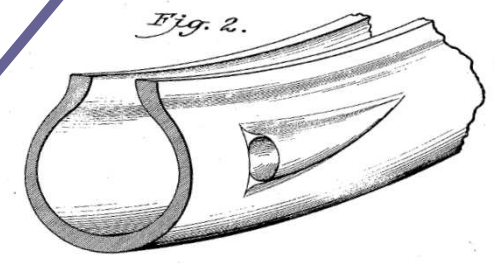
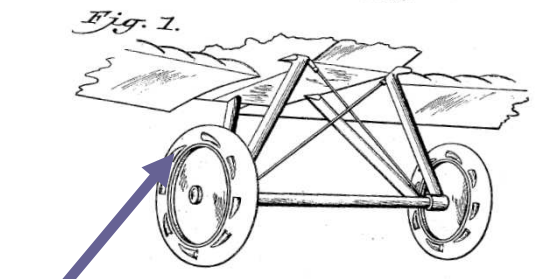
(21) Application No 0019361.5	(51) INT CL7 B64C 25/40
(22) Date of Filing 07.08.2000	(52) UK CL (Edition T) B7G G8H
(71) Applicant(s) Peter John Ginn 153 Waller Road, New Cross, LONDON, SE14 5LX, United Kingdom	(56) Documents Cited GB 2242401 A GB 2334925 A GB 2080217 A GB 2193932 A GB 0516738 A GB 1407358 A US 3233849 A US 4040582 A
(72) Inventor(s) Peter John Ginn	(58) Field of Search UK CL (Edition R) B7G INT CL7 B64C 25/40
(74) Agent and/or Address for Service Peter John Ginn 153 Waller Road, New Cross, LONDON, SE14 5LX, United Kingdom	

(54) Abstract Title
Rotating aircraft wheels prior to landing

(57) An aircraft tyre or wheel is provided with pockets or ridges 6, which catch the airflow past the wheel and cause the wheel to rotate. The pockets/ridges may be formed in the tyre or an additional member for attachment to the wheel. Means may be provided for diverting air from a pocket into the wheel assembly for cooling purposes.



US-A-1833019
 Nov. 24, 1931.
 J. A. FAUCHER ET AL
 AIRPLANE TIRE
 Filed Nov. 1, 1929
 1,833,019



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Searching for patent information

- Industrial Property Office of the Czech Republic
 - Patent and Utility model databases – www.upv.cz
- EPO
 - espacenet – www.espacenet.com
 - Register Plus – www.epoline.org
 - European Publication Server – www.epo.org/publication-server
- WIPO
 - Patentscope - <http://www.wipo.int/pctdb/en/index.jsp>

Thank you for your attention!

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Information sources

The presentation is partially based on the following document:

European Patent Office. *Patent teaching kit*. Munich : European Patent Office, 2009. 307 s.

Úřad průmyslového vlastnictví [online]. 2008 [cit. 2013-10-10]. Dostupné z WWW: <www.upv.cz>.

European Patent Office [online]. [cit. 2013-10-10]. Dostupné z WWW: <www.epo.org>.

World Intellectual Property Organization [online]. [cit. 2013-10-10]. Dostupné z WWW: <www.wipo.int>.