

# PATENTS

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# PATENTS

Patents are about technical inventions and innovation

Patent rights are granted through **registration** in a public registry

Registration leads to **disclosure**

Patents have a duration of **20 years** as from filing for registration

## PREREQUISITES FOR PROTECTION

- Technical achievement, i.e., to solve a technical problem
- **Novelty**; to go one step further in comparison to the current state of the arts
- **Innovative step**; to come up with something which was not obvious to an informed expert in this field
- Filing and registration (**disclosure**)
- Payment of annual **fees**; you pay to have a monopoly right

## **SUBJECT MATTER OF PROTECTION**

- **New substances, new products**
  - a new chemical substance
  - a new machinery product
- **New methods of production**
  - a new method to produce a medicine
- **New uses of known substances to achieve a technical advancement**
  - A new use of a known medicine which is used to treat a certain illness to treat and heal another illness

# PATENTS & COMPETITION

## HOW A BALANCE AMONG PATENT RIGHTS & COMPETITION IS ACHIEVED ?

1. **LIMITED DURATION – 20 years**
2. **REGISTRATION & DISCLOSURE:** because of publication anyone else may develop something similar and more advanced
3. **CERTAIN MATTERS ARE NOT PATENTABLE**
  - methods of treatment by surgery
4. **OBLIGATION TO GRANT A LICENSE**
  - in cases of pharmaceuticals