

DRAFTING PATENT SPECIFICATION

First you have to acquire thorough understanding of the invention forming the subject matter. You should gather the maximum amount of information concerning the invention and the relevant prior art enabling you to describe and define the invention.

Function of a Patent Specification.

The patent specification is designed to convey the information

- (a) concerning the scope of the patent .
- (b) concerning the best method or one method of putting the invention into effect.

Specification has two major sections.

- (1) A general description dealing with the background of the invention and the method of putting it into practice.
- (2) Claims which define the patented invention.

Structure of the Specification.

The structure is generally organized as follows:

- (1) Title of the invention.
- (2) Background statements including
 - (a) Title of the invention.
 - (b) A brief discussion concerning the relevant prior art and the problems of the prior art concerned.
 - (c) The Objects of the invention.
 - (d) A brief explanation of the invention.
- (3) Detailed description including a brief description of the drawings and a detailed description of the embodiment of the invention.
- (4) The claims.
- (5) The drawings, if any.

Background Statement.

This contains information such as general field of the invention, prior art, objects of the invention and brief description of the invention.

The Detailed Description.

This fully describes the invention. If there is any drawing they may be described. It should be described in a manner that a reader having an ordinary level of skill in the relevant prior art understand the construction and operation of the particular embodiment of the invention. He must understand it in a way that he can put the invention to practice. The arrangement of the description is like building a house. It must be done step by step.

Claims

Claims are important because the rights of the patentee are defined according to the claims. Basic identification of the invention, general content of the claim constituted by the various features which make up the body of the claim and the way in which each of these features is identified in the claim are important factors. Generally, content of the claim should be confined to those features which are necessary to explain the inventive concept. There can be main claims as well as subsidiary claims. In constructing a claim the following will be important.

- (a) Select a title for the invention which is not too confining, but is specific to the particular field of invention.
- (b) Select the group of features or components which make up a practical embodiment of the invention.
- (c) Select a proper identifier for each of the features which is not too limited but sufficiently specific to capture all members of a family which would be suitable for the purpose to which the respective feature is directed.
- (d) Link various features together so as to explain their positional relationship or working relationship in so far as that is critical to the fulfillment of the basic inventive concept.

The subsidiary claims should not be directed to immaterial detail having no influence on the issue of inventive merit. However, where there is uncertainty concerning the importance of a particular feature it is better to have a subsidiary claim to that feature.

The Abstract.

This is an explanatory statement which summarizes the disclosure of patent application.