

Patent Drafting for Beginners
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Lecture – 34
Getting a working disclosure

Getting a working disclosure. Before drafting a patent, the objective of a person who drafts a patent will be to get a working disclosure from the client or the inventor. The working disclosure is important because the working disclosure is what forms the foundation of both a prior art search as well as the foundation for drafting a patent application.

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Through an IDF

Invention disclosure form (IDF)

A basic document for identifying and capturing the IP pertaining to an invention, useful for understanding the scope of invention and its enablement.



Now, we had seen one way you can do this is through an IDF. The IDF helps you to get the disclosure of the invention. The IDF is a basic document for identifying and capturing the IP pertaining to an invention, useful for understanding the scope of the invention and its enablement.

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Parts of IDF

- Contact Information of the Inventor(s)
- Technical Information for Patent
- Public Disclosure & Prior Art
- Market Valuation and Licensing



Now, we had seen that an IDF has different parts it has a part A, it has a part where the contract the contact information is mentioned, the technical information is mentioned, a part where the public disclosure and prior art is mentioned. And in some IDFs you will find that there is a market valuation and licensing also that is captured.

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By interviewing the inventor

- In person over phone
- Series of questions
- Focus on inventive step
- Description, background etc.



Now, if not through an IDF, then your option is to interview the inventor. Now, this could be in person or over phone it could be through a series of questions. And based on the answers that you get you could ask further questions. The object is to ensure that you

have all the information which can qualify for a working disclosure. A disclosure that will enable you to do a prior art search effectively and to start the drafting of the patent specification itself.

Now, the focus during the interview, assess the focus in asking questions in an IDF is to identify the inventive step. The focus is on the inventive step because the inventive step is what will see the invention through at the end of the day. So, the focus has to be in understanding an isolating the inventive features from the non inventive features.

Now, apart from the inventive step which would be critical in drafting the claim you will also get information on description and background of the invention. You could ideally ask the inventive for document or piece of information which discloses the knowledge in the field; say you can call it a domain article so that you understand the field better.

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Online questionnaire

- Broad questions
- Follow up questions based on the answer to the earlier questions
- Sample : www.techgrapher.com/ip-clinic



You could also get your information through an online questionnaire, where a series of questions are asked based on the reply given by the client, the further questions are asked. This could also be through exchange of emails, but an online questionnaire is also possible. Now, you are certain broad questions try to understand the field of invention, the probable classification into which the it will fall, and then you have follow up questions, based on the answer you received from the earlier questions. Now, if you want to see a sample of this, you could just log onto this website, and see how a sample works.