

A REVIEW PAPER ON LACK OF UNITY OF INVENTION

Dr.Ezhilarasan G

*Professor, Department of EEE, Faculty of Engineering and Technology,
Jain (Deemed-to-be University), Ramnagar District, Karnataka – 562112*

Email id: g.ezhilarasan@jainuniversity.ac.i

Abstract

The unity of the invention is characterised as the same general technological function which is present within the scope of the invention, the whole of which is closely linked to the scope of the main patent application, such that the unity of the invention is satisfied by the invention. It was important to define the scope of the invention manually by reading the argument and observing the invention before deciding the unity of the invention. In this paper an equation is been formulated that's used to determine the shortage of cohesion of invention, through making use of the given equation it isn't required to manually perceive team spirit of invention or lack of unity of invention but through this equation it may be effortlessly recognized by placing the fee in the equation to determine loss of team spirit of invention If the scope of the invention is different from the scope of the main invention it is want to report divisional software having exceptional scope of the invention with appreciate to the discern patent software. It is also understood that by raising the amount of new features that vary in scope from the main programme, it is significantly shown that the number of new divisional implementations must be expanded by increasing the number of new features.

Keywords: *Cohesion Of Invention, Lack Of Unity, Patent Software, Team Spirit, Unity Of The Invention.*

I. INTRODUCTION

The current condition which is characterized in the paper is identified with the need solidarity of the development wherein the parent application remembers the at least two innovations for the single patent application so it requires parting the at least two creations into the at least two divisional applications on the bearing of the regulator [1]. On the off chance that the creation having the new idea which is not quite the same as the extent of the parent development so for that new idea and highlight it is needed to document an extra divisional application in the greater part of the case regulator is decide the new idea if the new idea

present in the one single application so analyst needs to look through two innovations in the expense of one development so it needs to isolate that new idea or highlight in the diverse application that happens on the heading of the regulator. a candidate itself can petition for the divisional application yet a large portion of cases regulator just provide guidance to break the application into at least two application in light of it needs to look at the at least two creation in the single application or in expense of one application so it isn't worthy to inspect the at least two innovation in the shore of one development so it is needed to part the creation in the at least two distinctive development. There are the different sort of the innovation used to look at referenced beneath.

I. Common Patent Application:

Common patent application is the kind of public application which is straightforwardly documented to the public workplaces which might be a record with the temporary application or without the temporary application wherein the temporary application allows the one year elegance time frame in which the creator can do some advancement in the development or if the idea of the innovation is available even the model is absent so they can record a temporary application in the opposite side conventional application can document without the temporary application wherein the temporary application is the unfinished version of the total determination so it isn't compulsory to record the temporary application [2]. The standard application straightforwardly documents to the public office with the endorsed charges which are diverse for the individual, startup, little element, and huge substance. The temporary application is utilized to replace the need date.

II. Patent Of Expansion:

Patent of expansion is the kind of patent application wherein the creation relates to the improvement of the development wherein improvement relates inside the extent of the primary innovation wherein patent of expansion ought to incorporate the reference of the principle patent application. Patent of expansion is the kind of use where the resulting application need to petition for the improvement just as the change of the innovation [3]. In the patent, the fundamental innovation is ensured and in the patent of expansion enhancement for the development is secured which is uncovered in the primary patent application. The patent of expansion can document any time in the term of 20 years and life of patent of the expansion is equivalent to the life of the primary patent in the event that somebody records a patent of expansion after the 10 years of the principle patent so the life of patent of expansion will be staying long term which is equivalent to the leftover existence of the fundamental patent. Each patent of expansion application asserts the need date of the principle application and just the imaginative advance requirements to look at inside the extent of the creation for the assessment of the development.

III. **Divisional Application:**

Divisional application is the part sort of utilization in which the patent application relates to the more than one development and the divisional application documented on the course of the regulator to part the principle application into the at least two creation if the protected innovation. Contains an overabundance to isolate the fundamental parent application into the at least two distinctive divisional application for continuing the diverse creation in the further stage. The fundamental idea of the divisional application relates to just separation the development, if the one parent innovation or patent application contains at least two creation in the single patent application so it is needed to partition the innovation into the at least two distinctive innovation by filling the at least two diverse patent application [4]. A divisional application is certainly not a common kind of the patent application so it can't be document with utilizing the temporary application and the need date of the divisional application is the date of parent application which is filled at the workplace of the primary filling.

IV. **Traditional Application:**

Traditional application is the sort of the application which is filled in the show nation inside the span of the one year from the essential documenting in the principle nation .if the candidate is recording the patent application in the nation of origin or the normal application in the nation of origin then the candidate may document the further application in another nation which is the signatory part of the Paris show inside the length of the one year [5]. A temporary application can't be recorded on account of the traditional application. The need date on account of the show application is the date of primary application which is filled in the nation of origin by methods for if the candidate records the principle application in his nation of origin and inside the length of one-year candidate document the show application in the various nations which is the signatory part of the Paris Convention or any gathering of the nation then the need date of recording the application in the all nation is the date wherein he documents the application in his nation of origin.

V. **PCT Application:**

PCT application is a global application which is recorded under the patent co-activity arrangement it is a worldwide sort of utilization documented under the patent co-activity deal to make sure about the application in the different distinctive nation in the strategy to record the patent application under the patent co-activity settlement is comparable as the ordinary application wherein the patent co-activity deal give the span of 30-multi month to continue the application in the public stage [6]. System for documenting a global application is comparable like the show application wherein the candidate needs to record the total particular in his nation of origin and afterward inside the length of the one year candidate need to record the PCT worldwide stage application straightforwardly to his public accepting office or to the accepting office to the worldwide authority in the wake of documenting the global application inside the multi month the PCT office create the global hunt report on applying the standards of curiosity non-conspicuousness and modern appropriateness in the

wake of acquiring the pursuit report by the candidate can take choice if the inquiry report is in the courtesy of candidate or development has novel so the candidate continue further for the filling of public stage application or if the inquiry report isn't novel so the candidate need to address the cases of the innovation and afterward further continue to document the public stage application wherein the public stage is the genuine stage wherein the patent application is truly look and analyze by the public workplaces where in real the patent application getting award.

II. LITERATURE REVIEW

Takashi Miyazawa and Hiroshi Osada in 2010 in exploration paper on Quantitative markers for assessing the seriousness of a patent recognize that the solidarity of creation wherein conversation on that solidarity of innovation where every plural free case halfway cover with another case to fulfill prerequisite of solidarity of development [7]. Accept there are n number of autonomous case which are relates to the normal imaginative advance then every free case cover a similar innovation scope or and mostly cover the other autonomous case of a similar innovation then it fulfill the solidarity of development in another word if the n number of free case present in the given innovation so the new case if somewhat cover all the autonomous case so it fulfill the solidarity of innovation guarantee or in the event that the new case not incompletely cover the past case, at that point it isn't fulfilled the solidarity of creation and for the case which isn't fulfilled the solidarity of development it is need to record divisional application [8]. In the event that the quantity of licenses present in the past the new case require protected or not to encroach the past case however in the event that the past no patent is documented so new autonomous case needs to cover the greatest extent of the creation and not needed to protected from another innovation because of that creation having diverse extension which is not the same as the past case is needed to make plural free cases to completely cover the maximal extension inside the limitation of the solidarity of development [9].

Different examination has been done in the field of the solidarity of innovation if the patent application remembers at least two development for the single detail so on the course of regulator need to part the creation into at least two distinctive divisional application before the patent getting award of the development [10]. The divisional application is the application petitioning for the diverse imaginative idea or when the at least two innovation present in single innovation which need to part in two unique creations by recording the divisional application.

III. CONCLUSION

The present equation applies to the unity of the criteria of the invention in which, if the one parent invention contains more than one invention having the different scope of the invention, the divisional application for the new invention and the new feature must be submitted. Each new feature which does not fulfil the unity of the criteria of the invention must be filed with a new divisional application for that invention. The divisional application can be filed at any

time prior to the grant of the patent and the length of the divisional application is equal to that of the main application.

The present equation, subject to different modifications and modifications by the individual skilled in the art, explains in the present equation that by raising the number of features in the invention that do not follow the criterion of unification of the invention then the number of divisional implementations, it is also appropriate to increase in another word that the number of features present increases. Therefore, the given equation shows that the number of divisional implementations often increases and graph plots in a linear way by increasing new functionality beyond the reach of the invention.

IV. REFERENCES

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