

Patents Vocabulary and Discussion

Legal English/ Technical English/ collocations/ word formation

Part One: Discuss and remember the patents vocabulary parts of speech

Choose topics below and talk about them as long as you can. Your partner will ask you for further details and/ or add to what you said. A dash (–) means opposite ideas.

- 1 intellectual property
- 2 patent law/ patent act
- 3 types of patent (business method patents, chemical patents, patent protection for pharmaceutical inventions, patenting of genes, software patents)
- 4 filing a patent application (request, specification, claims, drawings, abstract)
- 5 patentability/ conditions for granting a patent (patentable subject matter/ novelty/ utility/ inventive step/ non-obviousness/ industrial applicability) – decision to refuse a patent/ refusal of a patent (publicly known/ publicly used/ described in a distributed publication/ made publicly available through electronic telecommunication/ obvious modifications of previous inventions)
- 6 first-to-file principle/ first-to-file system – first-to-invent system
- 7 prior art (= evidence that can be used to demonstrate what inventions have been invented before)
- 8 one-year “grace” period for filing inventions (= inventors can use the application in public, and even sell it commercially, for one year without filing a patent application, without losing patent rights)
- 9 patent prosecution (= procedures for obtaining a patent right)
- 10 certificate of patent
- 11 exclusive rights
- 12 term of patent/ term of protection (e.g. 20 years from the filing date)
- 13 patent licensing
- 14 patent enforcement/ patent infringement (litigation)
- 15 patent amendments
- 16 patent disclosure/ publication of patent application
- 17 invalidation of a patent
- 18 harmonization of patentability standards (European Patent Office, the Patent Cooperation Treaty [PCT] signatory countries, the World Trade Organization’s Trade Related Intellectual Property Rights [TRIPS] agreement)

Ask about any topics above which you are not sure about.

All the words below are correct in English but many of them are in the wrong type of word (noun, verb, etc) for the context that they are in. Try to remember or think of the suitable other parts of speech in those phrases.

- 1 intellect property
- 2 types of patent (business method patents, chemistry patents, patent protect for pharmaceutical inventions, patenting of genetic, software patents)
- 3 filing a patent apply (request, specify, claims, drawings, abstract)
- 4 patentability/ conditional for granting a patent (patentability subject matter/ novelty/ utility/ invention step/ non-obviousness/ industry applicability) – decision to refuse a patent/ refuse of a patent (public known/ publicly used/ described in a distributed publish/ made publicly availability through electronic telecommunication/ obvious modify of previous inventions)
- 5 first-to-file principle/ first-to-file system – first-to-invention system
- 6 priority art (= evidence that can be used to demonstrate what inventions have been invented before)
- 7 one-year “grace” periodic for filing inventions (= inventors can use the application in public, and even sell it commercially, for one year without filing a patent application, without losing patent rights)
- 8 patent prosecute (= procedures for obtaining a patent right)
- 9 certificated of patent
- 10 exclusively rights
- 11 term of patent/ term of protect (e.g. 20 years from the filing date)
- 12 patent licensed
- 13 patent enforcement/ patent infringe (litigation)
- 14 patent amend
- 15 patent disclose/ publication of patent application
- 16 invalid of a patent
- 17 harmonize of patentability standards (European Patent Office, the Patent Cooperation Treaty [PCT] signatory countries, the World Trade Organization’s Trade Related Intellectual Property Rights [TRIPS] agreement)

Use the version below with words that need to be changed in bold to help check your answers.

- 1 **intellect** property
- 2 types of patent (business method patents, **chemistry** patents, patent **protect** for pharmaceutical inventions, patenting of **genetic**, software patents)
- 3 filing a patent **apply** (request, **specify**, claims, drawings, abstract)
- 4 patentability/ **conditional** for granting a patent (**patentability** subject matter/ novelty/ utility/ **invention** step/ non-obviousness/ **industry** applicability) – decision to refuse a patent/ **refuse** of a patent (public known/ publicly used/ described in a distributed **publish**/ made publicly **availability** through electronic telecommunication/ obvious **modify** of previous inventions)
- 5 first-to-file principle/ first-to-file system – first-to-**invention** system
- 6 **priority** art (= evidence that can be used to demonstrate what inventions have been invented before)
- 7 one-year “grace” **periodic** for filing inventions (= inventors can use the application in public, and even sell it commercially, for one year without filing a patent application, without losing patent rights)
- 8 patent **prosecute** (= procedures for obtaining a patent right)
- 9 **certificated** of patent
- 10 **exclusively** rights
- 11 term of patent/ term of **protect** (e.g. 20 years from the filing date)
- 12 patent **licensed**
- 13 patent enforcement/ patent **infringe** (litigation)
- 14 patent **amend**
- 15 patent **disclose**/ publication of patent application
- 16 **invalid** of a patent
- 17 **harmonize** of patentability standards (European Patent Office, the Patent Cooperation Treaty [PCT] signatory countries, the World Trade Organization’s Trade Related Intellectual Property Rights [TRIPS] agreement)

Check your answers with the original page.

Part Two: Patents discussion questions

- How important is intellectual property? Is it becoming more important?
- Has IP been in the news recently? What were the stories about?
- What particular issues are there related to patenting of genes?

Changes to patent law

- Are there any problems with the present patent law in your country? Does the government have any plans to change it? What do you think about those changes?
- What could “the best intellectual property system in the world” that the Japanese Minister of Economy, Trade and Industry recently said that he wants his country to have be like?
- What problems are caused by a slow patent system? What can be done to make filing a patent application faster and easier?
- What advantages could a country with the best patent system have?
- How do you feel about the idea of patenting colours and sounds?
- What are the arguments for a one-year “grace” period for filing inventions? (= inventors can use the application in public, and even sell it commercially, for one year without filing a patent application, without losing patent rights)
- What is the term of patent protection in your country? What are the arguments for and against lengthening or shortening it? How about when it comes to pharmaceuticals?
- Is there a period before patent disclosure/ publication of patent application in your country? What are the reasons for this? Are there any arguments for making it shorter or longer?
- What can be done about patent trolls?
- Should patent infringement be a criminal offense (rather than a civil offense)?

International patent law

- How do patent laws vary by country?
- What can governments do to help companies whose patents are infringed abroad, e.g. in developing countries?
- Is it fair to expect strong patent protection in developing countries?
- Is it possible for developing countries to become developed countries without breaking patents?
- Are developed countries which developed through copying of foreign products hypocritical in now asking developing countries not to do the same thing?
- Why is standardising international patent law important? Is it more important than in the past? Why?
- Why is it difficult to harmonise patentability standards? What disagreements do countries have?
- What are the advantages and disadvantages of first-to-file and first-to-invent patent systems?
- What position does your country and large companies from your country have in the ranking of numbers of patent application? Is that changing?