

INFT3800
Assessment II - Professional Practice in IT
S1 2021 – Written Assignment I (25%)
Due date: Week 8 - Friday, 30th April 2021

Title: Applying for an Innovation Patent

Description:

You are a newly graduated student from the University of Newcastle (UON) majoring in software engineering. During your study, you have developed a crowdfunding software that you think it is worth patented for the innovative features it has. Some innovative features that you claimed to be available in your software are:

- All currencies payment gateway
- Progress meter tracking
- Social network sharing
- Etc.

In order to apply for the innovation patent of your software, you have to send your application to IP Australia. Instead of using the service of a patent attorney, you have decided to apply for the patent at your own by visiting the IP Australia website. The following information have been summarized from the IP Australia website with regards to applying the innovation patent.

The following documents are required in order to lodge your innovation patent application:

1. A Patent Request: Innovation Patent Form
2. A complete specification of your software

A. Patent Request Form – Innovation Patent

The patent request form for an innovation patent is made up of three parts and must include all applicants and the nature of the invention. All completed parts must be signed by the same person and filed at the same time. In this case, you are the sole creator of your software.

B. Complete Specification

A complete specification is made up of Title, Description, Claims, an Abstract and Drawings (optional). The specification should be drafted carefully. This is the document on which a patent, if granted, is based.

Title

The title should appear on the first page.

Description

It is important to include a full description of your invention when you file a complete application.

Claims

Claims are an important concept and function. Patent 'claims' work based on exclusive rights to an invention. If you try to claim too much, it may be difficult to obtain or at least defend those rights.

However, if you claim too little you may miss out on valuable opportunities. Poorly worded claims can be confusing and completely miss the true 'inventive step' in your technology.

Claims are important because they determine the scope of the monopoly given by a patent.

The claims must:

- be clear and concise
- distinguish your invention from what is already known
- set out all the essential technical features of your invention
- be consistent with the description.

Statements about advantages of your invention are not suitable as claims. An innovation patent can have up to five claims.

Abstract

Patent applications can be lengthy, technical documents. You must include an abstract at the back of your specification to act as an executive summary. This will help the reader quickly identify the key features of your invention. Note: drawings are optional but recommended if they help explain your invention.

Format

Your Patent specifications should follow the formality requirements determined by the Commissioner of Patents of Australia that is available in the following link. :

<https://www.ipaustralia.gov.au/patents/applying-patent/what-to-include-in-application/best-practice-guide-presenting-specification>

Resources:

- <https://www.ipaustralia.gov.au/tools-resources/ip-toolkit/types-ip-protection#Patents>
- <https://www.ipaustralia.gov.au/patents/understanding-patents/types-patents#provisional>
- <https://www.ipaustralia.gov.au/patents/understanding-patents/patent-basics>
- https://www.ipaustralia.gov.au/sites/default/files/patent_application_guide.pdf?acsf_files_redirect
- <https://www.ipaustralia.gov.au/patents/applying-patent/what-to-include-in-application/best-practice-guide-presenting-specification>