

Nanotechnology and Patents – a European perspective

by

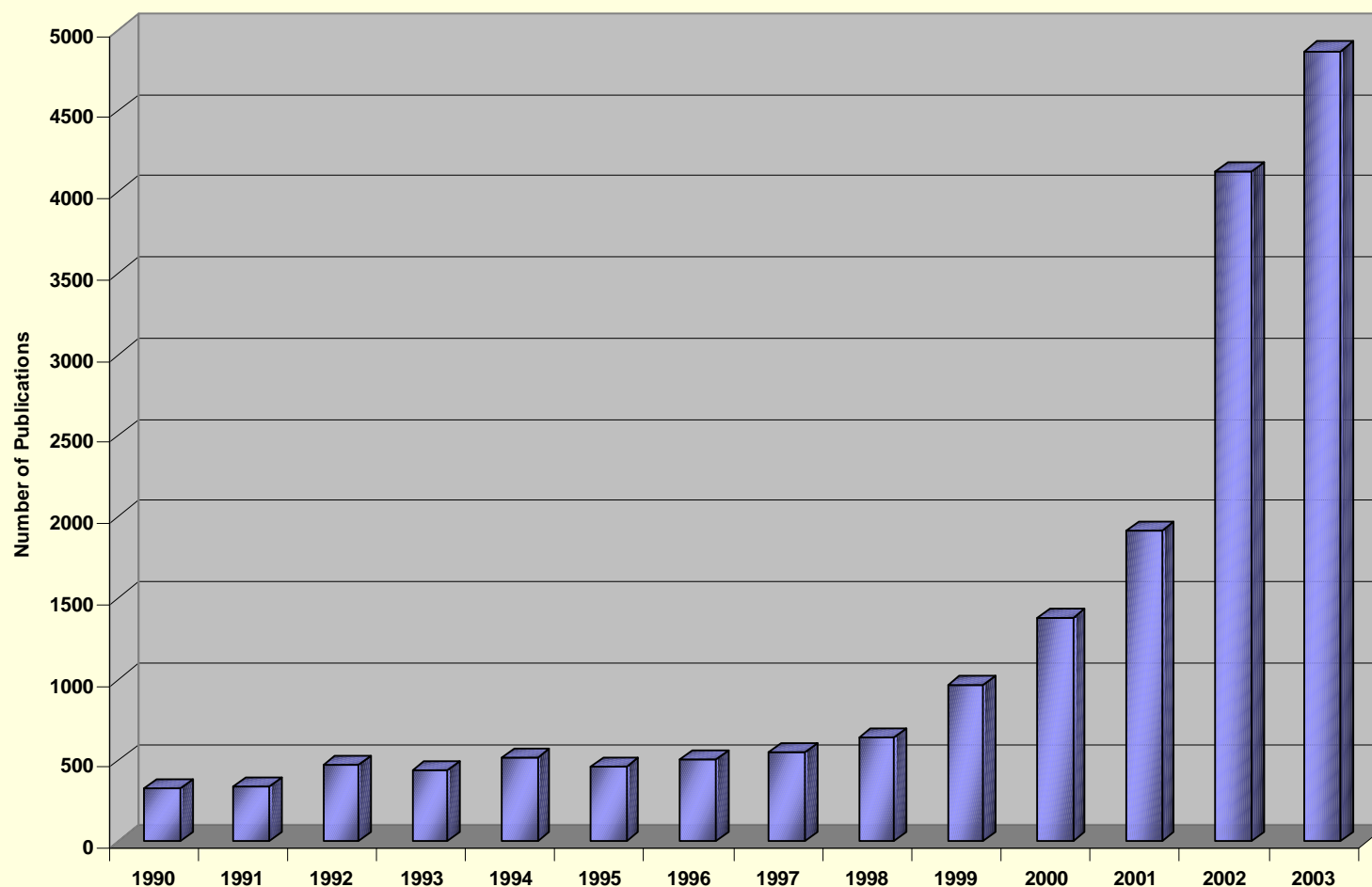
Nick Fox-Male

**European Patent Attorney
Chartered Patent Attorney
Partner, Eric Potter Clarkson**

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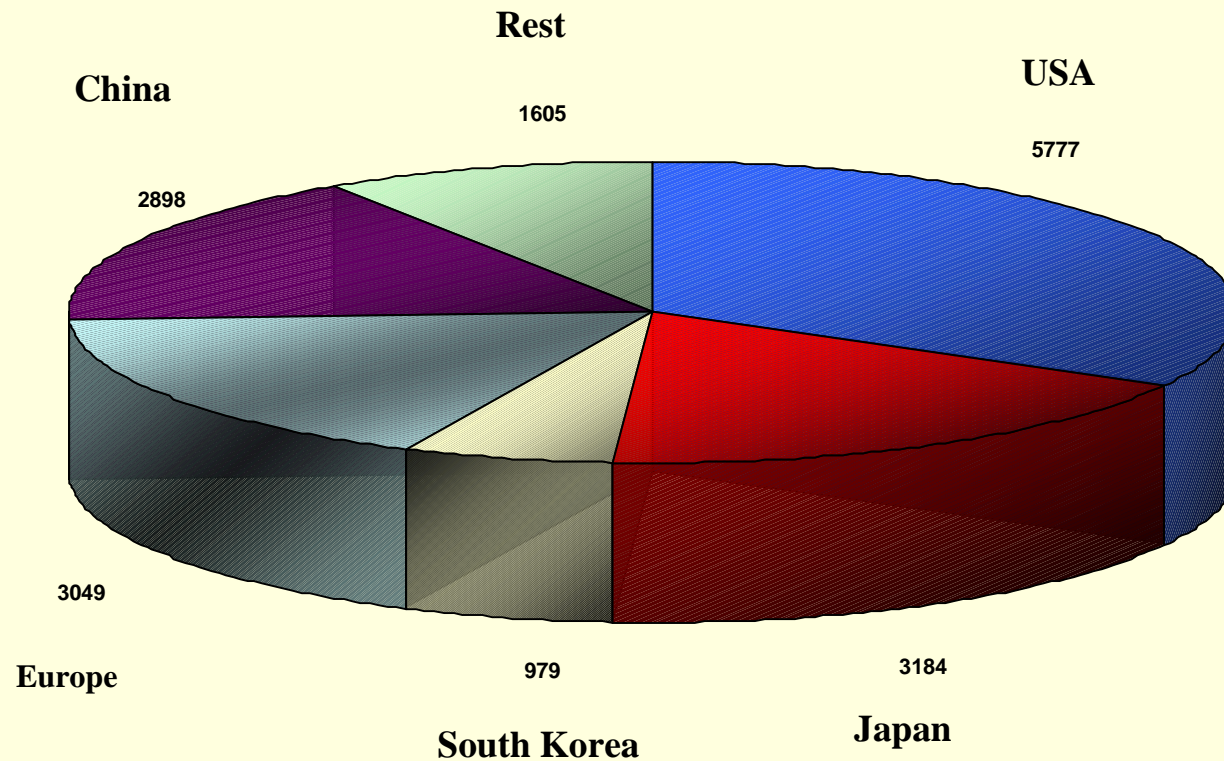
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Total of “NANO” patent publications from 1990 to 2003 by year

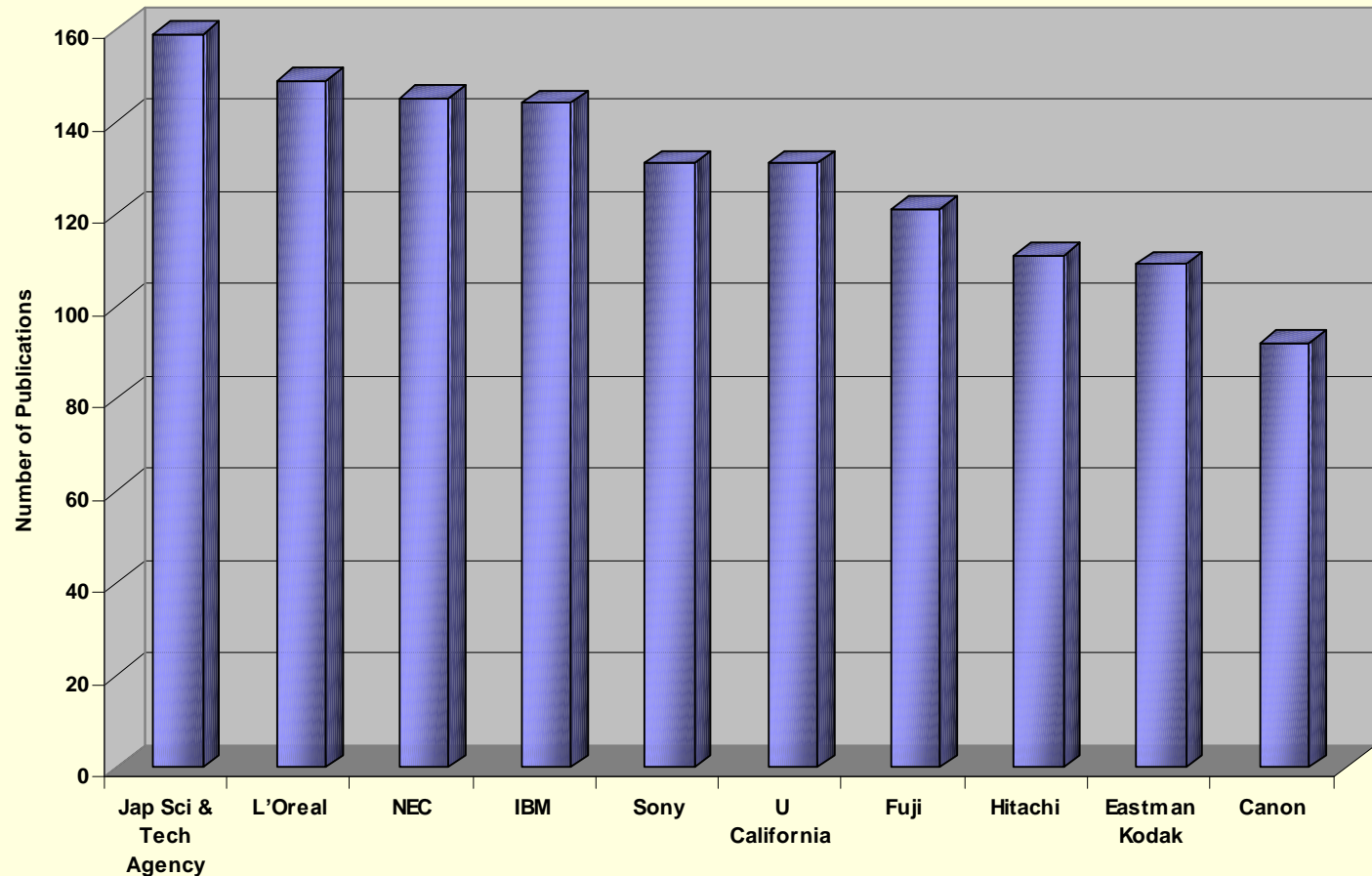


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“NANO” patent publications 1990 to 2003 according to country of original filing



Top Ten patentees/applicants for “NANO” patent publications 1990 to 2003



Activities in Europe

- Funding
 - EU: €700M over 2003 – 2006
 - Europe: €1B 2003 (2/3 being national/regional)
- Royal Society Report
- Institute of Nanotechnology
 - NanoMicroClub
 - NanoForum
 - AZoNano
- European Patent Office Symposium

Business viewpoint

- Be patent aware
- Secure position by patents
- Address ‘enabling technology’
- Develop portfolio
- File before public disclosure
- Use International Patent procedure

Technology viewpoint

- File before public disclosure
- Patentability
- Cover applications
- Use International Patent procedure

Patent viewpoint

- Patentability
- Disclosure
- Claims
- Cover applications

What can be patented?

- Any technical development
- Novel/inventive
- Examples
 - Materials/compositions
 - Device
 - System
 - Manufacturing method

Disclosure

- Categorise size
- Range, average, diameter
- Concentration, purity
- Effect , result, function
- Repeatable manufacture

Claims (i)

	EPO	UKPO
Direct Product	✓	✓
Product-by-process claim	✓	✓
• undefinable otherwise	✓	X
• product patentable	✓	X
• process patentable	✓	✓
Multiple medical uses	✓	✓
Composition as other solutions	✓	✓

Claims (ii)

Only 1 Independent

- Unless common inventive concept

EPO UKPO

✓

(✓)

=> Dependent

- One per field/application

✓

(✓)

Applications

- Disclosure at filing
- Statements of Invention

Eric Potter Clarkson

Park View House
58 The Ropewalk
Nottingham
NG1 5DD
United Kingdom

Telephone: 00 44 115 955 2211

Fax: 00 44 115 955 2201

E mail: nfox@eric-potter.com

Website: www.eric-potter.com

ERIC POTTER CLARKSON