



# PATENT – OVERVIEW AND PROCESS

Farizah Mohamed Isa

Legal & IP Management Unit

**BITCOM** UITM



The People of **BITCOM**

# Legal & IP Management Unit

---

## Functions:

- Process IP applications
  - UiTM IP maintenance
  - Management of UiTM IP data
  - Information Centre
  - Support Commercialisation process (draft licensing agreements and related documents)
- 



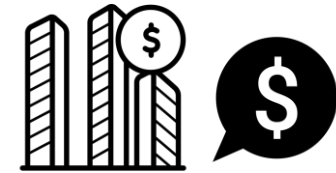


# UiTM RESEARCH & INNOVATION ECOSYSTEM

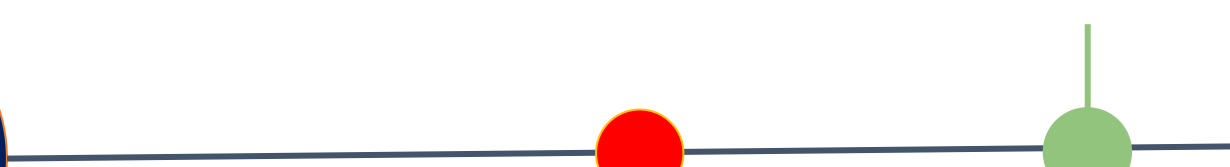
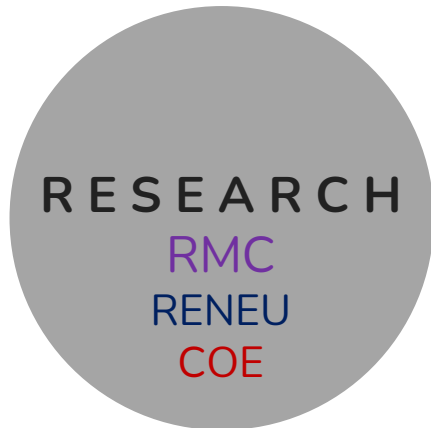


Faculties  
Institutes  
Centres  
Units

UiTM TechnoVenture  
Sdn Bhd  
CONSULTANCY



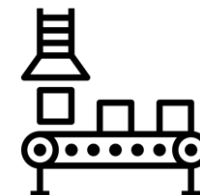
COMMERCIALISATION



INTELLECTUAL  
PROPERTY



TECH-TRANSFER



PRODUCTS



GRANTS  
Private  
Public

## *Intellectual Property Law*

---



Patents

Trademarks

Copyright

Design

# What do you want to protect?



Piece of content  
or media

you need a



**Copyright**



Product, technology,  
or chemical compound

you need a



**Patent**



Brand name  
or logo

you need a



**Trademark**

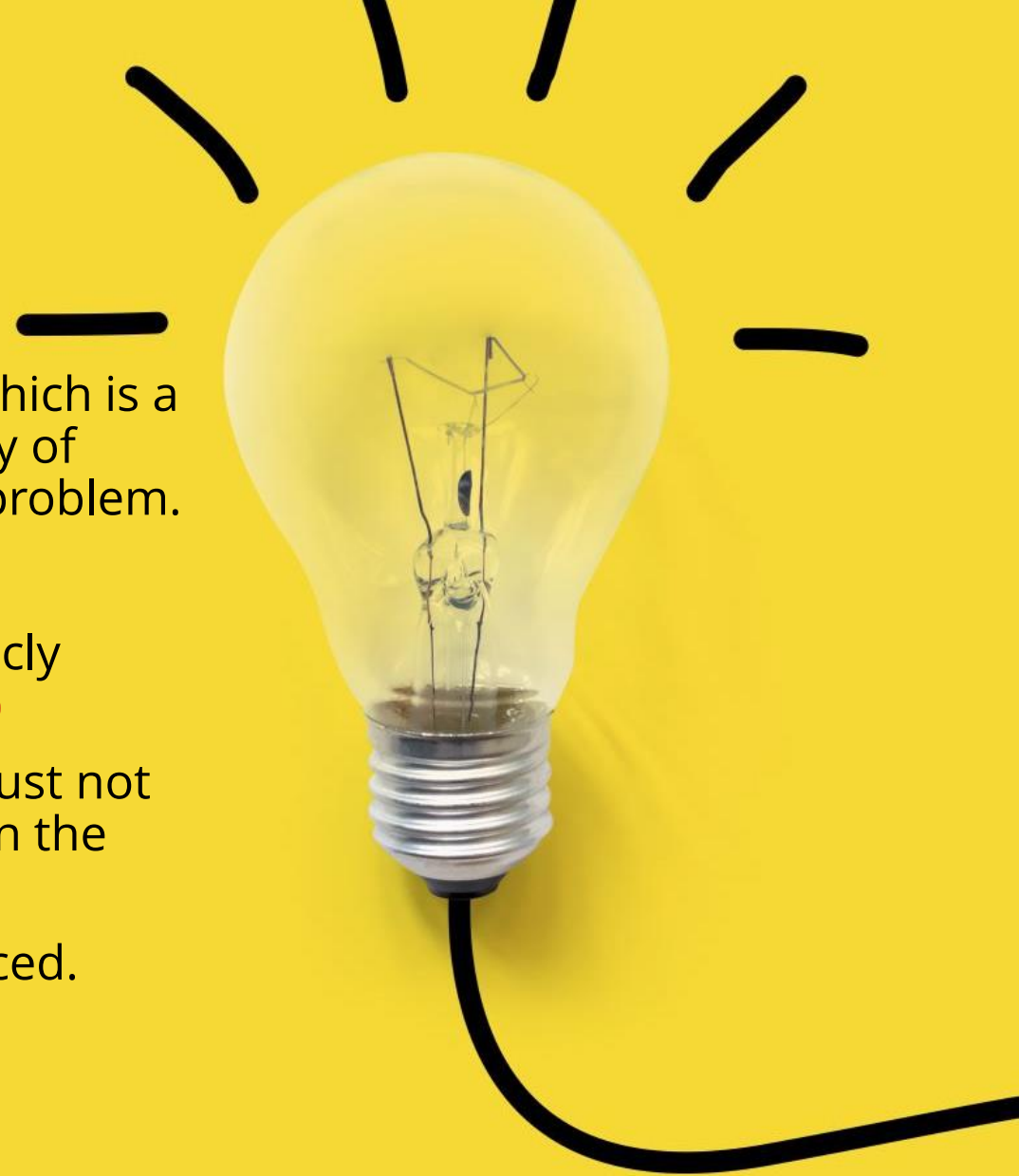


# Patent

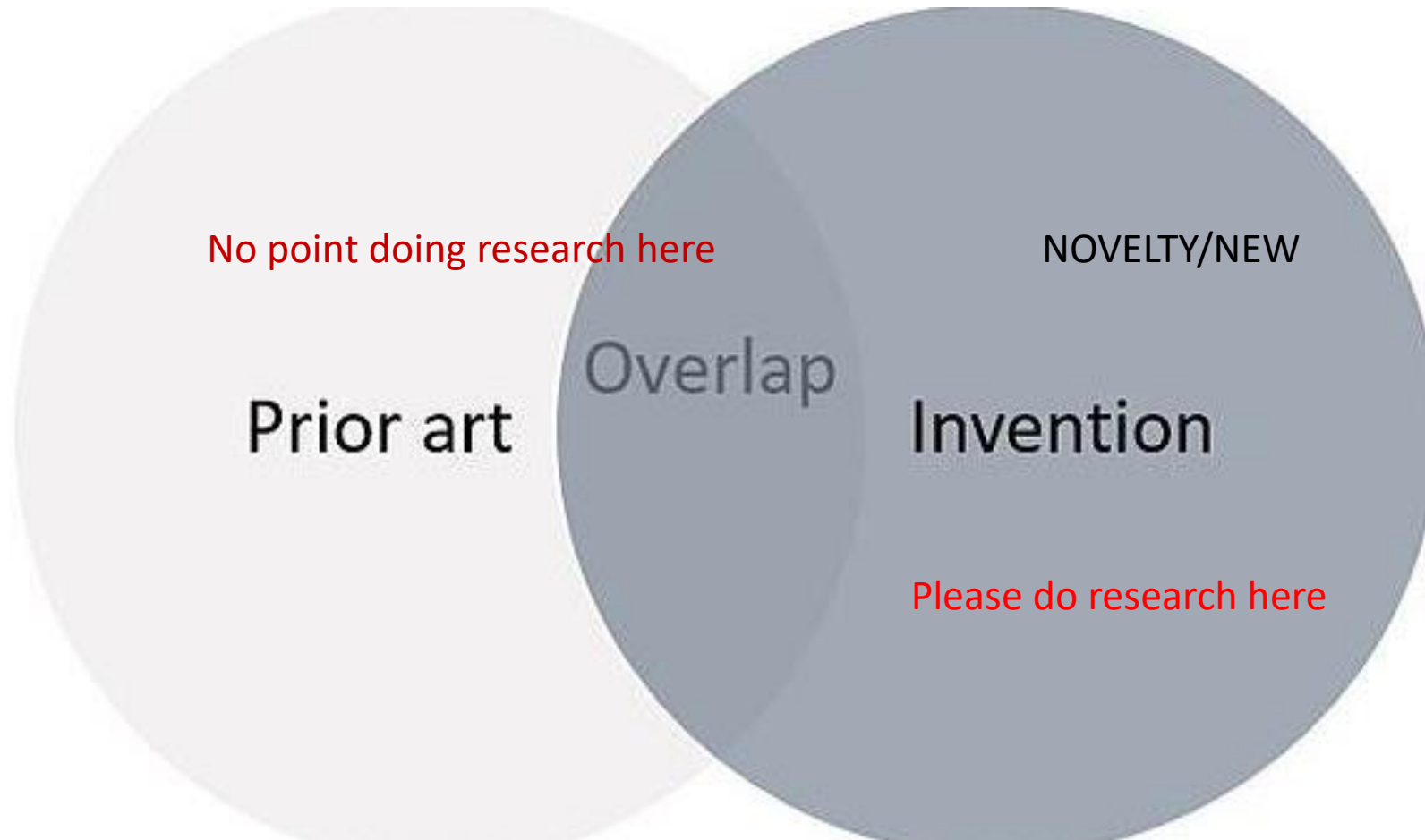
A patent is an exclusive right granted for an **invention**, which is a **product** or a **process** that provides, in general, a new way of doing something, or offers a new technical solution to a problem.

A patent must be :

- \*new, which means that the invention has not been publicly disclosed in any form, anywhere in the world; **(NOVELTY)**
- \*Involve an **inventive step** that is to say the invention must not be obvious to someone with knowledge and experience in the technological field of the invention; **(INVENTIVE)** and
- \***Industrially applicable**, meaning it can be mass produced.



# PRIOR ART AND THE NOVELTY OF AN INVENTION-THE SIGNIFICANCE TO RESEARCH





S.14(2) Patents Act 1983

Prior art shall consist of

- (a) everything disclosed to the public, anywhere in the world, by written publication, by oral disclosure, by use or in any other way, prior to the priority date of the patent application claiming the invention;

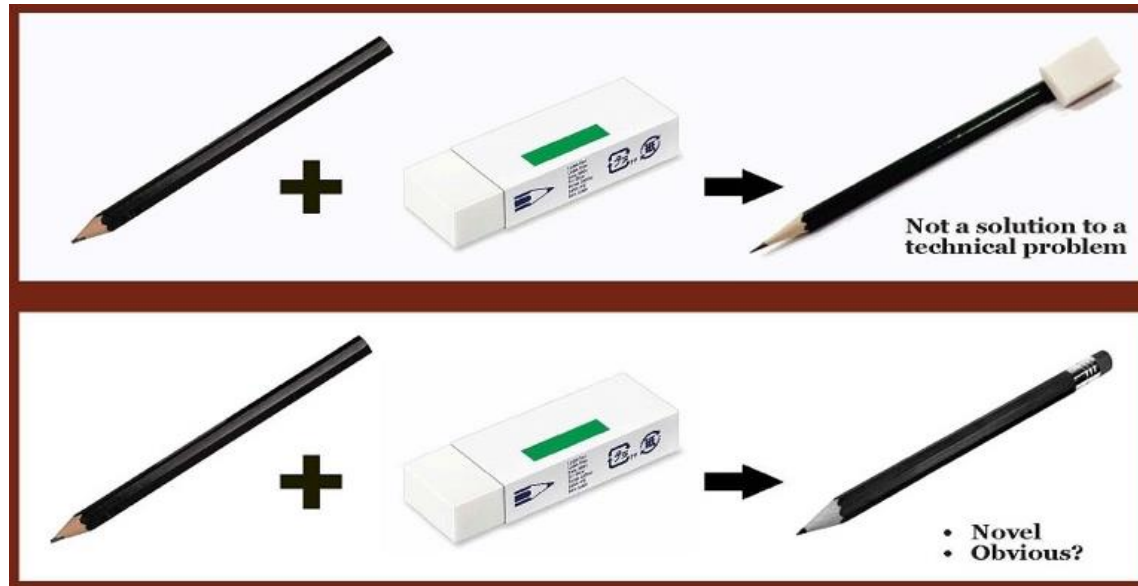
## Examples of Prior Art



# THE SIGNIFICANCE OF PRIOR ART SEARCH IN RESEARCH



# INVENTIVENESS (Non-Obviousness)



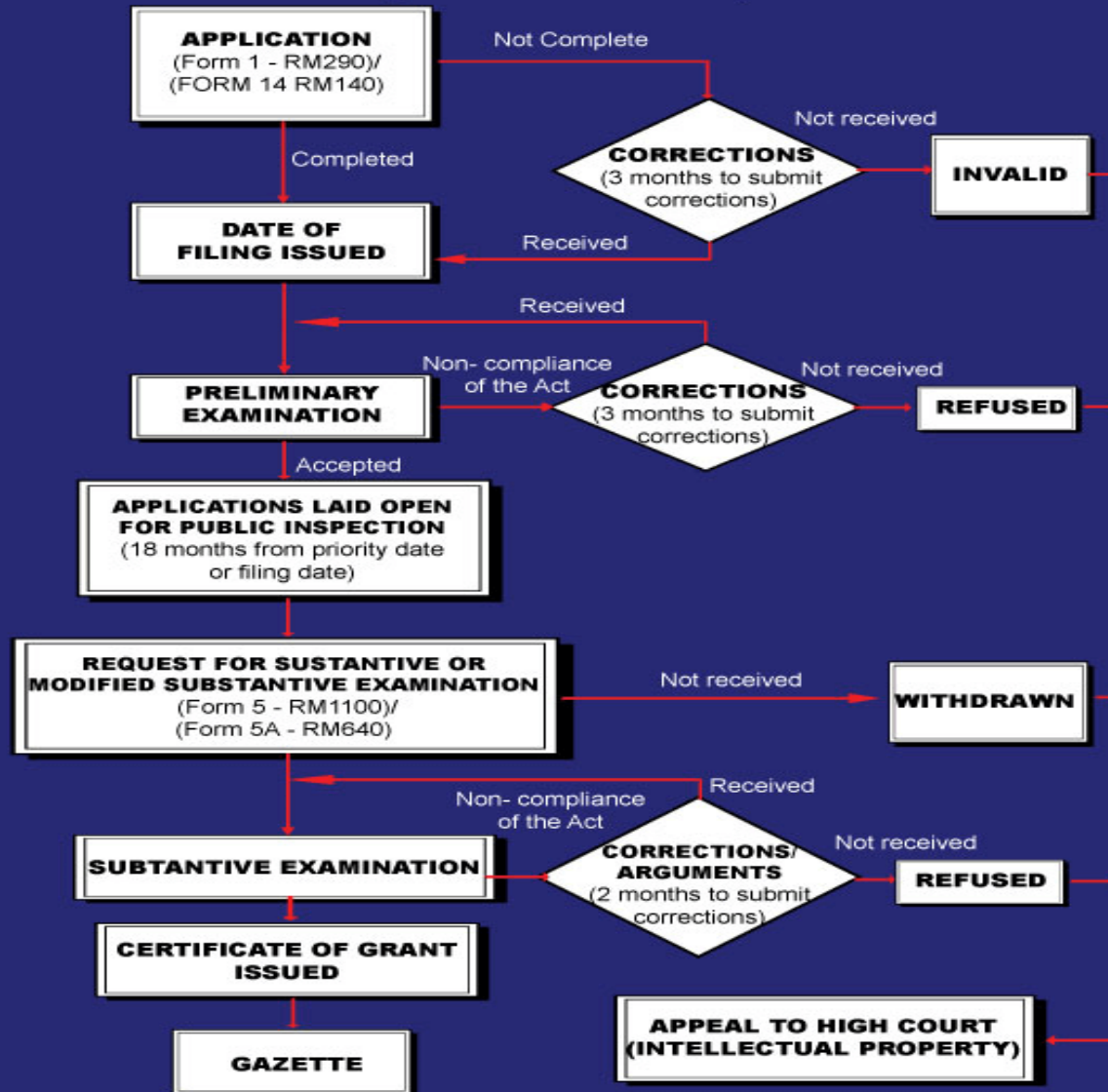
- SECTION 15 (PA 1983)

**An invention shall be considered as involving an inventive step if, having regard to any matter which forms part of the prior art under paragraph 14(2)(a), such inventive step would not have been obvious to a person having ordinary skill in the art.**

## The Mechanical Pencil



## FLOWCHART PATENT APPLICATION AND GRANTING PROCEDURE (PATENT ACT 1983)

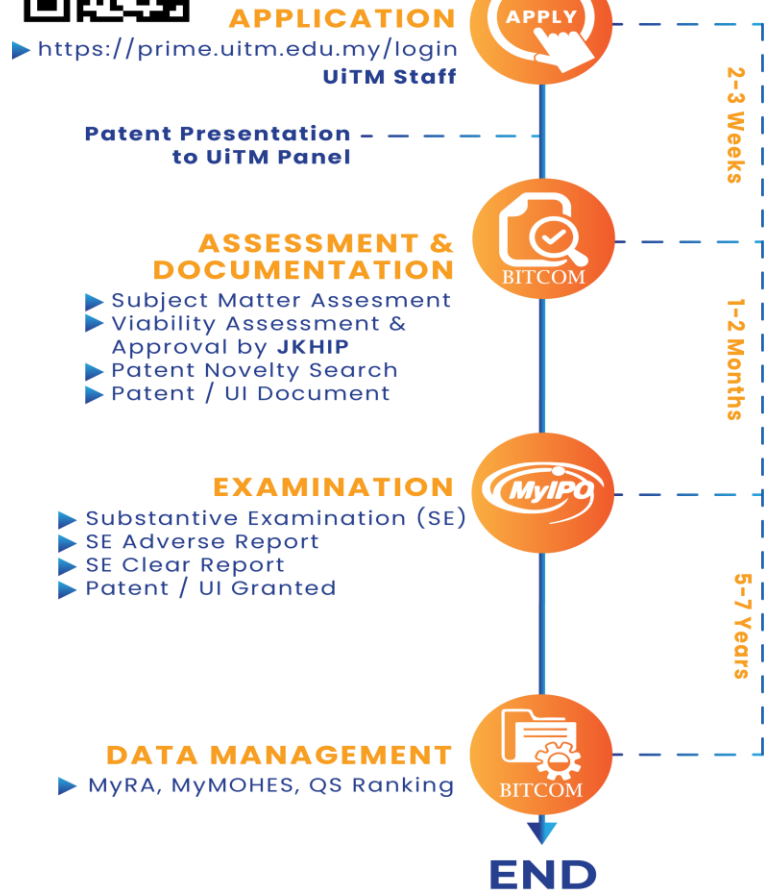


\* Kindly refer to Patents Regulations for details procedure.





# START



## WHAT IS PATENT

A patent is a government authority or license conferring a right or title for a set period, especially the sole right to exclude others from making using or selling an invention.

## WHAT IS UTILITY INNOVATION (UI)

A utility innovation is an exclusive right granted for a 'minor' invention which does not require to satisfy the test of inventiveness as required of a patent. Also known as 'Petty Patent'

## PATENTABLE INVENTIONS

- ✔ New, which means that invention has not been publicly disclosed in any form, anywhere in the world;
- ✔ Involve an inventive step, that is to say the invention must not be obvious to someone with knowledge and experience in the technological field of the invention and;
- ✔ Industrially applicable, meaning it can be mass produced.

## NON-PATENTABLE INVENTIONS

- ✘ Discoveries, scientific theories and mathematical methods;
- ✘ Plant or animal varieties or essentially biological processes for the production of plants or animals, other than man-made living micro-organisms, micro-biological processes and the products of such micro-organisms processes;
- ✘ Schemes, rules or methods for doing business, performing purely mental acts or playing games;
- ✘ Methods for the treatment of human or animal body by surgery or therapy and diagnostic methods practiced on the human or animal body.

UiTM Patent Application Process Flow :  
<https://bitcom.uitm.edu.my/index.php/intellectual-property-ip/procedure>

PRIME: <https://prime.uitm.edu.my/>

## DURATION OF PROTECTION

**Patent**  
**20**  
Years

\*From date of Filing

**Utility Innovation**  
**10**  
Years  
+5 +5

\*From date of Filing and subject to use

Thank you for your kind  
attention!  
For further queries and  
assistance, please contact us  
at:  
[hartaintelek@uitm.edu.my](mailto:hartaintelek@uitm.edu.my)

