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*African Regional Intellectual
Property Organization*

The Role of Patents and utility models in leveraging innovations in the Food Processing Industry

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Head search and substantive examination

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Fostering Creativity and Innovation for Economic Growth and Development in Africa

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What is a Patent

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.What is a patent

.- legal document granted by states to inventors to prevent third parties, not having the owners consent from acts of **making, selling, using, offering for sale or importing products or process covered by the patent.**

- Conditions of patentability- novelty, inventive, and industrial applicability.

- patent rights are territorial, limited in time (20yrs).



.What is a patent cont.

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- Patent owners have rights to assign, transfer by succession and conclude licensing contract.
- In return a patent owner must disclose an invention in a manner sufficiently clear and complete so that the invention can be carried out by a personal having ordinary skill in the art- Database- way of developing science.
- patent application should be filed nationally, regionally and PCT



Why of obtaining a patent/utility model?

- -Strong market position-it give exclusive rights to stop riders
- Return on investment
- Licensing give you more income
- Access to new markets
- Ability to raise fund
- Powerful tool against imitators
- Positive image for your enterprise- easy to get partner.



Structure of patent document

- Bibliography (Front Page).
 - -name of inventor
 - -name of applicant
 - -name of representative
 - -designated states (where it is protected)
 - - title and classification of technical field
 - -abstract if possible with a diagram or chemical formula.
 - - patent number and priority number if any.
- Specification
 - - Description
 - - Claims
 - -drawings if any



Patent classification

- Divided into 8 sections (A-H)
- A- Human necessities
- B-Performing operations, Transport
- C-Chemistry, Metallurgy
- D- Textile, paper
- E-Fixed construction, mining
- F- Mechanical Engineering
- G- Physics, Information
- H- Electricity.



Example of a Patent document- Bibliography

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PD2013A000228 7 August 2013 (07.08.2013) IT
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- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM,

AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

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Declarations under Rule 4.17:

— of inventorship (Rule 4.17(iv))

Published:

— with international search report (Art. 21(3))



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(54) Title: METHOD FOR PRESERVING FOOD

(57) Abstract: What is described is a method for preserving cooked or pre-cooked food, wherein the cooked or pre-cooked food is kept in a preserving chamber with a controlled atmosphere, substantially at atmospheric pressure and at a predetermined temperature in the range from 57.2°C to 90°C, for a preservation time of more than at least 24 hours, and wherein the partial oxygen pressure in the chamber is kept below 10 kPa, by at least partially replacing the oxygen present in the chamber with another non-oxidizing gas which is introduced into the chamber.



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Example of a description

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Method for preserving food

Technical field

The present invention relates to a method for the hot preservation of food, having the features described in the preamble to Claim 1, which is the principal claim. The food may be cooked or pre-cooked, but, in some cases, it may be both cooked and preserved as specified by the method.

Technological background

The invention relates to the specific field of preserving over a period of time foods and provisions which have been subjected to cooking or pre-cooking, and is applicable in particular, but not exclusively, to food preserving processes used in the provision of public catering, for example in restaurants, canteens and the like, supermarkets, public catering services and military catering.

At the present time, the preserving of cooked or pre-cooked food takes place in various ways, according to the required preservation time.

In a first preserving procedure, freezing is carried out if the required preservation time is reckoned in days or weeks.

In a second preserving procedure, the food is refrigerated (at 4°C, for example) if the preservation time is a few



Example of claims

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CLAIMS

1. A method for preserving cooked or pre-cooked food, characterized in that the cooked or pre-cooked food is kept in a preserving chamber with a controlled atmosphere,
5 substantially at atmospheric pressure and at a predetermined temperature in the range from 57.2°C to 90°C, for a preservation time of more than at least 24 hours, and wherein the partial oxygen pressure in the chamber is kept below 10 kPa, by at least partially
10 replacing the oxygen present in the chamber with another non-oxidizing gas which is introduced into the chamber.
2. A method according to Claim 1, wherein the predetermined temperature is chosen to be in the range from 58°C to 72°C.
- 15 3. A method according to Claim 1 or 2, wherein antioxidant substances are added to the cooked food that is to be preserved in the chamber.
4. A method according to any one or more of the preceding claims, wherein, during the preservation time, the partial
20 oxygen pressure in the chamber is kept below 100 Pa.
5. A method according to any one or more of the preceding claims, wherein provision is made to measure the oxygen concentration in the preserving chamber during the preservation time, and to restore the oxygen concentration
25 correlated with the predetermined level of partial oxygen



What is disclosed

- Technical information - **title, abstract and specifications**
- Legal information **where protected, claims**
- Business information.
- Economic information- from a statistical analysis of patents leading to indicators useful in discussing public policy



Patent information

- Patent documents constitute a major source of technical information or solutions, extending over most fields of technology.
- Each year about 300,000 new published patent documents are added to the 60 mil existing of the technological information is available to the public.
- Patent information comprises:
 - All information which has either been published in a patent document or
 - Information that can be derived from analyzing patent filing statistics.



Users of Patent information

- R& D Institutions, Universities;
- Government Authorities;
- Industries (Private Sector)
- Parastals;
- Individual inventors/ creators/SMEs;
- Informal Sector (Handcrafts);
- Professionals in IP e.g. Patent Agents
- Competitor



Advantage of SMEs and Researchers using Patent information

- Help the inventor to check if the idea is new before filing for the application.- decide to file a patent or utility model.(not to re-event the wheel)
- Help the inventor to invent around the existing knowledge- new idea- file a patent/utility model.
- SMEs can use the publicly available knowledge for their business
- Help the inventor to locate business partners



Advantage of SMEs and Researchers using Patent information

- - Help the researchers to know other researchers who are in the same field – joint venture.
- Avoid making unauthorized use of technology owned by others



Where to get Patent information

- Free databases:
- List of national patent databases is at <http://www.wipo.int/ipdl/en/resources/links.jsp>
- WIPO'S PATENT SCOPE search service at <http://www.wipo.int/patentscope>
- European Patent office's esp@cenet search services <http://ep.espacenet.com>
- Google patents (only US patents) at <http://www.google.com/patents>.
- Some commercial databases.
- <http://www.delphion.com>
- <http://www.patentcafe.com>
- <http://www.wipsglobal.com>



How to search

- Search can be conducted using.
- Key words, patent number, inventor name, priority number, classification number.



Conclusion.

- Researchers and SMES use patent information to get ideas don't re-invent the wheel
- Protect your IP will give more money and bargaining power.
- SMEs you can use patents, utility models, industrial designs and trade secretes to protect your business.
- SMEs/ researchers in food industry use patent information as it contains all solutions you need i.e food processing, preservation and packaging.
- **Researchers work very closely with SMEs (50-70% women) for the benefit of societies – job creation and countries economies.**





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