SOFTWARE PATENTS WORLDWIDE

Author Guide

[A] Aim of the Publication

Today’s patent attorneys and counsel representing clients involved with software must be able to access reliable information on patent processes worldwide. Software Patents Worldwide is the only resource providing expert insights and how-to guidance on drafting patent claims in the world’s key markets, which means you can practice with confidence and avoid errors—even in unfamiliar territory. A brand new resource, Software Patents Worldwide covers both mature and developing systems, enabling you to ask the right questions in each circumstance. This one-of-a-kind resource will help you answer key questions such as:

- What is the proper procedure for obtaining a software patent?
- How do we enforce our patents?
- Is it even worth obtaining a patent in this jurisdiction?
- How do the requirements of one jurisdiction compare to those of another?
- How is the country’s Patent Act interpreted by local courts?
- And more

Each chapter of Software Patents Worldwide follows the same outline, making it easy to find information quickly—and compare jurisdictions!

[B] Contact Details

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[C] Outline

A. SOFTWARE PATENTS IN COUNTRY / REGION – AN INTRODUCTION

1. Frequently Asked Questions about software patents - particularly applicable to the Country/Region
   If the reader looks at nothing else – this section will contain the short answer to the most common questions.
2. Introduction to the legal system of the Country/Region
Court System
- How software patent litigation is handled - practical aspects: e.g., fee structures; what percentage of cases go to trial
- Where infringement litigation is brought; who can represent the litigants

Patent System
How the Patent Office is organized; how the process works; how long it takes; what influences the cost; who can represent the litigants

3. Overview of the software industry in the country / region
- Software production in the country/region
- The market for software products in the country/region

B. LEGAL BASIS ACCORDING TO CURRENT PATENT ACT

1. Patentable (Statutory) Subject Matter
   - Specific Definition of Technical Character or Utility Requirement
   - Matter Excluded from Patent Protection

2. Novelty, Non-obviousness, Inventive Character

C. HOW THE PATENT OFFICE INTERPRETS THE PATENT ACT

1. Patent Examination Guidelines in general
   - Specific Guidelines for software patents (if any)
   - Specific Guidelines for business method patents (if any)

D. HISTORICAL DEVELOPMENT

1. Where and when the Country/Region's patent law came from - a brief history
2. Prior Patent Acts and/or Treaties that influenced current law (if any)
3. Noteworthy Case Law - having specific applicability to computer programs, software, business methods

E. FIELDS OF TECHNOLOGY (FOT)

1. Specific noteworthy or interesting examples that demonstrate the scope of protection afforded to software patents in the Country/Region
   - Patentable FoTs according to Case Law, or patent office decision
   - Not Patentable FoTs according to Case Law
   - Special comment on the business method patent

F. INFRINGEMENT AND ENFORCEMENT

1. Statutory Basis for software patent enforcement
2. Jurisdictional issues - where suit to enforce a software patent may be brought
3. How the software patent litigation is conducted
   - e.g., what types of issues are tried when and who decides
4. How damages are assessed and enforced; how injunctions are awarded and enforced
5. Noteworthy Case Law - having specific applicability to enforcement of software patents
G. FUTURE DIRECTIONS

1. Where we are today
2. A Forecast for the future