

Patents

A patent is a right of ownership for a certain invention, awarded by the government. This means that the invention may only be exploited by others after an arrangement (i.e., a licence agreement) has been made with the inventor. This ownership is granted on the condition that the description of the invention in the patent is in the public domain. What kinds of inventions can be patented differs per country. In the Netherlands, a patent is exclusively related to new products or processes. Moreover, the legal demands appointed to patents differ per country. In The Netherlands inventions are patented if they are

- new (not published earlier regardless where, when and by whom),
- inventive (sufficient level of invention; not obvious for the expert)
- industrially applicable.

A patent is a legal document of which the validity is limited to those countries where the patent has been awarded. A patent is awarded for a certain period of time only; this is referred to as 'validity'. In the Netherlands, a patent is valid for 20 years. In most countries, patents are charged annually in order to maintain the patent. Note that a patent loses its validity if the annual subscription is not paid.

In the Netherlands, if an employee invents something in their employment, the employer holds the rights to the invention. However, the employee is named in the patent as the inventor and he/she is usually financially rewarded by the employer for the invention.

Searching for patent publications can be very useful for three reasons:

1. The information in patents is unique. It is estimated that 70 % of the information in patent publications has never been published elsewhere.
2. A patent shows whether a certain invention is protected or not. You may use an invention when the patent is not valid in the country in question or when it is no longer valid (older than 20 years or unpaid subscription fee). Invalid patents are not removed from the databases; they can be very useful.
3. Patent publications contain important information about activities of research and developments in a certain field or within competitive companies.

Patent publications can be traced with the help of a patent database, for example [Espacenet](#). These databases generally contain the information that is in the 'preface' (first page). Thus, patents can be found with the familiar search keys, such as name of author or applicant, words from the patent title, or words from the abstract.

Nevertheless, searching for information in patents is not simple. The applicant does want the right of ownership, but usually doesn't want it to be public. Therefore, patents often contain masking language. Sometimes the patent is limited to sub-techniques and secondary parts, so essential details do not have to be made public. The titles of patents are often rather insignificant. Moreover, the text in a patent is not focused so much on what a certain invention *is*, but more on *what it does or how it works*. A chair, for example, can be indicated as a 'sitting device', so you won't find such a patent with the search term 'chair'. Therefore, it is advisable to leave a patent search to a specialist if a thorough search for patents is demanded.

When searching for patents, the classification system is important. At least one classification code is added by the Patent Office to a patent but often, sub-codes are also added to sub-aspects. This is an example of a part of the International Patent Classification (IPC):

B: Processing; Transport
B66: To hoist; To lift; To pull up
B66B: Lifts; Escalators or moving floors
B66D: Capstans; Winches; Hoists, e.g. pulley blocks; Hoisting apparatus
B66F: Not classified elsewhere hoist, lift, pull up or push, e.g. fixtures that practice a direct lifting power

(The specificity increases with the length of the classification code.)

So, also when patents contain a lot of masking language, the government takes care of the public nature of it by attaching classification codes.

You can find the right code by searching the [Classification Scheme](#) or by finding some appropriate patents first and using their codes in your further search.