

INTELLECTUAL PROPERTY INSTITUTE OF CANADA

Patent Agent Training Course

MODULE 2 – INFRINGEMENT AND VALIDITY

JANUARY 20 > MARCH 30

2009



Objectives

This Patent Agent Training Course is an advanced, practical program intended to enhance the patent agent trainees' skills relevant to infringement and validity and to increase their chances of success in the Patent Agent Qualifying Examination.

Course schedule

INITIAL ON-SITE SESSION

Toronto > January 20 - 22, 2009

Toronto Board of Trade, 9:00 a.m. - 5:00 p.m. (daily)

Vancouver > session to be confirmed

If enough interest is expressed, the initial session will be simultaneously held in Vancouver. However, the initial classroom session is mandatory and students must be prepared to attend in Toronto should it be held only in that city.

Interested in attending in Vancouver?

Let us know as soon as possible in order for a session to be planned in that city.

DISTANCE EDUCATION COMPONENT

February 2 - March 30, 2009

Who will benefit from the course?

Patent agent trainees at law firms, patent agency firms, corporations and technology transfer offices seeking to gain practical experience.

Intellectual property managers who want to acquire a comprehensive understanding of the patent process.

Pre-requisites

To obtain the optimum benefits from the course it is recommended that students have at least one year of training with a qualified patent agent or patent lawyer.

Course structure

INITIAL ON-SITE SESSION

An initial 3-day classroom session will be held to introduce the core principles surrounding patent infringement and validity and to discuss the Patent Agent Exam. Topics covered during the session will include:

Introduction

- ▶ Review of relevant jurisprudence
- ▶ How to read and interpret statutes and regulations
- ▶ Methodologies — analyzing construed claims, critical dates

Claim construction and interpretation

- ▶ Historical development
- ▶ Purposive construction
- ▶ Person of ordinary skill in the relevant art

Infringement

- ▶ Basis for infringement and remedies
- ▶ Limitation periods
- ▶ Historical development
- ▶ Essential v. non-essential elements
- ▶ Direct v. indirect infringement
- ▶ Defenses to infringement

Validity

- ▶ Presumption of validity
- ▶ Anticipation/novelty
- ▶ Inventive step/obviousness
- ▶ Utility
- ▶ Claim breadth/sufficiency of description /ambiguity
- ▶ Inventorship

PRACTICAL EXERCISES

The initial session will be followed by practical exercises involving approximately 5 hours of homework per week. The exercises will be submitted via e-mail to the instructors who will in turn provide comprehensive feedback on each answer received.

PROGRAM SUBJECT TO CHANGE.

ATTESTATION OF COMPLETION

Students who have completed at least 80% of the exercises will receive an attestation of completion at the end of the course.

