SECTION 3(K) AND 3(M) OBJECTION OVERCOME

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1 427/CHE/2008 of HCL Technologies Limited, There was Inventive step objection u/s 2(1)(j) and non-patentability objection under section 3(k). The Controller considered the invention as **algorithmic steps and computer program per se**. Further, it wasn't filed in any other country so the Controller wasn't confident to consider the facts that the present invention recites patent-eligible subject-matter. At the hearing, Anand and Anand explained the invention in layman terms to the Controller as well as the inventive concept of the invention along with claims having hardware features to bring out the inventive concept. Based on our arguments and amendments, the Controller allowed the application to grant. 2 3318/CHE/2010 of Accenture Global Services Ltd; There was Non-Patentability objection u/s 3(k). The Controller asserted that the subject-matter is a **business method**. Anand and Anand explained technical effect generated by the invention to establish the fact that the invention is purely technical in nature. Further, it was explained how the steps recited in claims of the present invention relate to a technical field of image processing rather than a business method. The case was granted by the Controller. 3 1892/MUM/2009 of Accenture Global Services Ltd; There was Non-Patentability objection u/s 3(k) and 3(m). The Controller asserted that the subject-matter is **computer program per se** and a **mental step**. Anand and Anand argued based on technical problem – technical solution approach, how the technical effect is generated by the present invention. Further, Anand and Anand presented the arguments to establish the fact that the technical features recited in claims cannot be a mental activity performed by a human or cannot be a scheme or rules of playing a game. The case was granted by the Controller. **Significance:** Non statutory patent subject matter- Software per se, business method, algorithms and method of performing mental act- related objection overcome to obtain patent grant. **Team Anand and Anand:** Software team of Anand and Anand.

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